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# Angus Local Development Plan: Main Issues Report Consultation Responses

## Part 1

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Committee Draft

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January 2015

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## Introduction

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Following an initial awareness raising exercise undertaken between 5 November and 23 December 2010, the Angus Local Development Plan Main Issues Report was published for consultation between November 2012 and January 2013.

At their meeting on the 5<sup>th</sup> March 2013, Angus Council Infrastructure Services Committee noted an overview of the range and scale of consultation response to the Main Issues Report, agreed that late responses be taken into account and agreed that all the responses to the Main Issues Report and draft Environmental Report were made publicly available on the Council website (Report 137/13 refers).

A substantial number of responses were received to the Main Issues Report consultation; 186 individual responses giving rise to circa 860 separate comments, rising to 955 when considering late responses accepted by the Council.

This statement sets out the Council's response to all representations received during the Main Issues Report consultation, and those received since the consultation closed. Consideration of the consultation responses has informed the contents of the Proposed Angus Local Development Plan agreed with amendments at the Angus Council meeting on the 11 December 2014 (Report 501/14 refers).

Full copies of all responses received are available on the Council's website:

<http://archive.angus.gov.uk/ldpmainissuesreport/Responses/default.html>

This document is split into two parts. Part 1 includes all representations received on Chapters 2 to 7 (questions 1 to 19) of the Main Issues Report and general comments received on the document or its appendices, whilst Part 2 includes all representations received on the settlement specific chapters (questions 20 to 48).

For each comment received, the document sets out a unique representation number, the relevant Main Issue, Question number or answer to the question, the Organisation, representee or agent making the representation, and any comment as well as the Council's response and recommendation.

Where similar comments have been submitted, these have been grouped together and a single response has been given to avoid repetition. If there is no response or recommendation immediately following a comment, then this can be found at the end of the grouping of comments. Groups of comments are delineated by a line like this:

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The document is structured in the same way as the Main Issues Report, and responses are presented in the order of the chapters and questions within that document.

Chapter 1 of the Main Issues Report was a Preface, and no questions were posed as part of the Chapter. There were therefore no representations received in relation to this chapter, and this document starts with representations received on Chapter 2 of the Main Issues Report.



# Chapter 2

## Chapter: 2 Introduction

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**Main Issue:**

**Question:** 0

**Answer:**

**Representation:** 780/001

**Organisation:** Nathro Wind Farm Ltd

**Agents:** Jones Lang LaSalle

**Comment:**

Support the Main Issues identified in paragraph 2.2 of 'Renewable Energy Generation' and 'Reducing Green House Gas Emissions.'

These are consistent with the UK and Scottish Governments carbon reduction and renewable energy generation targets, to which Angus Council requires to contribute.

**Response:**

Support noted.

**Recommendation:**

No change as a result of this submission. Angus Councils policy response to these issues will be addressed in the Proposed ALDP Proposed Plan.

# Chapter 3



### Chapter 3 - General

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**Representation:** 762/001

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Comment:**

MBM Planning note that the monitoring work undertaken in the preparation of the MIR has shown that population decline in the more remote rural areas of Angus has generally reduced and in many cases has reversed over the past decade or so.

Whilst MBM Planning acknowledge that the strategy will require support to be given to developing sites within existing villages to help support these rural service centres, the council's housing in the countryside strategy and policy is equally important in helping to sustain and grow the rural population and economy.

The current adopted development plan policy allows for greater opportunities for housing in the countryside within the remote rural areas (identified as Category 2 Rural Settlement Units) but that policy is now considered to be dated and no longer justified.

Paragraph 3.23 of the MIR notes that 'with population recovering in these areas and with changes to service provision being more obviously influenced by changes in society rather than by local development...' we would therefore support the alternative option which is to remove the current two tier approach to countryside housing and treat all parts of them Angus countryside in an equal fashion.

Even the argument that is put forward in the MIR (paragraph 3.23) for maintaining the current approach of providing greater opportunities in the remote areas which states that 'given that household size is likely to decline in the future, so that a greater number of new homes would be required to maintain a stable population' actually provides another reason as to why there should be no two tier approach and that the new homes that are required, can be accommodated across all of the rural areas.

The single policy approach for housing in the countryside is also fully endorsed by Scottish Planning Policy (paragraphs 92-96) which state that 'Development plans should support more opportunities for small scale housing development in ALL rural areas, including new clusters and groups, extensions to existing clusters and groups, replacement housing, plots on which to build individually designed houses, holiday homes and new build or conversion housing which is linked to rural businesses or would support the formation of new businesses by providing funding. Opportunities to replace rundown housing and steadings, and to provide limited new housing along with converted rehabilitated buildings, should be supported where the new development is designed to fit in the landscape setting and will result a cohesive grouping.

**Response:**

Comment noted. This representation supports a single tier countryside housing policy approach across the Local Development Plan area.

**Recommendation:**

No change. The policy approach to countryside housing development will be incorporated into the Proposed ALDP and related Supplementary Guidance. This representation will be taken into consideration in developing the proposed plan.

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**Representation:** 797/002

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

2nd sentence: This would depend on the scale of new housing. A modest number may have no effect at all on services and facilities whilst more substantial numbers would.

**Response:**

Comment noted. The scale and location of new housing promoted through the Proposed ALDP will take account of a range of site specific factors, including the availability and capacity of local services and facilities.

**Recommendation:**

No change

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**Representation:** 797/001

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

Suggest that the term “the strategy will be to avoid conflicts with....” be changed to “the strategy will be to complement...”, if used in later documents.

**Representation:** 899/001

**Organisation:** Aberdeenshire Council

**Representee:** Piers Blaxter

**Comment:**

The change in emphasis in rural policy towards concentration of development in service centres may result in displacement to Aberdeenshire settlements. This is not perceived as being a serious issue.

**Response:**

Comment noted.

**Recommendation:**

No change to the Proposed ALDP Spatial Strategy as a result of this representation

**Chapter 3 – Question 1 Do you support the preferred options for the LDP spatial strategy and its implementation, as shown in Tables 1, 2 and 3? Please explain your answer and give details of any alternative option that you think is better.**

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**Main Issue:** Question: 1 Answer: Yes

**Representation:** 762/003

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Comment:**

Support the reasonable alternative approach set out in Table 2 : The strategy for rural Angus : housing in the countryside (page 13) of the MIR.

**Representation:** 847/001

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

The Reasonable Alternative, to allocate small-scale development sites in the villages and countryside is supported. It is considered that this approach, which would supplement both the overall strategy of the LDP (which reflects the requirements of the TAYplan) and the Preferred Option, will assist in providing for new moderate development, to provide flexibility and choice in the housing land supply.

Moderate new development at land adjacent to Saty Dyke can contribute to the housing supply, in a location close to Montrose, where there is easy accessibility to a range of service provision, by providing a choice to live in a village location.

The MIR confirms that the Council intends to undertake a landscape capacity review of settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development and it is considered that a new settlement boundary at Rossie Braes should be considered as part of this process and this site included in the new settlement boundary.

**Representation:** 845/001

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

The Reasonable Alternative, to allocate small-scale development sites in the villages and countryside is supported. It is considered that this approach, which would supplement both the overall strategy of the LDP (which reflects the requirements of the TAYplan) and the Preferred Option, will assist in providing for new moderate development, to provide flexibility and choice in the housing land supply.

Moderate new development at Rossie Mills can contribute to the housing supply, in a location close to Montrose, where there is easy accessibility to a range of service provision, by providing a choice to live in a village location.

The MIR confirms that the Council intends to undertake a landscape capacity review of settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development and it is considered that a new settlement boundary at Rossie Mills should be considered as part of this process and this site included in the new village boundary.

**Response:**

Comments noted.

**Recommendation:**

No change. The policy approach to rural development, including landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP, its Action Programme and any related supplementary guidance. These representations will be considered in preparing the proposed plan.

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**Main Issue:** **Question:** 1 **Answer:** Yes

**Representation:** 890/001

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The LDP MIR reflects the development vision for Angus as set out in the TAYplan Strategic Development Plan (SDP). Kirriemuir is a town identified to be a 'focus for development.' Within the settlement hierarchy set out in the Local Development Plan (LDP), Kirriemuir is located in Tier 3 and is therefore a settlement that "will accommodate a small share of the region's additional development between the period (2012-2032.)"

In support of this statement, Henry Young (Cairn Timber) Ltd strongly support additional housing development in Kirriemuir.

The preferred strategy in the MIR reflects the TAYplan's locational priorities in providing a balanced delivery of development to the Angus towns and villages, ensuring that the scale of development is commensurate with the role of each settlement. This approach is also fully supported.

Regarding the delivery of new development, the MIR seeks to accord with national planning policy in having "realistic aspirations for what can be achieved over the plan period..." (Paragraph 3.24). To accommodate new development, the Plan's Preferred Option is to continue the current policy of developer contributions to allow land release in locations which currently do not have sufficient infrastructure capacity for new development (Table 3) This approach is supported in that it, together with supplementary guidance, will provide for growth in the most appropriate locations. It will also give certainty to landowners and prospective developers.

**Representation:** 893/001

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

Whilst there is not a table siting a 'preferred option' or 'reasonable alternative' for directing the majority of new development to the principle settlements, this approach is supported. It is clear from paragraphs 3.12 to 3.16 (Preferred strategy: TAYplan principal settlements) that the new LDP does intend, in accordance with the TAYplan strategy to direct the majority of new development to the principle settlements, including Kirriemuir, and this is supported.

It is noted that the background to Q1 states that "...the overall number of new houses and businesses during the LDP period will be commensurate with the role of these settlements as smaller centres of population, offering fewer services and facilities".

**Response:**

Comment/support noted.

**Recommendation:**

No change. Land allocations in Kirriemuir will be identified in the Proposed ALDP.

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**Main Issue:** Question: 1 Answer: Yes

**Representation:** 800/002

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran is broadly supportive of the preferred options. While accepting that the provision for new countryside housing in the remote rural areas can support local services and facilities it needs to be recognised that access by modes other than the private car can be difficult in such areas.

The references in sections 3.10 and 3.11 to the LDP Action Programme investigating the feasibility of sites for Park & Ride to the east of Dundee is welcomed and supported, as is the indication that the LDP will take cognisance of STPR Project 29 for improving the A90 through or around Dundee and STPR Project 23 for enhancing rail services Aberdeen – Central Belt, including track capacity infrastructure at Usan near Montrose. The references to protecting sites for strategic transportation infrastructure proposals should be extended to include reference to these projects being identified in the Regional Transport Strategy and RTS Delivery Plan, as well as the STPR.

**Response:**

Comment/support noted.

**Recommendation:**

No change. Transport related projects, including strategic transport infrastructure proposals will be detailed in the Proposed ALDP and supporting Action programme.

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**Main Issue:** Question: 0 Answer:

**Representation:** 802/003

**Representee:** Mr R Wallace

**Agents:** J J Fitzpatrick Planning Consultant

**Comment:**

The intention to restrict housing land release close to the Tier 1 area around Dundee in order to avoid any prejudice to the delivery of sites within the Dundee Core area is fundamentally at odds with the main purpose of the plan which is to facilitate the delivery of housing land. Although major releases of land outwith but close to the Tier 1 boundary could have a prejudicial effect on delivery of Tier 1 sites, it would seem unnecessarily prohibitive to prevent smaller sites of up to 50 units from being brought forward – especially where such sites are part of the same overall HMA.

**Main Issue:** 0 Question: 1 Answer: Yes

**Representation:** 868/001

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

Barratt support the preferred option to seek developer contributions for any new infrastructure that would be required to deliver the LDP strategy.

The LDP must recognise the requirements of Circular 1/2010 and set out a policy consistent with the approach set out in this document.

Allocations for development within the forthcoming LDP should focus on locations which can deliver development to their full potential within the LDP period. Analysis of the housing market gives an indication of market demand, which is strong in areas such as Monifieth, which saw no greenfield land release through the Angus Local Plan Review (2009). Priority should be given to allocating sites in locations where there is a realistic prospect of

development occurring within a timescale to meet LDP requirements. Allcoating additional sites in settlements where existing sites have failed to deliver due to market constraints would not represent a deliverable strategy. Similarly, due to their nature, development sites such as the approved Shank of Omachie in Wellbank for example are unlikely to make a substantial contribution to the housing completions in the near future despite the number of units envisaged.

**Representation:** 788/001

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

The overall approach of the spatial strategy is supported with the view that development in the main be directed towards the larger settlements within the Angus Area. Stewart Milne Homes have land interests in both Montrose and Carnoustie, and welcome Angus Council's strategy of continuing to focus the majority of development within the larger settlements. It is of some concern however, that there seems to be a lack of new sites being supported through the MIR for Montrose in particular. The large areas of land being looked at for new employment use does not compare to the amount of land identified for housing within the settlement. Part of the strategy for Montrose is to encourage new economic development to the area through the Port of Montrose and this strategy needs to be coupled with a strong housing allocation to support the release of further land for employment. A separate representation has been prepared for Ferryden, Montrose and has been submitted to the Council for consideration. Similarly, representations has been prepared and submitted for our land interests at Carnoustie.

Stewart Milne Homes however, do not agree with the strategy set out for rural South Angus. Rural South Angus has a key part to play in the distribution of development through the Dundee City Region Strategy and at present, both Dundee City Council and now Angus Council seem to be taking the approach that little or at least, very limited housing and employment opportunities would be coming forward through the South Angus settlements outside that of Monifieth. Settlements within the rural South Angus Housing Market Area and settlements that fall within close proximity to the Dundee City boundary such as Liff and Village H at Ballumbie are not seeing the level of development that would seem appropriate to help support existing communities and to realistically support a developing City Region.

Table 1 sets out that Angus Council seek to identify small scale development in Edzell, Frockheim, Letham and Newtyle. Stewart Milne Homes would not support this approach and do not consider that development so far removed from existing infrastructure can be supported through the sustainable policies set out by TAYplan. There seems no logical justification to seek to bring these particular smaller settlements forward for development, when settlements within the rural south Angus HMA have been essentially overlooked, settlements which are closer to transport corridors, to the City and need investment in infrastructure which the Council will struggle to deliver without further development.

Table 2 sets out that Angus Council's preferred option would be to maintain their current approach of providing greater opportunity for new countryside housing in the remote rural areas. Stewart Milne Homes would support that approach, but there has to be a sound reason for bringing forward developable pockets within rural settlements. Land on the boundary of the Dundee City that falls within the South Angus Housing Market Area has been largely overlooked within the MIR with indication that land release on the outskirts of the City could prejudice development within the City of Dundee. Parts of South Angus fall within the Dundee Core Area and are set out within TAYplan as helping deliver strategic housing and employment land to feed the City Region. The village of Liff by way of an example has a significant part to play in delivering sensitively managed pockets of development of land to provide necessary infrastructure required to provide for schools, road upgrades and maintain communities. Sensitively phased development will enable smaller communities that lie on the

boundary of Dundee City to become more self-sufficient and sustainable in their own right. The individual settlement analysis does identify that some small scale development will be considered within the rural settlements and based on a landscape capacity to absorb new development. Whilst Stewart Milne Homes welcomes the fact that Angus Council will look to other smaller settlements for development, there requires to be greater analysis undertaken to establish which settlements would benefit greatest from development. Separate development bids have been prepared for land interests within the settlement of Liff and other settlements within administrative area to be considered, have been submitted to Angus Council for further site specific consideration.

**Representation:** 760/020

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

This proposal relates to providing a context within the LDP for the extension of the successful Ballumbie Castle for further residential development over the medium and long-term. Ballumbie Castle represents a relatively new settlement that has been developed out in a landscape/golf course setting. The site has provided for a successful new area of growth on a former partial greenfield site, offering choice in the housing provision in the south Angus Housing Market Area, but in close proximity to Dundee.

Whilst there is support for the overall strategy of the LDP which reflects the requirements of the TAYplan, however, it is also considered that an extension of Ballumbie Castle could further contribute to the choice in the provision of housing in this part of the South Angus Housing Market Area. In this context the 'Reasonable Alternative' is supported in that the site can contribute to the future allocation for small-scale development sites adjacent to Ballumbie House village, with further opportunities for growth over the longer term.

The MIR confirms that the Council intends to undertake a landscape capacity review of settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development and it is considered that the settlement boundary of Ballumbie House should be reviewed as part of this process and the site allocated for housing in the Proposed LDP, with further opportunities in the long-term.

**Representation:** 912/001

**Organisation:** Muirhead, Birkhill & Liff Community Council

**Representee:** Colin Hunter

**Comment:**

Muirhead, Birkhill & Liff Community Council considered the Proposed ALDP as it relates to our area and concerns were expressed that one of the most populous areas of South Angus, which is remote from the burghs, gets scant recognition.

For reference the population as of 2008 (est) are:-

Birkhill & Muirhead 2130

Edzell 900

Friockheim 940

Letham 1520

Newtyle 770

Muirhead, Birkhill & Liff Community Council recognise that part of our Community Council is in the Angus part of the Dundee Core Area and is designated by TAYplan. A concern is that this will mean the Birkhill area will fall between 'stools'.

Muirhead, Birkhill & Liff Community Council agree that due to lack of Primary, and also Secondary, School places there is no opportunity for major housing development in the area.

Having said this, the fact that Muirhead & Birkhill are close to the Western Gateway as defined by TAYplan, makes it difficult to know just what will happen with regard to this area contributing to the South Angus HMA.

**Main Issue:** Question: 1 Answer: No

**Representation:** 850/001

**Organisation:** A&J Stephen and Bett Homes Ltd

**Agents:** James Lohead Consultancy

**Comment:**

A&J Stephen Ltd and Bett Homes Ltd disagree with the settlement strategy shown in Diagram 3 due to the omission of land to the south of Birkhill.

Birkhill should, along with the other settlements that make up the Dundee Core, be the first port of call when considering new land releases. There are few, if any, brownfield sites within the settlement that would be considered financially viable and suitable for housing development. Consequently land on the edge of the settlement must be considered before considering any other location or indeed any of the settlements identified in Tiers 2 and 3.

Birkhill South is within the Dundee Western Gateway Strategic Development Area and Birkhill is a named settlement in its own right. Angus Council have misdirected themselves and failed to understand the strategic guidance provided by TAYplan.

It is quite simply unacceptable to prepare options that are "consistent with the approach of the emerging Dundee LDP" (para 3.14). It is the TAYplan that the Proposed ALDP must be consistent with, not the Dundee LDP. This is a fundamental error of the current spatial strategy put forward by Angus Council.

New housing should be directed to locations with an acknowledged demand for housing. The chosen settlement strategy is fundamentally flawed by not including development opportunities to the south of Birkhill in accordance with the established and approved guidance contained within TAYplan. By directing growth to the more tertiary settlements that are presently, and will undoubtedly in the future, remain unmarketable with sales rates that are notoriously slow will not in any way meet the aspiration and vision of the Council.

Birkhill South is located on the periphery of Dundee and therefore directly benefits from influences of the Dundee Housing Market. Such a site should be identified for housing to meet the housing demand where there is a known and proven requirement for housing. If the alternative housing growth strategy is to allocate housing in locations where there is limited or historically slow housing demand then the robustness of the new LDP comes into question along with the ability to meet the housing requirements of the TAYplan.

**Representation:** 850/003

**Organisation:** A&J Stephen and Bett Homes Ltd

**Agents:** James Lohead Consultancy

**Comment:**

A&J Stephen Ltd and Bett Homes Ltd disagree with the settlement strategy shown in Diagram 3 due to the omission of land north of Liff Hospital.

Liff Hospital North is within the Dundee Western Gateway Strategic Development Area and Birkhill is a named settlement in its own right. Angus Council have misdirected themselves and failed to understand the strategic guidance provided by TAYplan.

It is quite simply unacceptable to prepare options that are "consistent with the approach of the emerging Dundee LDP" (para 3.14). It is the TAYplan that the Proposed ALDP must be consistent with, not the Dundee LDP. This is a fundamental error of the current spatial strategy put forward by Angus Council.



New housing should be directed to locations with an acknowledged demand for housing. The chosen settlement strategy is fundamentally flawed by not including development opportunities to the north of Liff Hospital in accordance with the established and approved guidance contained within TAYplan. By directing growth to the more tertiary settlements that are presently, and will undoubtedly in the future, remain unmarketable with sales rates that are notoriously slow will not in any way meet the aspiration and vision of the Council.

Liff Hospital North is located on the periphery of Dundee and therefore directly benefits from influences of the Dundee Housing Market. Such a site should be identified for housing to meet the housing demand where there is a known and proven requirement for housing. If the alternative housing growth strategy is to allocate housing in locations where there is limited or historically slow housing demand then the robustness of the new LDP comes into question along with the ability to meet the housing requirements of the TAYplan.

**Representation:** 769/001

**Organisation:** TMS Planning Services

**Representee:** Malcolm Smith

**Comment:**

At a regional level, the TAYplan Strategic Development Plan clearly establishes a spatial strategy for the location of new development, including setting out where new residential development should be provided for. TAYplan Policy 1 "Location Priorities" requires that the "majority of development" be focussed in the regions principal settlements (Part A) and sets out a tiered approach related to the role of defined areas/settlements, and therefore the levels of new development to be accommodated in these locations.

Tier 1 is described as "settlements which have the potential to accommodate the majority of the region's additional development over the plan period..." Within Tier 1 is Birkhill/Muirhead. In accordance with TAYplan Policy 1 Part B land release is to be prioritised for ALL principal settlements (as defined in Tier 1) using a sequential approach which relates to land within the settlements, as presently defined, followed by land at the edge of settlements. Tier 2 and Tier 3 settlements are also identified in TAYplan Policy 1 as areas able to play, in effect, a subservient role to Tier 1 settlements in terms of the amount of new development to be accommodated. The policy also allows limited provision to be made for new development in other areas outwith the 3 identified Tiers but it is clear that the focus of new development within the TAYplan area arising through the Local Development Plan process will relate to the Tier 1 settlements.

It is therefore required that the Local Development Plans, including the Angus Local Development Plan, adhere to this strategic development framework. For the Angus Local Development Plan area, TAYplan Policy 1 prioritises new development towards Tier 1 settlements (which includes Birkhill/Muirhead and Monifeith) with other development being directed towards Tier 2 and Tier 3 settlements according to their place in the hierarchy. Clearly then there is an onus on the plan to bring forward sites in these Tier 1 areas (land release is to be prioritised for ALL principal settlements) in order to comply with the strategic spatial strategy and to provide for the level of new development required to meet identified need.

The preferred strategy set out within the Angus Local Development Plan Main Issues Report (MIR) patently fails to accord with the TAYplan requirements set out above. The MIR states (page 9 paragraph 3.13) that "the LDP will focus on directing the majority of new development to the principal settlements of Angus", in effect to 7 towns which are identified mainly as Tier 2 and Tier 3 settlements within TAYplan Policy 1 "Location Priorities", the exception being Monifeith which is included as a TAYplan Tier 1 settlement. The LDP Spatial Strategy therefore fails to "prioritise land release for all principal settlements" as required by

TAYplan Policy 1 in that the identified Tier 1 settlement of Birkhill/Muirhead is, in effect, excluded from consideration.

In order to comply with TAYplan, priority is to be given to land release in ALL principle settlements not just ones favoured, for whatever reason, by Angus Council. Birkhill/Muirhead is clearly a priority area for new development and has not been assessed as such. The justification for this approach is set out in the Main Issues Report (page 9 paragraphs 3.13 and 3.14). Here it is accepted that "The Proposed ALDP must also implement the settlement hierarchy established by the TAYplan". The MIR goes on to state that "Although parts of Angus are included within the highest category for promoting new development, this Tier 1 settlement (the "Dundee Core Area") is almost entirely located within Dundee. It is not therefore Angus Council's responsibility for ensuring that the largest quantity of the region's development occurs in this Tier 1 settlement."

While this position is noted, it is clearly only through the Angus Council Local Development Plan that the TAYplan requirements related to the prioritisation of development within Birkhill/Muirhead (Tier 1) can be addressed as the settlements lie within the Angus Council administrative area. It is not for other LDPs to determine this outcome. It is clear that development within Birkhill/Muirhead is to be prioritised ahead of Tier 2 and 3 development and the response to this requirement to date, as set out in the MIR, clearly conflicts with TAYplan. The MIR (page 10 paragraph 3.14) in further justification of this approach states that "the development of sites within the existing boundaries of Monifieth and Birkhill/Muirhead will be prioritised ....". In terms of Birkhill/Muirhead and with reference to Angus Council's Housing Land Audit (2012) this equates to the prioritisation of development of around 4 residential units. This is hardly likely to assist the strategic delivery of new development in support of the TAYplan Spatial Strategy and does not address the prioritisation of land release in Birkhill/Muirhead (Tier 1).

Despite the apparent concerns set out within the MIR, a different approach to development in Birkhill/Muirhead is required in order to comply with TAYplan. Clearly the potential for additional development in Birkhill/Muirhead was assessed through the TAYplan Spatial Strategy leading to its Tier 1 settlement inclusion. This should form part of the Spatial Strategy promoted through the Proposed Plan.

Birkhill/Muirhead is not a remote area with limited facilities. Rather, it is a settlement well located/connected and offering a range of community and other facilities to serve an existing/expanding population. In addition to a Primary School, the settlement contains nursery provision (both Angus Council and private), shops, doctors surgery, post office, police station, pharmacy, community hall (Millennium Hall), bowling green, outdoor recreational provision, and a pub/restaurant (Birkhill Inn), among other facilities.

In order to comply with TAYplan, the Proposed Plan requires to properly assess the potential for new development in Birkhill/Muirhead and to allocate an effective residential land supply in the area in order to contribute positively to identified housing requirements. Such an approach will not conflict with the emerging Dundee Local Development Plan as this plan and the Angus Council Local Development Plan require to comply with TAYplan and in this respect additional land allocation(s) are expected in Birkhill/Muirhead. It is simply incorrect to suggest, as stated in the Main Issues Report, that there are "few opportunities for new development" within the Angus section of the Dundee Core area otherwise why would Birkhill/Muirhead be included within the Tier 1 settlement land release priorities. There are clearly options for new development in the Birkhill/Muirhead area and, in particular, land at East Adamston, Muirhead on behalf of Muir Homes has been identified as such a site.

**Representation:** 867/001

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

The strategy for the South Angus HMA is not supported. There is no logic in identifying significant housing development within Carnoustie (a Tier 3 settlement) rather than Monifieth (part of a Tier 1 settlement). Reference to paragraph 3.14 of the MIR suggests that there is a meaningful difference and benefit to allocating land at Carnoustie rather than within either Muirhead/Birkhill or Monifieth both of which are principal settlements within the South Angus HMA and both of which are specifically defined within the Dundee Core Area. It is submitted that there is, in fact, no tangible difference in such an allocation in respect of impacting on Dundee City Council's flawed proposed strategy which is to focus in on brownfield development, most of which are Council owned. What it would do however is add to the journey time to those commuting to Dundee as the majority of new residents in either Monifieth or Carnoustie would likely do. From this, Carnoustie is generally in a less sustainable location than Monifieth.

**Representation:** 851/001**Organisation:** Muir Group**Agents:** James Lochhead Consultancy**Comment:**

The Muir Group of Companies disagrees with the settlement strategy shown in Diagram 3 due to the omission any allocations for the village of Birkhill/Muirhead. An appropriate site to the west of the village would represent a welcome addition to the future housing supply for the South Angus Housing Market Area.

**Representation:** 783/002**Organisation:** Muir Homes Ltd**Agents:** TMS Planning & Development Services Ltd**Comment:**

At a regional level, the TAYplan Strategic Development Plan clearly establishes a spatial strategy for the location of new development, including setting out where new residential development should be provided for. TAYplan Policy 1 "Location Priorities" requires that the "majority of development" be focussed in the regions principal settlements (Part A) and sets out a tiered approach related to the role of defined areas/settlements, and therefore the levels of new development to be accommodated in these locations. Tier 1 is described as "settlements which have the potential to accommodate the majority of the region's additional development over the plan period..." Within Tier 1 is Birkhill/Muirhead.

In accordance with TAYplan Policy 1 Part B land release is to be prioritised for ALL principal settlements (as defined in Tier 1) using a sequential approach which relates to land within the settlements, as presently defined, followed by land at the edge of settlements. Tier 2 and Tier 3 settlements are also identified in TAYplan Policy 1 as areas able to play, in effect, a subservient role to Tier 1 settlements in terms of the amount of new development to be accommodated.

The policy also allows limited provision to be made for new development in other areas outwith the 3 identified Tiers but it is clear that the focus of new development within the TAYplan area arising through the Local Development Plan process will relate to the Tier 1 settlements. It is therefore required that the Local Development Plans, including the Angus Local Development Plan, adhere to this strategic development framework. For the Angus Local Development Plan area, TAYplan Policy 1 prioritises new development towards Tier 1 settlements (which includes Birkhill/Muirhead and Monifieth) with other development being directed towards Tier 2 and Tier 3 settlements according to their place in the hierarchy. Clearly then there is an onus on the plan to bring forward sites in these Tier 1 areas (land release is to be prioritised for ALL principal settlements) in order to comply with the strategic spatial strategy and to provide for the level of new development required to meet identified need.

The preferred strategy set out within the Angus Local Development Plan Main Issues Report (MIR) patently fails to accord with the TAYplan requirements set out above. The MIR states (page 9 paragraph 3.13) that “the LDP will focus on directing the majority of new development to the principal settlements of Angus”, in effect to 7 towns which are identified mainly as Tier 2 and Tier 3 settlements within TAYplan Policy 1 “Location Priorities”, the exception being Monifieth which is included as a TAYplan Tier 1 settlement. The LDP Spatial Strategy therefore fails to “prioritise land release for all principal settlements” as required by TAYplan Policy 1 in that the identified Tier 1 settlement of Birkhill/Muirhead is, in effect, excluded from consideration.

In order to comply with TAYplan, priority is to be given to land release in ALL principal settlements not just ones favoured, for whatever reason, by Angus Council. Birkhill/Muirhead is clearly a priority area for new development and has not been assessed as such. The justification for the approach promoted within the MIR is set out on page 9 paragraphs 3.13 and 3.14. Here it is accepted that “The Proposed ALDP must also implement the settlement hierarchy established by the TAYplan”. The MIR goes on to state that “Although parts of Angus are included within the highest category for promoting new development, this Tier 1 settlement (the “Dundee Core Area”) is almost entirely located within Dundee.

It is not therefore Angus Council's responsibility for ensuring that the largest quantity of the region's development occurs in this Tier 1 settlement.” While this position is noted (but not accepted), it is clearly only through the Angus Council Local Development Plan that the TAYplan requirements related to the prioritisation of development within Birkhill/Muirhead (Tier 1) can be addressed as the settlements lie within the Angus Council administrative area. It is not for other LDPs to determine this outcome. It is clear that development within Birkhill/Muirhead is to be prioritised ahead of Tier 2 and 3 development and the response to this requirement to date, as set out in the MIR, clearly conflicts with TAYplan. The MIR (page 10 paragraph 3.14) in further justification of this approach states that “the development of sites within the existing boundaries of Monifieth and Birkhill/Muirhead will be prioritised ....”.

In terms of Birkhill/Muirhead and with reference to Angus Council's Housing Land Audit (2012) this equates to the prioritisation of development of around 4 residential units. This is hardly likely to assist the strategic delivery of new development in support of the TAYplan Spatial Strategy and does not address the prioritisation of land release in Birkhill/Muirhead (Tier 1).

Despite the apparent concerns set out within the MIR, a different approach to development in Birkhill/Muirhead is required in order to comply with TAYplan. Clearly the potential for additional development in Birkhill/Muirhead was assessed through the TAYplan Spatial Strategy leading to its Tier 1 settlement inclusion. This should form part of the Spatial Strategy promoted through the Proposed Plan.

Birkhill/Muirhead is not a remote area with limited facilities. Rather, it is a settlement well located/connected and offering a range of community and other facilities to serve an existing/expanding population. In addition to a Primary School, the settlement contains nursery provision (both Angus Council and private), shops, doctors surgery, post office, police station, pharmacy, community hall (Millennium Hall), bowling green, outdoor recreational provision, and a pub/restaurant (Birkhill Inn), among other facilities. In order to comply with TAYplan, the Proposed Plan requires to properly assess the potential for new development in Birkhill/Muirhead and to allocate an effective residential land supply in the area in order to contribute positively to identified housing requirements. Such an approach will not conflict with the emerging Dundee Local Development Plan as this plan and the Angus Council Local Development

Plan require to comply with TAYplan and in this respect additional land allocation(s) are expected in Birkhill/Muirhead.

It is simply incorrect to suggest, as stated in the Main Issues Report, that there are “few opportunities for new development” within the Angus section of the Dundee Core area otherwise why would Birkhill/Muirhead be included within the Tier 1 settlement land release priorities. There are clearly options for new development in the Birkhill/Muirhead area and, in particular, land at East Adamston, Muirhead has been identified as such a site, the details of which are outlined below.

**Response:**

The Proposed ALDP Plan requires to be consistent with the approved TAYplan SDP (June 2012). The spatial strategy put forward in the Proposed ALDP MIR is consistent with TAYplan and seeks to direct an appropriate level of plan led development within the hierarchy of settlements. It is important to the implementation of the TAYplan strategy that Local Development Plans do not undermine the delivery of development within the Tier 1 Dundee City by promoting greenfield land release in areas around the Dundee Fringe which could prejudice delivery of the Dundee Western Gateway or undermine redevelopment of the significant supply of brownfield sites within Dundee. The restriction applies primarily to significant greenfield extensions/allocations in the area but does not preclude appropriate brownfield and windfall sites within existing development boundaries coming forward.

Proposed land allocations for residential development in the South Angus HMA consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP.

**Recommendation:**

No change to the Proposed ALDP Strategy as a result of this representation.

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**Main Issue:** Question: 1 Answer: Yes

**Representation:** 767/001

**Organisation:** Shell UK Ltd

**Agents:** John Handley Associates Ltd

**Comment:**

Shell UK Ltd support the preferred approach for the LDP's settlement strategy (as illustrated in Diagram 3 page 11 of the MIR, and described at pages 9 to 11) and request that as part of any review of settlement boundaries to take place prior to the completion of the Proposed Plan, full recognition must be given to the existence of any Consultation Zones and new development areas planned accordingly.

**Response:**

Comment noted.

**Recommendation:**

No change. HSE Consultation Zones among other “constraints” will be taken into consideration in allocating sites for development in the Proposed ALDP.

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**Main Issue:** Question: 0 Answer:

**Representation:** 772/002

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Scottish Government expect development viability to be a key consideration in allocating new sites. Whilst, with reference to Table 3, the lack of infrastructure constraints should not be the only factor, it should be an important one. Scottish Government would expect Angus Council, in preparing the proposed plan, to demonstrate that the sites allocated are deliverable. In identifying developer contributions throughout the LDP and supplementary

Guidance, Angus Council should ensure that any contributions required meet the six tests in the circular and, importantly, that the levels of contribution required would not render the development unviable. Angus Council should also give consideration to whether phased payment or other arrangements can assist with development delivery.

**Main Issue:** Question: 1 Answer: Yes

**Representation:** 768/001

**Organisation:** Baxter Bryce Group / Heathfield Ltd

**Agents:** Muir Smith Evans

**Comment:**

Baxter Bryce Group/Heathfield Ltd support the overall strategy outlined in Table 3 but contributions for infrastructure require to be assessed on both the merits and viability of a proposal. Close scrutiny is required to ensure that contributions do not make marginal developments unviable and exception policies should apply depending on the wider need for basic infrastructure.

This could relate more to affordable housing provision rather than infrastructure where there is an absolute need for provision or upgrades of services.

**Response:**

Comment noted. Development viability is a key consideration for the LDP in delivering development. In progressing towards the Proposed ALDP Angus Council will consider all options to secure appropriate developer contributions whilst assisting delivery of the Proposed ALDP development strategy.

**Recommendation:**

No change as a result of this representation. Angus Council are mindful of need to strike a “balance” between securing appropriate developer contributions and the delivery of economically viable development.

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**Main Issue:** Question: 1 Answer: No

**Representation:** 802/001

**Representee:** Mr R Wallace

**Agents:** J J Fitzpatrick Planning Consultant

**Comment:**

It is noted that the distribution of housing land within the spatial strategy has been largely dictated by the SDP’s 3 tier approach. This approach has introduced a degree of inflexibility for the Proposed ALDP which will render the plan unable to respond effectively to the current challenges facing the housing industry and will in turn impose constraint on the plan’s ability to deliver land to meet housing demand.

Every effort should therefore be made to introduce measures within the proposed plan to enable the housing industry to take advantage of the opportunity to deliver new housing.

Whilst the LDP must conform with the SDP strategy, the Proposed ALDP should incorporate a policy mechanism capable of enabling more flexibility in response to ongoing review. Such a policy mechanism would be based on enabling the spatial strategy to be amended in response to ongoing monitoring of delivery through the audit process.

**Representation:** 801/001

**Organisation:** C S Fleming and Son

**Agents:** J J Fitzpatrick Planning Consultant

**Comment:**

It is noted that the distribution of housing land within the spatial strategy has been largely dictated by the SDP’s 3 tier approach. This approach has introduced a degree of inflexibility

for the Proposed ALDP which will render the plan unable to respond effectively to the current challenges facing the housing industry and will in turn impose constraint on the plans ability to deliver land to meet housing demand.

Every effort should therefore be made to introduce measures within the proposed plan to enable the housing industry to take advantage of the opportunity to deliver new housing.

Whilst the LDP must conform with the SDP strategy, the Proposed ALDP should incorporate a policy mechanism capable of enabling more flexibility in response to ongoing review. Such a policy mechanism would be based on enabling the spatial strategy to be amended in response to ongoing monitoring of delivery through the audit process.

**Representation:** 838/001

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

Paragraph 3.25 of the Main Issues Report (MIR) states that “within the development boundaries of the Angus part of the Dundee Core Area, there are relatively few opportunities for new development. In simple terms, the land has largely been developed or is in active use as open space. Taking into account the relative lack of opportunities for development within this development boundary, the majority of new development (mainly new homes and business premises) will be directed to land within Arbroath, Forfar and Montrose”.

The concentration of new development in Montrose is welcomed, however, questions are raised in relation to the way the new development is allocated within the identified settlements. The strategy of the MIR is to ensure that land within settlements and particularly previously developed land and buildings is prioritised. However, it is considered that such land and buildings can be developed at any time through current Local Plan Policies and should not be given priority over new allocations which are capable of development. Too much emphasis appears to be placed on existing allocations which have either yet to be built or are currently constrained. This does not provide a choice of location as required by Scottish Planning Policy. Developments that are not yet completed should not count towards the current housing land requirements as they would have counted towards previous Local Plan requirements. In addition to this, constrained sites should not be considered for development at this time and should be removed from any Proposed Local Development Plan until such time as they are capable of delivery.

National Planning Policy requires development plans to have realistic aspirations for what can be achieved over the plan period and this is acknowledged in the MIR at paragraph 3.24. It is argued that the identification of constrained sites for future development is not realistic and there is a reason why existing allocations are constrained or incomplete. The Local Development Plan should focus on new allocations which are capable of delivery. If these are not available within settlement boundaries, sites on the edge of settlements should be considered as such locations are sustainable in terms of access to services and their proximity to infrastructure. This is confirmed by paragraph 85 of SPP which states that “meeting housing land requirements by extending existing settlements can reduce servicing costs and help sustain local schools, shops and services”.

A good indication of whether they are capable of delivery is whether they have developer backing. Montrose is capable of accommodating significant development and this is acknowledged in the MIR. In such locations, a range of sites should be provided and allocations should not be concentrated in one location, or focused on existing allocated sites. This would provide a choice of location, which is acknowledged as being important in the Main Issues Report. Paragraph 80 of Scottish Planning Policy also states that when identifying locations for housing, account should be taken of the “provision of choice”.

Identifying new allocations would achieve this choice. Land at Usan Road, Ferryden, to the south of Montrose is an ideal location to provide a choice of location as not everyone wants to live on a brownfield site within a settlement. It is a greenfield site on the edge of an existing settlement, which is sustainable in terms of access to services and proximity to existing infrastructure. It has the backing of a developer and can be developed immediately.

**Main Issue:** Question: 1 Answer: Yes

**Representation:** 757/001

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

It is difficult to answer this question directly yes or no as there is not a table siting a 'preferred option' or 'reasonable alternative' for directing the majority of new development to the principle settlements.

However, it is clear from paragraphs 3.12 to 3.16 (Preferred strategy: TAYplan principal settlements) that the new LDP does intend, in accordance with the TAYplan strategy to focus on directing the majority of new housing and employment development related development, together with the majority of associated new infrastructure to the main towns. Confirmation is given in paragraph 3.15, that the majority of development will be directed to the seven main towns. The focus on Arbroath, as one of these main towns, is supported.

The MIR confirms that the Council intends to undertake a landscape capacity review of settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development and it is considered that the extension to the existing settlement boundary east and west of Montrose Road should be considered as part of this process and the land and buildings included in an extended Arbroath settlement boundary.

**Representation:** 758/020

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

Supports the identification of Arbroath as a settlement which can accommodate new residential and business development.

**Representation:** 907/001

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes agree with the preferred spatial strategy of allocating sites in established Angus towns and the importance of supporting the largest settlements by encouraging appropriate development towards Arbroath, Montrose and Forfar. As identified in paragraph 3.13, locating development opportunities within these principal settlements will ensure that sustainable communities are delivered and high quality places are developed.

However, it is key that sites identified for development within these principal settlements are not restrictive to ensure that development is encouraged and delivered on the ground. A flexible approach should be adopted in this current economic climate and sites that can be developed on a phased basis with minimum up-front infrastructure investment are more likely to be progressed.

Numerous housing sites identified in the Angus Local Plan Review have yet to be developed, therefore considering alternative viable sites for the forthcoming plan period is key. Simply identifying small sites adjacent to existing allocations for development does not ensure delivery, and will stop alternative viable sites from coming forward.



**Response:**

Comments noted. The Local Development Plan requires to be consistent with the approved TAYplan SDP (June 2012). The spatial strategy put forward in the Proposed ALDP MIR is consistent with TAYplan and seeks to direct an appropriate level of plan led development within the hierarchy of settlements.

Proposed land allocations for residential development consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP.

**Recommendation:**

No change as a result of this representation.

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**Main Issue:****Question:** 0**Answer:****Representation:** 801/003**Organisation:** C S Fleming and Son**Agents:** J J Fitzpatrick Planning Consultant**Comment:**

It is noted that the MIR makes comment that the existing countryside housing policy is showing some success in stemming rural depopulation. No information is however provided regarding the changing age profile of rural areas.

There is therefore a need to ensure housing policy and the allocation of land in rural areas is geared towards encouraging the development of a younger age profile. This cannot be achieved through the release of land for single dwellings or conversions of existing structures. More significant mixed use land should be released forming the basis for the development of rural communities, including the incorporation of affordable housing and employment land.

**Main Issue:****Question:** 1**Answer:** No**Representation:** 871/001**Representee:** Mr R Watson**Agents:** Emac Planning LLP**Comment:**

The preference is that Newbigging should be included in Table 1, as a settlement suitable for the allocation of small-scale development. The site, to the east of Pitlarlie Road, is capable of delivering effective new housing within a main rural Angus settlement and the DCF submitted with these representations confirms that the development of this site, would not impact on the stated SEA objectives for settlements included in Table 1.

The 'Reasonable Alternative' is supported as the site can contribute to the future allocation for small-scale development sites (for housing, mixed use or employment) in the villages or the countryside. The MIR confirms that the Council intends to undertake a landscape capacity review of smaller settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development.

It is considered that the settlement boundary of Newbigging should be reviewed as part of this process and the site allocated for housing and recreation in the Proposed LDP. The site is well located in relation to both the local and wider landscape setting and is appropriate for development.

The moderate expansion of Newbigging would deliver the objectives set out in consideration (1), that is, it would deliver social, economic and environmental benefits, by sustaining service provision in the village and for providing new housing in an area which is accessible and capable of effective delivery. Given the moderate scale of development proposed it is

not considered that this site would compete with or undermine the objective for directing the majority of development to the principal settlements. The moderate expansion of Newbigging, would be complementary to this stated strategy by allowing for choice and flexibility in the provision of housing land across the Housing Market Area (HMA).

Having regard to the stated SEA implications, of both the 'Preferred Alternative' and 'Reasonable Alternative', it is considered that the DCF demonstrates that there are no potential negative impacts as a result of this proposal which would prohibit the allocation of this site in the LDP.

**Representation:** 863/001

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

The preference is that Inveraldie should be included in Table 1, as a settlement suitable for the allocation of small-scale development over the period of the LDP, with a commitment to the longer-term development of the site. The site is capable of delivering effective new housing, employment and community uses, whilst sustaining existing service provision. The DCF submitted with these representations confirms that the development of this site, would not impact on the stated SEA objectives for settlements included in Table 1.

The 'Reasonable Alternative' is supported as the site can contribute to the future allocation for small-scale development sites (for housing, mixed use or employment) in the villages or the countryside. The MIR confirms that the Council intends to undertake a landscape capacity review of smaller settlement boundaries, prior to the preparation of the Proposed Plan, which will determine where there may be capacity to accommodate small-scale new development.

The above approach is supported and it is considered that the settlement boundary of Inveraldie should be reviewed as part of this process and the site allocated for housing and mixed use development in the LDP. It is considered that the site is well located in relation to both the local and wider landscape setting and is appropriate for development.

The moderate expansion of Inveraldie in the first period of the LDP would deliver the objectives set out in consideration (1), that is, new development would deliver social, economic and environmental benefits, by sustaining service provision in the village. The provision of new mixed-use development in this location is appropriate as the village is accessible, has a close association with the core settlement of Dundee and the site is capable of delivering effective housing land.

A moderate scale of development in the first period of the LDP, would not compete with or undermine the objectives for directing the majority of development to the principal settlements. It is considered that the moderate expansion of some villages, in particular Inveraldie, would be complementary to this strategy and allow for choice and flexibility in the provision of housing land across the Housing Market Area (HMA).

Having regard to the stated SEA implications, of both the 'Preferred Alternative' and 'Reasonable Alternative', it is considered that the DCF demonstrates that there are no potential negative impacts as a result of this proposal which would prohibit the allocation of this site in the LDP.

**Representation:** 876/001

**Representee:** David Milne

**Agents:** Montgomery Forgan Associates

**Comment:**

The preferred options suggests limiting the allocation of land for small scale development to 4 particular villages. This option is not supported as it is considered unnecessarily restrictive.

The 'reasonable alternative' strategy set out in Table 1 more clearly accords with Scottish Planning Policy as it allows allocation of development sites in any or all suitable villages in the countryside. This will ensure the viability of communities and support for rural businesses across Angus, including the village of Aberlemno to which this submission specifically relates. This response supports the 'reasonable alternative strategy' as set out in Table 1.

Similarly, the 'reasonable alternative' strategy set out in Table 2 which supports removing the current 2 tier approach and provides equal opportunities for countryside housing across all parts of rural Angus accords with Scottish Planning Policy and also reflects the spacial strategy of TAYplan which focusses development in principal settlements but recognises "the importance of sustaining rural economies..." and "allowing some development in small settlements...".

**Representation:** 789/001

**Representee:** Irene Taylor

**Comment:**

There is a requirement for Angus to meet certain targets in relation to the number of houses built. New house completions have slowed significantly over the last 2 years and due to the current economic climate this is unlikely to change in the immediate future. It is acknowledged within the LDP that to meet the targets will be challenging (4.8). As a result the approach to development in rural locations needs to be approached in this context.

At present developments in remote locations have more support and the question raised is whether the current 2 tier system should be retained (3.23). Although remote locations may have their attractions they are not without their obvious difficulties and may prove to be one step too far for many wishing to live in the country. To put greater emphasis on development in remote locations may restrict the number of new builds. If the aim is to meet new build completion targets more accessible locations should therefore be given equal support i.e. support for rejection of the 2 tier approach would appear to be advisable. In addition, the continued preference for building in remote sites year after year will have a detrimental effect on the rural landscape - an aspect which is considered to be important within the report. Better perhaps to consider the development of existing settlements where infrastructure already exists (3.27), from where travel is easier and which would give support and sustainability to small vulnerable communities. However this is not to suggest that an inappropriate number of new builds should be scattered across open countryside at more accessible locations. There is an obvious need to protect the rural environment and the number and design of proposed new developments should be carefully monitored in such areas .

There is a described need to identify development land to ensure that sufficient houses are built and that there is efficient use of infrastructure (3.26) (3.27). To make efficient use of current infrastructure also points to the development of current settlements. A review of current settlement boundaries (3.9) (5.14) would therefore appear to be essential and the identification of 'windfall' sites and previously unforeseen development opportunities (4.7).

However it would perhaps be sensible to consider such developments as additions to the formal allocation of building developments related to the main towns and larger villages. Should these main developments fall short on completion numbers then the small rural developments might act as a safeguard in achieving completions closer to the expected target.

**Representation:** 896/001

**Representee:** Ms Nadine Urquhart

**Agents:** The Charlton Smith Partnership

**Comment:**

Preferred Option

No this option is not supported, it is considered to be too limiting. TAYplan states at Location Priorities:- This Plan balances the importance of sustaining rural economies with the need to protect the countryside, by allowing some development in small settlements which are not principal settlements.

Implementation of this principle will be set out in Local Development Plans. Whilst most new development can be directed to principal settlements and the four named villages above, this is not considered to be a sufficiently wide option to give reasonable choice. The paragraph below appears to offer consideration of a wider range of possibilities. MIR, Local Development Plan Spatial Strategy, MIR para.3.7 states:- In the countryside and outwith our principal settlements, the TAYplan offers an approach which balances the importance of sustaining the rural economy with the need to protect the countryside. A level of new housing and other appropriate development may be provided in the countryside and small settlements, but only where this meets specific local needs or supports regeneration of the local economy, whilst respecting other TAYplan objectives, such as locating most of our future development within the principal settlements.

The Angus Local Development Plan will need to determine the extent to which future homes, businesses and associated infrastructure should be directed to areas outwith the principal settlements and how this should be managed.

Scottish Planning Policy, February 2010, (paras.66 – 85) requires that Planning authorities allocate a generous amount of housing for flexibility and the ability to deliver in case of changes to the effective land supply. This should be on a range of sites bearing in mind efficient use of land; accessibility of homes to services, open space, employment opportunities and a range of transport options.

The site at Lisdonbank, Kirriemuir has the potential to be developed for Housing to provide around 1 - 7 units in years 1 - 5 of the forthcoming Angus Local Development Plan. It is located on the south-west side of the village in a residential environment and is flat and protected all around by mature trees. It is well located to local services including the Post Office and shop and bus stops to Kirriemuir with town centre, schools and public leisure facilities available and buses to Alyth in the other direction. Kirriemuir can be accessed by bus, by cycle and on foot. Access and utility services (electricity, gas, water, drainage, telecoms) can be provided from adjacent utilities in Low Road.

The land amounts to around 0.55ha, which could make a small but useful contribution to future housing requirements for the village. The site would assist in supporting the services that already exist in Westmuir and the service function of Kirriemuir with its cultural heritage.

**Main Issue:**

**Question:** 1

**Answer:** Yes

**Representation:** 874/001

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

With regards to the strategy for rural Angus, Kinpurnie Estate supports the Preferred Option set out in Table 1 of the Main Issues Report, which is to allocate small-scale development sites for the development of housing, mixed use or employment sites within Edzell, Friockheim, Letham and Newtyle.

Kinpurnie Estate agrees that these local service centres represent the most sustainable locations for new development, where it can benefit from access to concentrations of

services and facilities. Conversely, new development in these villages is crucial to sustain local invaluable facilities, such as schools, shops and services into the future.

Table 2 sets out the options for housing in the countryside. The Preferred Option is to maintain the two-tier approach to development in the countryside, which provides greater opportunity in the remote rural areas (Category 2 Areas) and restricts housing development outwith settlement boundaries in the less remote areas (Category 1). The Alternative Option is to remove this tiered approach and provide equal opportunities for countryside housing throughout Angus. Clarity is required in this regard, as to whether the Alternative Option would mean that the restrictive Category 1 policies would be applied across the whole countryside, or whether the more permissive Category 2 policies would be applied.

Kinpurnie Estate would support a more permissive policy across the whole of the Angus Countryside (i.e. the Category 2 policies), and in this instance, would support the Alternative Option outlined in Table 2. Such an approach provides the flexibility to deliver the right quality and choice of housing in the right locations and would be in-keeping with Preferred Option identified under Table 8 (discussed in detail below). This approach would enable housing and other development to take place in support of rural services and businesses and this is consistent with the objectives of Tayplan.

Kinpurnie Estate supports the Preferred Option outlined in Table 3. The Alternative Option – to only allocate land where there are relatively few or no infrastructure restrictions – would unnecessarily exclude sites which could potentially be progressed within the lifetime of the Plan.

Any policy and/or Supplementary Guidance on Developer Contributions should reflect continued uncertainty in the development market and make provision for a realistic, flexible approach to seeking contributions from developers. This approach would be in-keeping with Circular 3/2012: Planning Agreements and Good Neighbour Agreements, which recognises the impact that developer contributions can have upon the viability of development projects, particularly where significant infrastructure works are required.

**Representation:** 855/001

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Table 1 – We support the “Preferred Option” for rural Angus. We believe this is in line with the TAYplan Strategy, with limited SEA Impacts.

Table 2 – Gedhall Ltd are broadly supportive of the “Preferred Option” for housing in the countryside. However, as there is no difference in SEA Impacts between the two options, there may be merit in further considering the “Reasonable Alternative Option”. In order to form a view, it would be necessary to see an example Policy to see what form this may take to further consider the issues.

Table 3 – Gedhall Ltd support the “Preferred Option” to allocate land in the most appropriate areas and seek contributions towards the infrastructure required to deliver the strategy, as this would avoid the negative impacts associated with the reasonable alternative.

Gedhall Ltd await the publication of Supplementary Guidance to provide further detail on the likely funding arrangements, and level of contributions required. The “Reasonable Alternative” could result in levels of development inappropriate for a location being allocated simply because of infrastructure availability with associated adverse impacts (on landscape for example).

**Representation:** 796/001

**Organisation:** Dalhousie Estates

**Agents:** Ristol Ltd

**Comment:**

In supporting the LDP spatial strategy and its alignment with TayPlan, Dalhousie Estates endorse the Council's commitment to undertaking landscape capacity studies of rural settlements in order to ensure that rural communities have access to residential housing and services are supported through enabling spatial strategies and policies within the Propsoed Plan.

Of note are the following sites highlighted within the Housing Market Area site appraisal:

Housing Market Area - East Angus: 11E Site 1 Letham Grange; 12E Site 2 Letham Grange  
Housing Market Area - West Angus: 43W Tarfside; 44W Tarfside

Dalhousie Estates request that they are consulted on the intended landscape capacity work in order to contribute towards site evaluation and potential development analysis in order to inform the plan making process.

Furthermore, Dalhousie Estates note that Angus Council intend to incorporate Policy SC6 New Housing in the Countryside. This representation seeks clarification that in retaining the RSU categories, the application of policy SC6 (sub categories a & c) will apply within RSU 1 areas.

**Representation:** 795/001

**Organisation:** Strathmore Estates

**Agents:** Ristol Ltd

**Comment:**

Strathmore Estates recognise that the spatial strategy underpinning the Local Development Plan will need to be consistent with the regional policy context contained within in TayPlan. As such Strathmore Estates endorse the development strategy advanced by the Main Issues Report (MIR) which focuses on a tiered hierarchy of settlements.

Strathmore Estates note that TayPlan is not specific about the proportion of development which should be accommodated in settlements and there is no disaggregation below Housing Market Area level on how housing numbers should be distributed. This provides Angus Council with the requisite flexibility to determine the scale and location of new development (i.e. housing and employment land) aligned to core Council policy objectives comprising the Single Outcome Agreement and priorities contained within the Community Planning Partnership.

Strathmore Estates note that TayPlan provides for Council's to allocate development land in rural areas on the basis of contributing towards the objectives of TayPlan and supporting regeneration of local economies. Within this context Strathmore Estates support the main policy thrust of the Preferred Option for development within rural Angus but submit that the Proposed Plan provides that this strategy should not precluded the release of land within rural settlement boundaries for new development which meets wider policy objectives contained within the Community Planning Partnership and Single Outcome Agreement.

**Representation:** 786/001

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

Guild Homes supports the preferred strategy of Angus Council as highlighted in Tables 1 and 2, that being to to concentrate modest level of development out with the main settlements to the villages with the greatest amount of services and an existing population.

Out with these settlements Guild Homes supports the retention of the existing 2 tier approach to support housing in the more remote rural areas.

In terms of Table 3 regarding the delivery of new development and the possible introduction of a developer contributions. Guild Homes is very concerned that any developer contribution requirement will have a serious and a detrimental impact on the opportunity for new development to occur. House building in Scotland is reportedly at the lowest activity for over 30 years. To establish a developer contribution requirement at this time will have a direct impact on the viability of residential schemes resulting in marginal profitability. This in turn will possibly lead to a lack of willingness for the finance institutions to lend on any particular project or a developer to take the risk on development. The acceptability or otherwise of developer contributions is largely dependent on the buoyancy of the market, the demand for housing and the availability of finance. At present all of these elements are considerably suppressed and as such in the opinion of Guild Homes developer contributions cannot be sustained. It is essential at this time that any and all restrictions to development are removed. As a result at this time Guild Homes cannot support any developer contribution policy. It is accepted that this issue could be revisited at the time of the next LDP and only if the economy has improved.

**Representation:** 849/003

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Table 1 – reasonable alternative as it gives more flexibility within the constraints of good planning guidelines. We felt that small scale sites might be required in and around villages though possibly out with village boundaries but we oppose development in open countryside.

**Representation:** 902/001

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The City of Brechin & District Community Council supports the preferred option for the strategy for rural Angus: settlements for the reasons laid out in paragraphs 3.17, 3.19, 3.21 and that new development outwith the principal settlements should serve local needs or assist in regenerating the rural economy.

Support for the preferred option in Table 2 is given on the basis that population stability has been achieved by the flexible approach and that such development is to serve local needs and the rural economy.

In Table 3 the the preferred option has support. The reasonable alternative has no support for the reasons detailed by the SEA implications.

**Response:**

The Local Development Plan requires to be consistent with the approved TAYplan SDP (June 2012). The spatial strategy put forward in the Proposed ALDP MIR is consistent with TAYplan and seeks to direct an appropriate level of plan led development within the hierarchy of settlements.

The established strategy set out in the Angus Local Plan Review supports the retention of population and services by providing opportunity for new homes in the rural area including Rural Service Centres, smaller settlements and the open countryside. New employment related development has been supported where proposals make a positive contribution to the rural economy and are of a scale and nature appropriate to the intended location.





It is difficult to answer this question directly yes or no as there is not a table siting a 'preferred option' or 'reasonable alternative' for directing the majority of new development to the principal settlements.

However, it is clear from paragraphs 3.12 to 3.16 (Preferred strategy: TAYplan principal settlements) that the new LDP does intend, in accordance with the TAYplan strategy to focus on directing the majority of new housing and employment development related development, together with the majority of associated new infrastructure to the main towns. Confirmation is given in paragraph 3.15, that the majority of development will be directed to the seven main towns. This focus is supported.

**Representation:** 760/001

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Whilst there is not a table siting a 'preferred option' or 'reasonable alternative' for directing the majority of new development to the principle settlements, this approach is supported. It is clear from paragraphs 3.12 to 3.16 (Preferred strategy: TAYplan principal settlements) that the new LDP does intend, in accordance with the TAYplan strategy to direct the majority of new development to the principle settlements, including Frioekheim, and this is supported.

It is noted that the background to Q1 states that "...the overall number of new houses and businesses during the LDP period will be commensurate with the role of these settlements as smaller centres of population, offering fewer services and facilities".

**Representation:** 797/003

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

The preferred option for the overall spatial strategy is supported and considered to reflect the strategy for TAYplan.

**Representation:** 901/001

**Organisation:** Scottish Water

**Representee:** Adele Gallagher

**Agents:**

**Comment:**

Scottish Water supports the Local Development Plan Strategy.

**Representation:** 798/001

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

The preferred option offers greater potential for reducing the need to travel than the alternatives set out in Tables 1-3. Deliverability of new development – Table 3:

Scottish Natural Heritage agree that locations that are subject to the fewest infrastructure restrictions are not necessarily the best locations for new development. Provided the preferred policy is backed up by guidance on developer contributions (as suggested) and informed by proper liaison with the development sector, the resultant allocations in the plan should both provide a range of public benefits and stand a reasonable prospect of being delivered in practice.

**Representation:** 916/001

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Provided that there is no unacceptable impact on the environment (including air quality, flood risk and loss of soil resource), SEPA support the preferred option at Table 1.

SEPA have no comment in respect of Table 2.

With regard to Table 3, SEPA support the preferred option regarding developer contributions and welcome the reference at this point to open space. SEPA also highlight the importance of the LDP containing policy wording which requires that new development should connect to the public sewer network.

**Representation:** 844/002

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

It is difficult to answer this question directly yes or no as there is not a table siting a 'preferred option' or 'reasonable alternative' for directing the majority of new development to the principal settlements.

However, it is clear from paragraphs 3.12 to 3.16 (Preferred strategy: TAYplan principal settlements) that the new LDP does intend, in accordance with the TAYplan strategy to focus on directing the majority of new housing and employment development related development, together with the majority of associated new infrastructure to the main towns. Confirmation is given in paragraph 3.15, that the majority of development will be directed to the seven main towns. This focus is supported.

**Response:**

Support and comments noted.

**Recommendation:**

No change.

**Main Issue:****Question:** 1**Answer:** Yes**Representation:** 794/001**Organisation:** Scottish Enterprise**Representee:** Peter Noad**Main Issue:** 0**Question:** 1**Answer:** No**Representation:** 788/039**Organisation:** Stewart Milne Homes**Representee:** Shelley Thomson**Main Issue:****Question:** 1**Answer:** No view**Representation:** 889/001**Organisation:** Kinnordy Estate**Agents:** CKD Galbraith

**Chapter 3 – Question 2 Would you support the implementation of a “Development Charge” system in Angus, so that public sector finances would be used to front-fund the development of infrastructure that is required to service new development, with costs being recouped once new homes/business premises are sold? Please explain your answer.**

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**Main Issue:**

**Question:** 2

**Answer:** No

**Representation:** 844/003

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

D J Laing Homes are opposed to any form of blanket taxation. However, when drafting their Development Plans and associated Supplementary Guidance planning authorities should work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved.

Circular 1/10: Planning Agreements informs that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins. Planning Authorities should include policies on the use of planning agreements in their development plans. These create an opportunity to involve the local community and the development industry in the process of policy development and the associated supplementary guidance and to clarify early the expected levels of contributions that might be sought from developers. (Circular 1/10: Planning Agreements).

This emerging Local Development Plan, i.e. the Proposed Plan itself must therefore provide clear policy direction and Circular 1/10 Planning Agreements (paragraph 29) is clear that this is the proper approach to ensure scrutiny at Examination.

Although the methods and exact levels of contributions should be included in Supplementary Guidance (Circular 1/10: Planning Agreements para 29), this Supplementary Guidance should not be applied to development proposals until it has been formally agreed by the planning authority following consideration of representations on the draft (SPP para 19).

In summary, if house builders are to meet the demand for new housing we all need the introduction of specific policy measures which recognise the difficulty in imposing over onerous financial constraints on housing sites. Such an awareness, and a properly examined and tested policy approach through the Proposed Plan should enable potential developers and other interested parties to be aware, when formulating their proposals, of the likelihood of a planning agreement being sought and the likely requirements of that planning agreement.

Paragraph 3.27 of the MIR recognises the requirement in Scottish Planning Policy (SPP) that an efficient use of good infrastructure is important for the well-being of an area and identifies that the Council will, in any case, identify future land allocations in recognition of the existence of local infrastructure, such as sewers, waste water treatment facilities, local roads and public transport routes and connections.

However, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. It is noted that the quote in paragraph 3.27 of the MIR which is from paragraph 14 of SPP, is selective in only referring to 'infrastructure'. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places. Paragraph 15 of SPP identifies "Development plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change, in particular opportunities for development." These planning policy requirements should be integrated into the criteria for site selection.

In conclusion, a policy on Planning Obligation requirements, which accords with Circular 1/2010, is supported together with, in part, the stated 'Reasonable Alternative'. Infrastructure is a key issue, but other planning considerations also need to be considered in the balance of deciding upon land allocations.

**Representation:** 760/002

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Further research is required on the issue and more detail on what a Development Charge system would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions. Sites in such locations, including land at to the east of Fricockheim, are more likely to be effective and deliver the designated land use within the LDP plan period, having regard to the current framework provided in Circular 3/2010.

Circular 3/2012: Planning Obligations and Good Neighbour Agreements confirms that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins and that Planning Authorities should include policies on the use of planning agreements in their development plans. This allows for consultation on the requirements and for the proper engagement of all parties on the expected levels of contributions that might be sought from applicants.

The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 3/2012: Planning Obligations and Good Neighbour Agreements across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted.

In terms of the 'Reasonable Alternative', whilst the existence of infrastructure is supported as a key guiding principle, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places to be considered together with the spatial implications of economic, social and environmental change. All these planning policy requirements should be integrated into the criteria for site selection.

In conclusion, A policy on Planning Obligation requirements, which accords with Circular 3/2012, is supported. The 'Reasonable Alternative' has some support as it is recognised that Infrastructure is a key issue, but other planning considerations should also be taken into account in deciding upon land allocations.

**Representation:** 893/002

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

Not until further research has been carried out on the issue and until there is more detail on what this would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 1/2010: Planning Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions. Sites in such locations, including land at East Muirhead of Logie, are more likely to be effective and deliver the designated land use within the LDP plan period, having regard to the current framework provided in Circular 1/2010. Circular 1/2010: Planning Agreements confirms that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins and that Planning Authorities should include policies on the use of planning agreements in their development plans. This allows for consultation on the requirements and for the proper engagement of all parties on the expected levels of contributions that might be sought from applicants. The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 1/2010, on Planning Obligations across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted.

In terms of the 'Reasonable Alternative', whilst the existence of infrastructure is supported as a key guiding principle, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places to be considered together with the spatial implications of economic, social and environmental change. All these planning policy requirements should be integrated into the criteria for site selection.

In conclusion, a policy on Planning Obligation requirements, which accords with Circular 1/2010, is supported. The 'Reasonable Alternative' has some support as it is recognised that Infrastructure is a key issue, but other planning considerations should also be taken into account in deciding upon land allocations.

**Representation:** 838/002

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

Bon Accord Land Ltd & Stewart Milne Homes does not support the implementation of a "development charge" system. In the past it has often been possible to front fund the provision of infrastructure, however, this is not possible going forward. This is due to a number of factors including a lack of commercial funding for development. The housebuilding industry borrows money to fund new developments, including all the advance infrastructure costs. Banks lending policies are now far more restrictive and lending is not available for what they consider to be non-essential costs, including payments to Councils for non-essential costs such as schools, open space etc.

Development should be concentrated in locations that are well related and best served by existing infrastructure. Extensions to existing settlements would meet this requirement. It is accepted that there will be a need to extend infrastructure services and that the development industry has an obligation to provide enabling infrastructure in terms of Circular

1/2010. It is also recognised that there will be a need to provide strategic infrastructure to deliver the requirements of the Strategic Development Plan and Local Development Plan.

Therefore both the preferred option and the alternative option are sensible means of achieving development. We would caution, however, against any attempt to widen these contributions to fund a wide range of requirements which is tenuous in terms of the proposed development.

**Representation:** 768/002

**Organisation:** Baxter Bryce Group / Heathfield Ltd

**Agents:** Muir Smith Evans

**Comment:**

The potential for Development Charges is not supported as development would depend on the availability of public funding. Other factors such as reviews of school catchment areas and reviewing effectiveness of housing land supply and completion rates will also affect delivery via a development charge or tax.

Sites with specific constraints or with significant abnormal development costs such as remediation, decontamination or works associated with renovation of heritage assets require special consideration to ensure that wider plan objectives of bringing such sites back into beneficial re-use are not prejudiced.

**Representation:** 770/003

**Organisation:** ASDA Stores Limited

**Agents:** Jigsaw Planning

**Comment:**

ASDA considers that it is too early for Councils to be assuming the outcome of the recent Scottish Government consultation on the introduction of a development charge system.

ASDA do not support either of the two options set out in the MIR. The current system of development contributions is appropriate whereby contributions are sought where they are in compliance with the five policy tests identified within Circular 3/2012.

The recent Scottish Government consultation on the proposed increase in planning application fees would load more financial burden onto developers. Together with the recent introduction of the Public Health Supplement and increases in business rates this means that the cost of developing and operating supermarkets is increasing significantly. The result of additional significant financial burdens for developers such as a Development Charge may prevent schemes going forward. Angus Council needs to be aware of this and ensure that Angus remains a competitive location in which all developers are keen to invest.

The development sector has brought about a large amount of infrastructure delivery and this is appropriate where legible to the proposed development with which it is related.

**Representation:** 781/001

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Homes for Scotland oppose any form of blanket taxation. However, when drafting their Development Plans and associated Supplementary Guidance planning authorities should work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved.

Circular 1/10: Planning Agreements informs that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins.

Planning Authorities should include policies on the use of planning agreements in their development plans. These create an opportunity to involve the local community and the development industry in the process of policy development and the associated supplementary guidance and to clarify early the expected levels of contributions that might be sought from developers. (Circular 1/10: Planning Agreements).

This emerging Local Development Plan, i.e. the Proposed Plan itself must therefore provide clear policy direction and Circular 1/10 Planning Agreements (paragraph 29) is clear that this is the proper approach to ensure scrutiny at Examination.

Although the methods and exact levels of contributions should be included in Supplementary Guidance (Circular 1/10: Planning Agreements para 29), this Supplementary Guidance should not be applied to development proposals until it has been formally agreed by the planning authority following consideration of representations on the draft (SPP para 19).

In summary, if house builders are to meet the demand for new housing we all need the introduction of specific policy measures which recognise the difficulty in imposing over onerous financial constraints on housing sites. Such an awareness, and a properly examined and tested policy approach through the Proposed Plan should enable potential developers and other interested parties to be aware, when formulating their proposals, of the likelihood of a planning agreement being sought and the likely requirements of that planning agreement.

**Representation:** 789/002

**Representee:** Irene Taylor

**Comment:**

Would not support the introduction of a 'Development Charge'. Such a charge would no doubt ultimately land with the buyer. To adopt this would increase prices in a market where it is already difficult for intending purchasers to get a mortgage and as a result would most likely have a counterproductive effect on completed new builds.

**Representation:** 857/001

**Organisation:** The Clayholes Partnership

**Agents:** Graham + Sibbald

**Comment:**

It is wrong to have any form of blanket taxation. However, when drafting their Development Plans and associated Supplementary Guidance planning authorities should work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved. Circular 3/12: Planning Agreements informs that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins. Planning Authorities should include policies on the use of planning agreements in their development plans. These create an opportunity to involve the local community and the development industry in the process of policy development and the associated supplementary guidance and to clarify early the expected levels of contributions that might be sought from developers.

This emerging Local Development Plan, i.e. the Proposed Plan itself must therefore provide clear policy direction and Circular 3/12 Planning Agreements is clear that this is the proper approach to ensure scrutiny at Examination. Although the methods and exact levels of contributions should be included in Supplementary Guidance, this Supplementary Guidance should not be applied to development proposals until it has been formally agreed by the planning authority following consideration of representations on the draft (SPP para 19).

**Representation:** 788/018

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Stewart Milne Homes do not agree with a blanket taxation. However, when drafting their Development Plans and associated Supplementary Guidance planning authorities should work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved.

Circular 1/10: Planning Agreements informs that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins. Planning Authorities should include policies on the use of planning agreements in their development plans. These create an opportunity to involve the local community and the development industry in the process of policy development and the associated supplementary guidance and to clarify early the expected levels of contributions that might be sought from developers. (Circular 1/10: Planning Agreements).

This emerging Local Development Plan, i.e. the Proposed Plan itself must therefore provide clear policy direction and Circular 1/10 Planning Agreements (paragraph 29) is clear that this is the proper approach to ensure scrutiny at Examination.

Although the methods and exact levels of contributions should be included in Supplementary Guidance (Circular 1/10: Planning Agreements para 29), this Supplementary Guidance should not be applied to development proposals until it has been formally agreed by the planning authority following consideration of representations on the draft (SPP para 19).

In summary, if house builders are to meet the demand for new housing we all need the introduction of specific policy measures which recognise the difficulty in imposing over onerous financial constraints on housing sites.

Such an awareness, and a properly examined and tested policy approach through the Proposed Plan should enable potential developers and other interested parties to be aware, when formulating their proposals, of the likelihood of a planning agreement being sought and the likely requirements of that planning agreement.

**Representation:** 760/021

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

No, not at this stage, until further research has been carried out on the issue and until there is more detail on what this would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions. Sites in such locations, including land to the North of Ballumbie, are



more likely to be effective and deliver the designated land use within the LDP plan period, having regard to the current framework provided in Circular 3/2010.

Circular 3/2012: Planning Obligations and Good Neighbour Agreements confirms that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins and that Planning Authorities should include policies on the use of planning agreements in their development plans. This allows for consultation on the requirements and for the proper engagement of all parties on the expected levels of contributions that might be sought from applicants.

The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 3/2012: Planning Obligations and Good Neighbour Agreements across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted. In terms of the 'Reasonable Alternative', whilst the existence of infrastructure is supported as a key guiding principle, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places to be considered together with the spatial implications of economic, social and environmental change. All these planning policy requirements should be integrated into the criteria for site selection.

In conclusion, A policy on Planning Obligation requirements, which accords with Circular 3/2012, is supported. The 'Reasonable Alternative' has some support as it is recognised that Infrastructure is a key issue, but other planning considerations should also be taken into account in deciding upon land allocations.

**Representation:** 759/002

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

We are opposed to any form of blanket taxation. However, when drafting their Development Plans and associated Supplementary Guidance planning authorities should work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved.

Circular 1/10: Planning Agreements informs that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins. Planning Authorities should include policies on the use of planning agreements in their development plans. These create an opportunity to involve the local community and the development industry in the process of policy development and the associated supplementary guidance and to clarify early the expected levels of contributions that might be sought from developers. (Circular 1/10: Planning Agreements).

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Although the methods and exact levels of contributions should be included in Supplementary Guidance (Circular 1/10: Planning Agreements para 29), this Supplementary Guidance should not be applied to development proposals until it has been formally agreed by the planning authority following consideration of representations on the draft (SPP para 19).

In summary, if house builders are to meet the demand for new housing we all need the introduction of specific policy measures which recognise the difficulty in imposing over onerous financial constraints on housing sites. Such an awareness, and a properly examined and tested policy approach through the Proposed Plan should enable potential developers and other interested parties to be aware, when formulating their proposals, of the likelihood of a planning agreement being sought and the likely requirements of that planning agreement.

Paragraph 3.27 of the MIR recognises the requirement in Scottish Planning Policy (SPP) that an efficient use of good infrastructure is important for the well-being of an area and identifies that the Council will, in any case, identify future land allocations in recognition of the existence of local infrastructure, such as sewers, waste water treatment facilities, local roads and public transport routes and connections.

However, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. It is noted that the quote in paragraph 3.27 of the MIR which is from paragraph 14 of SPP, is selective in only referring to 'infrastructure'. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places. Paragraph 15 of SPP identifies "Development plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change, in particular opportunities for development." These planning policy requirements should be integrated into the criteria for site selection.

In conclusion, a policy on Planning Obligation requirements, which accords with Circular 1/2010, is supported together with, in part, the stated 'Reasonable Alternative'. Infrastructure is a key issue, but other planning considerations also need to be considered in the balance of deciding upon land allocations.

**Representation:** 871/002

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

No, not at this stage, until further research has been carried out on the issue and until there is more detail on what this would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions.

Sites in such locations, including land at to the east of Newbigging, are more likely to be effective and deliver the designated land use within the LDP plan period, having regard to the current framework provided in Circular 3/2010.

Circular 3/2012: Planning Obligations and Good Neighbour Agreements confirms that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins and that Planning Authorities should include policies on the use of planning agreements in their development plans. This allows for consultation on

the requirements and for the proper engagement of all parties on the expected levels of contributions that might be sought from applicants.

The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 3/2012: Planning Obligations and Good Neighbour Agreements across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted.

In terms of the 'Reasonable Alternative', whilst the existence of infrastructure is supported as a key guiding principle, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places to be considered together with the spatial implications of economic, social and environmental change. All these planning policy requirements should be integrated into the criteria for site selection.

In conclusion, a policy on Planning Obligation requirements, which accords with Circular 3/2012, is supported. The 'Reasonable Alternative' has some support as it is recognised that Infrastructure is a key issue, but other planning considerations should also be taken into account in deciding upon land allocations.

**Representation:** 863/002

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

Further research has been carried out on the issue and until there is more detail on what this would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions. Sites in such locations, including land at to the east of Inveraldie, are more likely to be effective and deliver the designated land use within the LDP plan period, having regard to the current framework provided in Circular 3/2010.

Circular 3/2012: Planning Obligations and Good Neighbour Agreements confirms that the Development Plan should be the point at which consideration of the potential need for and use of planning agreements begins and that Planning Authorities should include policies on the use of planning agreements in their development plans. This allows for consultation on the requirements and for the proper engagement of all parties on the expected levels of contributions that might be sought from applicants.

The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 3/2012: Planning Obligations and Good Neighbour Agreements across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted.

In terms of the 'Reasonable Alternative', whilst the existence of infrastructure is supported as a key guiding principle, it is considered that the wording 'only' should be removed from the stated Reasonable Alternative. SPP also requires the efficient use of 'land' and the creation and maintenance of high quality places to be considered together with the spatial implications of economic, social and environmental change. All these planning policy requirements should be integrated into the criteria for site selection.

In conclusion, A policy on Planning Obligation requirements, which accords with Circular 3/2012, is supported. The 'Reasonable Alternative' has some support as it is recognised that Infrastructure is a key issue, but other planning considerations should also be taken into account in deciding upon land allocations.

**Representation:** 757/002

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

Further research is required on the issue and more detail on what a Development Charge system would entail.

The Consultation Findings on the Development Delivery Consultation in March 2012 did not identify overwhelming support for introducing development charges with 56% favouring development charges and 44% against. There were some concerns expressed that such charges might raise development costs and thus further depress development activity.

It is considered that the existing system of achieving relevant contributions should continue through S75 Obligations, in accordance with the advice contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The requirement that planning obligations can only be sought where they meet the necessary policy tests ensures that there is less financial burden on those developments in locations where there are few or no infrastructure restrictions, including the land subject to promoted east and west of Montrose Road.

The Angus Local Development Plan should, instead of providing a policy on Development Charges, provide clear policy direction, based on the stated requirements of Circular 3/2012: Planning Obligations and Good Neighbour Agreements across a range of requirements, which would allow the discussion to take place on the effects of any such policy prior to the LDP being adopted.

**Main Issue:**

**Question:** 2

**Answer:** No view

**Representation:** 786/002

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

As with the developer contributions it is a serious concern that any Development Charge may have a detrimental impact on the viability of housing projects and as a result will hinder new development from coming forward. However, subject to further detail on the implementation of the process, the development charge being applied on a site specific basis, in full consultation with the developer and with the full agreement of the developer it may be that a Development Charge could may be appropriate.

**Representation:** 867/002

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Taylor Wimpey can confirm that their site at The Grange can be delivered without any requirement for Council 'front funding' of the required site development infrastructure.

Subject to securing the necessary consents, development of the Grange and the delivery of both private and affordable housing within the first period of the LDP can proceed.

**Main Issue:** Question: 2 Answer: Yes

**Representation:** 890/002

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The concept of Development charging is being explored throughout other parts of Scotland, although it requires a substantial amount of further work to address how the charge might be fairly implemented. The Scottish Government has identified that in order to encourage development which is currently unviable, innovative ways will have to be found to 'front-fund' site costs. Support is therefore given to the approach Angus Council is taking in considering pro-active and realistic solutions to work in partnership with housebuilders to deliver new housing and support local economies.

**Representation:** 840/001

**Organisation:** John Lawrie Group

**Agents:** Halliday Fraser Munro

**Comment:**

In developing a proposed new business park, such as Montrose North, infrastructure upgrades will be required. A partnership approach with Angus Council is fully envisaged to maximise benefits and minimise impacts. On this basis, a Development Charge approach is supported.

Infrastructure payments sought should be clearly identified and agreed with the developer with payment used to resolve infrastructure issues that result directly from that development. Developer charges should not be used to resolve historic or existing infrastructure issues. Furthermore, these charges should be used to mitigate the impact of development in a particular location and not to resolve an infrastructure issue in another part of Angus.

The Council should also be open to negotiation on charges in instances where the developers themselves improve specific infrastructure issues as part of the development.

Contributions should only be sought where it can be demonstrated that a specific development will have a direct impact on a proposed strategic transport intervention that requires to be mitigated in accordance with Circular 1/2010.

Guidance must also be clear in instances where infrastructure improvements may be of benefit to more than one developer or development site on who is expected to contribute to the upgrade works and how much is required from each developer.

Finally, for commercial developments, any contribution should be based on net developable area and not simply site size to ensure that contributions are based on the financial viability of the development and the payment is representative of the commercial development that may be delivered.

**Representation:** 800/003

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran strongly supports this approach to ensure that new infrastructure is in place before new travel patterns are established rather than trying to resolve such issues after development completion. It is suggested that the costs should be recouped once new

homes/business premises are occupied rather than sold, should premises be subject to rental rather than sale.

A "Development Charge" system should provide for contribution towards cross-boundary infrastructure where relevant, for example potentially contributing to Dundee Park & Ride schemes which would benefit Angus residents. In Table 3, the reference to developer contributions for new "roads" infrastructure should be amended to refer to "transport" infrastructure. Tactran would wish to be involved in the development of and be consulted upon Supplementary Guidance on any "Development Charging" system.

**Representation:** 855/002

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd are broadly supportive of the introduction of a "Development Charge" system. This would facilitate the forward funding of infrastructure development required to service new development which is welcomed. This support is subject to compliance with Planning Circular 01/2010 and we would like to see further detail before committing firmly to this.

**Representation:** 868/002

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

The use of public sector finances to front-fund the development of infrastructure, necessary to service new development, with costs being recouped once new homes / business premises are sold is supported in principle only where the charge relates to development in the specific locations where the infrastructure provides a necessary benefit to enable that development.

Development in one area of Angus should not be required to contribute to the forward funding of infrastructure to enable development elsewhere.

**Representation:** 874/002

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

The proposed "Development Charge" is welcomed as a potentially invaluable mechanism for stimulating development, which would be entirely in-keeping with the approach outlined in paragraphs 23 and 24 of Circular 3/2012. Kinpurnie Estate therefore supports this approach.

**Representation:** 758/001

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

The implementation of a Development Charge system to front fund infrastructure is welcomed, provided the charges also comply with Circular 3/2012.

**Representation:** 796/002

**Organisation:** Dalhousie Estates

**Agents:** Ristol Ltd

**Comment:**

Subject to the provisions contained within Circular 1/2010 on planning Agreements and the key policy tests.

**Representation:** 795/003  
**Organisation:** Strathmore Estates  
**Agents:** Ristol Ltd  
**Comment:**

Subject to the provisions contained within Circular 1/10 on Planning Agreements and the key policy tests for developer contributions.

**Representation:** 798/002  
**Organisation:** Scottish Natural Heritage  
**Representee:** Carolyn Deasley  
**Comment:**

Scottish Natural Heritage would be in favour of a development charge system that (amongst other things) recognised that green-infrastructure is as fundamental to the making of a place as grey infrastructure.

In general, Scottish Natural Heritage would expect plan policies to ensure that developers incorporated existing green-infrastructure into a new development through good design as a matter of course. However, there may be situations as a last resort, where provision of new green-space off-site is the most sensible (or best value) planning option and in those situations a development charge system would give the planning authority more flexible ways of delivering green-infrastructure in the best place.

Show

**Representation:** 907/002  
**Organisation:** CHAP Homes  
**Agents:** Halliday Fraser Munro  
**Comment:**

The "Development Charge" approach is supported, on the basis of a number of points being considered.

The infrastructure payments sought from a proposal should be clearly identified and agreed with the developer and any payment should be used to resolve infrastructure issues that directly result from a particular development. Developer charges should not be used to resolve historic or existing infrastructure issues. Furthermore, these charges should be used to mitigate the impact of development in a location relating to the site and not to resolve an infrastructure issue in another part of Angus.

The Council should also be open to negotiation on charges in instances where the developers themselves improve specific infrastructure issues as part of the development. In other words, where the Council's aspirations for infrastructure improvements and the developers mitigation works coincide.

Contributions should only be sought where it can be demonstrated that a specific development will have a direct impact on a proposed strategic transport intervention that requires to be mitigated as a result. In accordance with Circular 1/2010 Planning Agreements, "There should be a link between the development and any mitigation offered as part of the developer's contribution" (para 16).

There may also be instances where infrastructure improvements may be of benefit to more than one developer or development site. Guidance must be clear in instances where this is the case, who is expected to contribute to the upgrade works required and how much is required from each developer.

As identified in the MIR, "financial difficulties are likely to affect some development sites" (page 13), and large infrastructure contributions may severely impact on the development feasibility and funding of development in situations

where the developer has already undertaken strategic infrastructure works as part of a mitigation strategy. This is particularly critical at the early stages of a project where bank funding is sought.

Finally, there should be clear guidance given on what the money raised from a development charge will be spent on in order to avoid the funds generated from development being held in a central pot with no information on what infrastructure project they may or may not be spent on and when. This will therefore give more certainty to developers.

**Representation:** 788/002

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Understanding of development economics and the expectations on the development industry to continue to provide significant infrastructure continues to be the biggest challenge facing the house building industry. The removal of lending facilities for upfront infrastructure has severely reduced the ability of developers to unlock large, strategic sites. Support from local and national government is needed, in the way of loans, or grants, to facilitate the delivery of significant infrastructure projects. Stewart Milne Homes recognise that contributions on a fair and measured scale are essential to bring forward development however, cannot in the majority of instances be front funded. There is still evidence of a considerable lack of understanding of development finance and delivery at local government level also, in the numbers of housing units allocated required to fund significant levels of infrastructure. Housing allocations are made through the housing land audits carried out by Local Authorities but more often than not the number of houses identified as "need" within an area cannot justifiably finance the level of infrastructure required.

Stewart Milne Homes support the principle of a development charge system in terms of creating certainty for developers and landowners and with the potential from moving away from lengthy and costly Section 75 agreement negotiations.

Any development charge system would have to ensure the stakeholders that contributions met the tests of Circular 1/2010 and that a transparent and fully justifiable breakdown of costs were in place ensuring that a standard development charge does not prohibit or restrict release of development land through the planning system.

The management of funding will be the biggest challenge, but should not be insurmountable as there are many processes already in place for gathering of Developer Contributions which can be tracked to individual planning consents rather than lost unacceptably in wide the wider Council accounting procedures. Any proposals to bring in such mechanisms would require detailed consultation and should be brought through the Proposed Plan so they can be fully scrutinised at examination.

**Representation:** 794/002

**Organisation:** Scottish Enterprise

**Representee:** Peter Noad

**Comment:**

Need to recognise balance between funding of infrastructure and issues of funding for speculative business property development in current market conditions.

**Representation:** 901/002

**Organisation:** Scottish Water

**Representee:** Adele Gallagher

**Comment:**



Scottish Water has its own funding mechanism in place to finance growth at our Strategic assets, namely our Water and Waste Water Treatment Works. Any network issues are funded by the developer and a reasonable cost contribution is available. However, if Angus Council are wishing to upfront fund infrastructure they may wish to use Developer Contributions to claim funds back from developers.

**Representation:** 902/002

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The City of Brechin & District Community Council could support this- but on the basis that such a system is put forward for proper scrutiny and consultation before being adopted.

**Representation:** 849/004

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

On condition any funding is recouped fairly promptly and within an agreed timescale.

**Response:**

Comments noted.

**Recommendation:**

The policy approach to securing developer contributions and ensuring delivery of essential infrastructure will be developed in line with the provisions of Scottish Government Circular 3/2012 – Planning Obligations & Good Neighbour Agreements and incorporated into the Proposed ALDP and related Supplementary Guidance. These representations will be taken into consideration in developing the Proposed Plan.

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**Main Issue:**

**Question:** 2

**Answer:** No view

**Representation:** 769/002

**Organisation:** TMS Planning Services

**Representee:** Malcolm Smith

**Representation:** 889/002

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 783/003

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Representation:** 916/002

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

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# Chapter 4

## Chapter 4 – General

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**Representation:** 797/004

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

Support the preferred option as this would ensure compliance with figures set out in TAY plan. In the Proposed Plan the link with TAYplan figures could be a little clearer.

**Response:**

Comment Noted.

**Recommendation:**

No change.

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**Representation:** 762/002

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Agents:**

**Comment:**

In terms of the provision of land for new homes the MIR also acknowledges the important role that windfall sites play in helping to meet the overall housing land requirement.

Paragraph 4.12 and Diagram 5 in the MIR suggest that the South Angus HMA could have the highest requirement for new homes. Although single houses in the countryside don't play a large part in the overall windfall figures they nonetheless do collectively have a significant role in helping to meet housing requirements over the plan period. Given the requirement for housing across the whole of Angus particularly in the areas that are currently Category 1 RSU's, supports our argument that the housing in the countryside policy in the new development plan should apply equally across the whole of the council area.

**Response:**

Comment noted. This representation supports a single tier countryside housing policy approach across the Local Development Plan area. Small sites (less than 5 units) and windfall sites will provide additional flexibility in the available supply of housing land over and above land allocated by the Proposed ALDP

**Recommendation:**

No change. The policy approach to rural housing development will be incorporated into the Proposed ALDP and related supplementary guidance. This representation will be taken into consideration in developing the proposed plan.

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**Representation:** 887/001

**Representee:** Mr G K Robertson

**Agents:** Savills

**Comment:**

Angus Council's preferred option for the housing land supply is to plan for an effective supply of housing land equivalent to the development of 3345 new homes from 2014 to 2024. This would included maintaining an effective supply of housing land equivalent to 2310 new homes at all times between 2014 and 2014.

We do not support this preferred option and instead suggest that the Council implements Reasonable Alternative Option 2 which seeks to allocate additional land to account for the potential failure of some sites to deliver new units within five years of adoption. The allocation

of additional land will ensure that an effective housing land supply can be maintained at all time and is responsive to current market conditions.

**Response:**

Comment Noted.

**Recommendation:**

No change. The preferred option is consistent with house completion targets and requirements set by TAYplan. The Proposed ALDP will allocate sites to meet the housing land requirement established by TAYplan and maintain a 5 year effective housing land supply.

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**Representation:** 899/002

**Organisation:** Aberdeenshire Council

**Representee:** Piers Blaxter

**Comment:**

Removal of headroom flexibility may put pressure on housing land supply in Angus and result in displacement to Aberdeenshire. This is not perceived as being a serious issue.

**Response:**

Comment Noted.

**Recommendation:**

No change.

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**Representation:** 878/003

**Organisation:** Gowanbank LLP

**Agents:** Project Management Scotland Ltd.

**Comment:**

Gowanbank LLP would caution against the allocation of sites solely for affordable housing unless the landowners have agreed that they wish their site to be allocated in this way. The way that Table 6 - Reasonable Alternative 1 is written it could result in the Council unilaterally allocating housing sites for affordable housing. This would sterilise a site, meaning that no affordable housing would be delivered.

**Response:**

Comment noted.

**Recommendation:**

No change. The approach to delivery of affordable housing will be set out in the Proposed ALDP.

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**Chapter 4 – Question 3 Do you agree that new housing development on unallocated small and “windfall” sites should be considered as additional to new housing on allocated sites? Please explain your answer.**

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**Main Issue:** 1                                      **Question:** 3                                      **Answer:** Yes

**Representation:** 867/003

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Taylor Wimpey submit that, consistent with Scottish Planning Policy, windfall sites should not be considered as part of the housing land supply and should therefore be in addition to new housing on allocated sites.

**Representation:** 885/001

**Organisation:** GB Oils Limited

**Agents:** Montagu Evans LLP

**Comment:**

Agree that new housing development on unallocated small and “windfall” sites should be considered as additional to new housing on allocated sites.

**Response:**

Comments Noted. The approach to delivering and maintaining a five year effective land supply in the 4 Housing Market Areas across Angus will be set out in the Proposed ALDP

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 1                                      **Question:** 3                                      **Answer:** No view

**Representation:** 783/004

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

It is clear from Planning Advice Note 2/2010 (paragraph 62) that Windfall Sites should not be included within the housing land supply.

Small sites should only be included where this approach can be justified and there is nothing presently set out within the MIR that does this. Therefore both should be excluded from the land supply.

Small sites should only be included where this approach can be justified and there is nothing presently set out within the MIR that does this. Therefore both should be excluded from the land supply.

**Main Issue:** 1                                      **Question:** 3                                      **Answer:** Yes

**Representation:** 845/002

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both ‘small sites’ and ‘windfall sites’ should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on “Small Sites” confirms “It is for planning authorities to consider

how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms that "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 847/002

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both 'small sites' and 'windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms that "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 844/004

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 (para 62) informs that windfall sites arise unexpectedly and are by definition not part of the planned housing supply. They may be included as part of the established supply in the housing land audit, i.e. as a result of an urban capacity study where a site is considered as having potential for housing development, but should not count towards meeting the housing requirement until planning permission has been granted for residential development and it is considered to be effective or is being developed.

In some areas, completions on small sites can make a varying contribution to land supply although should be regarded as providing flexibility in addition to the supply of sites (of five or more dwellings) which are expected to meet the housing land requirement (PAN 2/2010 para 61).

**Representation:** 765/001

**Organisation:** Dundee City Council

**Representee:** Gordon Reid

**Comment:**

In terms of windfall sites it is important that these sites are closely monitored and should not undermine the strategy of the TAYplan where priority is given to the reuse of land within existing settlements before greenfield release. Sites coming forward through the Main Issues

Report should be identified in the Proposed Angus Local Development Plan in order to minimise the amount of greenfield release.

**Representation:** 893/003

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both 'small sites' and 'windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms that "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 759/003

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 (para 62) informs that windfall sites arise unexpectedly and are by definition not part of the planned housing supply. They may be included as part of the established supply in the housing land audit, i.e. as a result of an urban capacity study where a site is considered as having potential for housing development, but should not count towards meeting the housing requirement until planning permission has been granted for residential development and it is considered to be effective or is being developed.

In some areas, completions on small sites can make a varying contribution to land supply although should be regarded as providing flexibility in addition to the supply of sites (of five or more dwellings) which are expected to meet the housing land requirement (PAN 2/2010 para 61).

**Representation:** 758/002

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

New housing on unallocated small and windfall sites can provide additional flexibility in the housing land supply.

**Representation:** 849/005

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Agents:**

**Comment:**

Agree that new housing development on unallocated small and "windfall" sites should be considered as additional to new housing on allocated sites.

**Representation:** 907/003

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes agree that windfall sites should be considered in addition to housing numbers on allocated sites. These additional windfall sites will add choice to the consumer and competition in the market. Flexibility is key in this current economic climate to allow for a range of residential development needs to be met and ensure that viable sites are being delivered throughout the lifetime of the plan.

As identified in the MIR (para 4.7), the existing local plan enables new homes to be delivered on infill and brownfield sites. In the current economic climate, however, the viability of brownfield sites can be difficult to predict and the number of infill sites is unforeseen. Therefore, windfall sites should be considered as additional to allocated housing numbers and not be included in the required housing target as it may affect the delivery of the zoned housing sites in the plan period.

**Representation:** 788/040

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes would agree that housing development on small unallocated sites known as "windfall", should continue to be "in addition" to allocated housing within the proposed Local Development Plan. Windfall development historically has augmented the housing land supply in smaller numbers and allowed settlement growth in certain areas that would not have otherwise come forward due to financial restrictions on larger releases. It would therefore be in the interest of Angus Council to maintain their current approach and allow windfall to come forward unrestricted. It ensures flexibility in the provision of housing land supply. The Council set out within the MIR in their alternative option for housing land supply, that they would estimate future completions on windfall sites to reduce planned housing land allowances, which have been established on the basis of the TAYplan requirements. Stewart Milne Homes does not support this concept and would strongly suggest that this approach is not taken. The level of housing output in completions across the Angus HMA has seen significant decline over the years since 2008. In some cases, the only housing completions being delivered through windfall development in some settlements. This should indicate to Angus Council that the correct sites are not being allocated within the LDP, and that additional analysis and discussions with landowners and developers requires to be had to establish a deliverable, marketable and sustainable housing land supply.

**Representation:** 760/003

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both 'small sites' and 'windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."



Paragraph 62 on windfall sites confirms that “These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed.”

**Representation:** 795/007

**Organisation:** Strathmore Estates

**Agents:** Ristol Ltd

**Comment:**

Agree that new housing development on unallocated small and “windfall” sites should be considered as additional to new housing on allocated sites.

**Representation:** 902/003

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The City of Brechin & District Community Council agrees with the continuation of the current ALPR as this allows for the building of new homes within existing residential environments and where adequate infrastructure already exists. This has advantages for re-generation, and analysis of household size and its projected decline would allow for more community coherence.

**Representation:** 890/003

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The strategy of the current Local Plan in relation to windfall and small-scale unallocated sites being developed over the plan period has not appeared to be detrimental to the successful development of 4 larger allocated sites. In ensuring such development is guided by need and local factors such as available infrastructure, the Council must however ensure a generous supply of housing land is provided at all times to meet a range of housing needs in various locations across the Plan area. Therefore the Preferred Option is supported.

This approach is in line with Scottish Planning Policy (SPP) which calls for authorities to use “urban capacity studies, along with assumptions about expected output from windfall sites, to inform the settlement strategy” in relation to the location of new development (Paragraph 81). Therefore national planning policy encourages Local Authorities to take account of windfall contributions. PAN 2/2010 Affordable Housing and Housing Land Audits also addresses the issue of windfall sites: “Windfall sites are, by definition not part of the planned housing supply” (Paragraph 62). The PAN is very clear that “These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed.” (Paragraph 62)

**Representation:** 881/002

**Organisation:** Scotia Homes

**Agents:** Barton Willmore

**Comment:**

It is submitted that windfall developments should be allowed to come forward as additional to new housing on allocated sites, but that their identification over and above the basic housing land requirement should not be considered as contributing towards a generous supply.

**Representation:** 871/003

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

'Windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 874/003**Organisation:** Kinpurnie Estate**Agents:** Drivers Jonas Deloitte**Comment:**

Within the context of continued uncertainty in the housing market, it is considered that, consistent with the advice in the Chief Planner's letter dated 29 October 2010, a flexible and realistic approach is required to maintain a fiveyear effective housing land supply throughout the Plan period, allowing for national, regional and local housing targets to be met. Kinpurnie Estate is encouraged that the need for such flexibility is recognised in the Plan. It is considered that the appropriate approach to maintaining such flexibility is to both allocate a generous supply of housing land (consistent with the approach outlined in Scottish Planning Policy (SPP)) and also build in a mechanism to allow for the delivery of appropriate sites outwith those allocated in the Plan.

An overly restrictive policy, which strictly limits development to those sites which are allocated in the Plan, unallocated windfall sites to fill a gap between allocated sites and housing targets will not improve flexibility; the Council will remain heavily reliant on the development of those allocated sites to meet its national and regional obligations in terms of housing delivery.

As such, Kinpurnie Estate supports the approach identified in Question 3, whereby unallocated "windfall" sites be considered as additional to the housing land supply, rather than relied upon to meet housing targets. This approach presents the best opportunity for Angus to deliver housing targets in these difficult economic times. This approach should be coupled with an appropriate policy which supports development in sustainable locations which is of an appropriate design, scale and density.

**Representation:** 796/009**Organisation:** Dalhousie Estates**Agents:** Ristol Ltd**Comment:**

Agree that new housing development on unallocated small and "windfall" sites should be considered as additional to new housing on allocated sites.

**Representation:** 788/003**Organisation:** Stewart Milne Homes**Representee:** Shelley Thomson**Comment:**

Stewart Milne Homes would agree that housing development on small unallocated sites known as “windfall”, should continue to be “in addition” to allocated housing within the proposed Local Development Plan. Windfall development historically has augmented the housing land supply in smaller numbers and allowed settlement growth in certain areas that would not have otherwise come forward due to financial restrictions on larger releases. It would therefore be in the interest of Angus Council to maintain their current approach and allow windfall to come forward unrestricted. It ensures flexibility in the provision of housing land supply. The Council set out within the MIR in their alternative option for housing land supply, that they would estimate future completions on windfall sites to reduce planned housing land allowances, which have been established on the basis of the TAYplan requirements. Stewart Milne Homes does not support this concept and would strongly suggest that this approach is not taken. The level of housing output in completions across the Angus HMA has seen significant decline over the years since 2008. In some cases, the only housing completions being delivered through windfall development in some settlements. This should indicate to Angus Council that the correct sites are not being allocated within the LDP, and that additional analysis and discussions with landowners and developers requires to be had to establish a deliverable, marketable and sustainable housing land supply.

**Representation:** 768/003

**Organisation:** Baxter Bryce Group / Heathfield Ltd

**Agents:** Muir Smith Evans

**Comment:**

Baxter Bryce Group/Heathfield Ltd support the council's existing position that windfall sites should not be constrained by policy but should reflect opportunities as presented to meet other policy aspirations and regeneration. The capacity for development of such sites should relate to infrastructure and potential for upgrading infrastructure to service any development.

Reference to the Urban Capacity Assessment previously undertaken by Angus Council would act as a check to the potential for known opportunity sites to accommodate development. There should be a distinction between, or specific reference to, opportunity sites.

The council's current position that there should be no limit on windfall sites or the scale of windfall sites is supported.

The potential for bringing new sites forward should not be constrained as long as there is consistent application of other plan objectives and policies and there is sufficient local infrastructure capacity. This maintains flexibility in the overall strategy and approach whilst preserving a core plan requirement of establishing an effective 5 year supply of housing land.

**Representation:** 772/004

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Angus Council propose to use figures taken from the TAYPlan Strategic Development Plan (housing requirement) rather than the Angus Housing Need and Demand Assessment. The figures used are higher than the Housing Supply Target in the Angus Local Housing Strategy. The Housing Supply Target in the Local Housing Strategy (including conversions) of 2805 over 10 years is lower than the land allocation figure of 3345 over 10 years – suggesting a generous supply of land for housing.

Scottish Government note that windfall sites have not been factored in to the housing land allocation, but will be seen as additional opportunities. Angus Council therefore appear to be proceeding on the basis of a generous supply of housing land, and should ensure that all the land you identify is effective, or capable of becoming effective within the plan period, with a minimum 5-year supply of effective land being maintained at all times.

**Representation:** 868/003

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

SPP emphasises that 'infill sites within existing settlements can often make a useful contribution to the supply of housing land' (paragraph 82) and they should be considered as new development over and above that allocated.

**Representation:** 863/003

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both 'small sites' and 'windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 762/004

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Comment:**

Agree that new housing on unallocated small and windfall sites (which should also include housing in the countryside) should be considered as additional to new housing on allocated sites.

**Representation:** 757/003

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

PAN 2/2010 (para 62) informs that windfall sites arise unexpectedly and are by definition not part of the planned housing supply. They may be included as part of the established supply in the housing land audit, i.e. as a result of an urban capacity study where a site is considered as having potential for housing development, but should not count towards meeting the housing requirement until planning permission has been granted for residential development and it is considered to be effective or is being developed.

In some areas, completions on small sites can make a varying contribution to land supply although should be regarded as providing flexibility in addition to the supply of sites (of five or more dwellings) which are expected to meet the housing land requirement (PAN 2/2010 para 61).

**Representation:** 855/003

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd agree that new housing development on unallocated small and "windfall" sites should be considered as additional to new housing on allocated sites. Planning Advice Note 02/2010 (Para 61 & 62) very clearly states that "windfall sites arise unexpectedly and are by definition not part of the planned housing supply", and that small sites "...may be regarded as providing flexibility in addition to the supply...".

Gedhall Ltd view the contribution that small and windfall sites make being flexibility in addition to the generous supply of land allocated in LDPs to meet the TAYplan housing land requirement.

**Representation:** 788/019

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 (para 62) informs that windfall sites arise unexpectedly and are by definition not part of the planned housing supply. They may be included as part of the established supply in the housing land audit, i.e. as a result of an urban capacity study where a site is considered as having potential for housing development, but should not count towards meeting the housing requirement until planning permission has been granted for residential development and it is considered to be effective or is being developed.

In some areas, completions on small sites can make a varying contribution to land supply although should be regarded as providing flexibility in addition to the supply of sites (of five or more dwellings) which are expected to meet the housing land requirement (PAN 2/2010 para 61).

**Representation:** 804/001

**Representee:** Mr John Ritchie

**Agents:** Archial Group

**Comment:**

Examination of the Angus Housing Land Audit 2012 indicates that there is a shortfall in the five year effective land supply for the North Angus Housing Market Area. The housing requirement for North Angus, contained in Policy 5 of TAYplan, indicates that 80 houses per year are required, giving a total of 400 over a 5 year period. The effective supply contained in the 2012 Audit indicates that only 278 effective units have been identified for North Angus. This is well below the housing requirement, and the inclusion of unallocated and "windfall" sites would go some way in making up for this shortfall.

Guidance on the treatment of small and "windfall" sites is contained in PAN 2/2010: Affordable Housing and Housing Land Audits. This gives support to the identification of small sites as providing flexibility to the allocations on sites of 5 units or more. In terms of "windfall" sites, the PAN states that these are by definition not part of the planned housing supply. The council's favoured approach is therefore in accordance with government advice.

The Main Issues Report – Topic Paper 4 Housing, indicates that a significant number of allocated sites have not been delivered (Table 6, page 13). This shows that 182 allocated units have not been delivered in the North Angus Housing Area during the period 2001-2005. Given the current economic circumstances, it is likely that this trend will continue into the future, with several of the allocated sites failing to be delivered in full. The council's favoured approach to the treatment of small and "windfall" sites would assist in overcoming any shortfall in future delivery of the planned supply.

**Representation:** 781/002

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 (para 62) informs that windfall sites arise unexpectedly and are by definition not part of the planned housing supply. They may be included as part of the established supply in the housing land audit, i.e. as a result of an urban capacity study where a site is considered as having potential for housing development, but should not count towards meeting the housing requirement until planning permission has been granted for residential development and it is considered to be effective or is being developed.

In some areas, completions on small sites can make a varying contribution to land supply although should be regarded as providing flexibility in addition to the supply of sites (of five or more dwellings) which are expected to meet the housing land requirement (PAN 2/2010 para 61).

**Representation:** 760/022

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In order to achieve flexibility in the supply of housing both 'small sites' and 'windfall sites' should be considered as additional to new housing. As stated in paragraph 4.11 of Topic Paper 4: Housing this would also account for flexibility in the event of the failure of other sites. This approach is supported by Scottish Government advice.

Paragraph 61 of Scottish Government advice contained in PAN 2/2010: Affordable Housing and Housing Land Audits on "Small Sites" confirms "It is for planning authorities to consider how to take account of the expected contribution of small sites (i.e. sites capable of accommodating up to 4 dwellings) towards meeting the housing land supply through their development plans. Completions on small sites make a significant contribution to the land supply in some local authority areas and may be regarded as providing flexibility in addition to the supply on sites of five or more dwellings expected to meet the housing land requirement."

Paragraph 62 on windfall sites confirms that "These sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed."

**Representation:** 786/003

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

There will always be doubt over whether windfall sites will proceed due their inherent issues, this may be the brownfield nature, ownership issues, contamination, financing etc. As a result it is submitted that these should be considered in addition to new housing on allocated sites.

**Response:**

Comments and support noted. The approach to delivering and maintaining a five year effective land supply in the 4 Housing Market Areas across Angus will be set out in the Proposed ALDP. The Proposed Plan will allocate sites to meet in full the housing land requirement of TAYplan and additional flexibility will be provided through the policy approach to small and windfall sites, allowing these where appropriate. Progress on the delivery of house completions and maintenance of a five year effective housing land supply will be monitored through the annual Angus Housing Land Audit process.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 1                      **Question:** 3                      **Answer:** No view

**Representation:** 798/003

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Representation:** 889/003

**Organisation:** Kinnordy Estate

**Representee:**

**Agents:** CKD Galbraith

**Representation:** 838/003

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

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**Chapter 4 – Question 4 Do you agree that the Proposed ALDP should not allocate land just to compensate for the possible failure of some sites to deliver new homes on expected timescales? Please explain your answer.**

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**Main Issue:** 1

**Question:** 4

**Answer:** No

**Representation:** 867/004

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Scottish Planning Policy requires a “generous supply of land to meet identified housing land requirements across all tenures.” (paragraph 70). With TAYplan establishing an average annual build rate, a more flexible housing number context than as previously provided for within old style Structure Plans, there is a deliberate shift to greater flexibility in the number of sites/units which LDPs can look to allocate. There is no doubt that for various reasons, sites allocated in the Proposed ALDP will either not come forward or their programming will be delayed. As such a more generous supply of land needs to be identified within the LDP to ensure that there is sufficient effective housing land and that a continuous 5 year supply is available at all times. This is particularly critical in addressing the existing affordable housing shortfall. In South Angus HMA, proposing to allocate the majority of development at one site which is in multiple ownership and has not been knowingly tested against the effectiveness texts set out within PAN 2/2010 is a considerable and unnecessary risk. Instead, if the Council intend to identify one site only, it ought to be a site that there is firm confidence in respect of deliverability, and of deliverability in the first phase of LDP period. Taylor Wimpey’s land at The Grange is effective and is in the ownership of a developer with a proven track record of delivering private and affordable housing development. Should the Council consider that an increase in the potential housing land supply is necessary, as they should, land at The Grange, in addition to the preferred option at Carnoustie is ready to deliver in the first period of the LDP.

**Representation:** 757/004

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that “In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the ‘deliverability’ of sites reconsidered.” The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided “on the basis that some housing sites



won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 796/010

**Organisation:** Dalhousie Estates

**Agents:** Ristol Ltd

**Comment:**

A generous and effective land supply should be maintained at all times to reflect the provisions of the Scottish Planning Policy on sustainable economic development.

**Representation:** 781/003

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

In summary, the message in Mr McKinnon's letter was to remind Scottish Planning Authorities that in the current and ever changing economic climate, maintaining an effective 5-year land supply will require a flexible and realistic approach. The clear message is that although sites will, through the Development Plan process, have been identified as effective, some will no doubt fail to deliver and the deliverability of the housing land requirement will need to be reconsidered. In these circumstances, a ready-made alternative supply is essential, i.e. the fundamental reason for a "generous" supply as referred to in SPP.

**Representation:** 788/020

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process.

In identifying land in Proposed Proposed ALDP, on sites which are perceived to be effective now, there is no guarantee that they will remain effective over the period of the LDP. Building in flexibility now through a more generous supply provides for a more positive planning approach to identifying preferred sites, rather than reacting to a lack of supply during the Plan period. This approach is considered to reflect the underlying SPP requirements for a more generous supply of housing land.

This issue of sites not delivering is acknowledged in paragraph 4.4 of the MIR which queries whether a more generous supply should be provided "on the basis that some housing sites

won't deliver in accordance with desired timescales because of unforeseen but site specific difficulties."

**Representation:** 907/004

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes strongly disagree that additional land should not be allocated to compensate for sites that fail to come forward. Firstly, it contradicts the vision of the plan which states that it needs to provide a generous allocation of land for housing development (para 4.2).

Allocating additional land for development will provide opportunities for a range of alternative sites to be brought forward should certain sites be unable to be delivered. Providing investment choice for developers would also reduce the number of allocated sites that remain undeveloped, which prevents the delivery of viable sites and allow for development to continue in response to changes in market conditions.

Should residential allocations be restricted, there will be a number of sites that fail to come forward throughout the plan lifetime resulting in a shortfall in land provision and limit choice.

**Representation:** 760/023

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advice Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 871/004

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through

the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advice Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 855/004

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd support the Table 5 "Reasonable Alternative 2" as this would appear to most closely meet the requirements of SPP and provide a generous supply of land to exceed the TAYplan requirement, with additional flexibility provided for by small and windfall sites. Proposed ALDP should allocate a generous supply of housing land (some Councils are adopting +20% to provide a generous supply), in the right areas, to exceed the TAYplan housing requirement, to provide for the failure of some sites to be delivered in the originally envisaged timeframes, and to provide a range and choice of sites, locations, types and tenure of housing.

This is a requirement of Scottish Planning Policy to provide for the continued delivery of housing. The phasing of the release of the land supply is provided for in SPP, however, care needs to be exercised in not "planning to fail" by forecasting low growth in the early stages of the plan and a potentially self-fulfilling outlook. We do not support the Table 4 Preferred Option. This simply "meets", rather than "exceeds" the TAYplan housing requirement, and aside from windfall and small sites providing flexibility, does not incorporate any element of generosity as required by SPP.

**Representation:** 788/004

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Angus Council should ensure that the Housing Land Supply is sufficient to provide for a 7 year requirement in line with SPP. A generous supply of land is required to ensure that there is at all times, a 5 year housing land supply to meet demand and in order to provide that opportunity, the Council may very well need to look at over allocating land to ensure development numbers are coming forward in line with targeted housing need. This means that at the end of the plan period a 5 year supply should be available. Stewart Milne Homes would not advocate the allocation of land on an ad hoc basis but, to ensure that quality, marketable sustainable sites are allocated through the LDP in the first instance to avoid situations where large areas of land being released in single locations find they cannot be brought forward due to significant infrastructure constraints. Angus Council should work closely with developers in order to ensure land that is deliverable, marketable and

sustainable is being allocated. It is essential that land being promoted through the LDP process has the backing of house builders and land un-associated with the development industry should be examined with caution in terms of its deliverability.

**Representation:** 801/002

**Organisation:** C S Fleming and Son

**Agents:** J J Fitzpatrick Planning Consultant

**Comment:**

PAN 2/2010 advises that windfall sites should only be counted towards the effective supply where they currently have planning permission.

The LDP should focus on outputs in seeking to determine appropriate scale for the release of land. Releasing land which is capable, in terms of area, of delivering the required number of housing units at accepted density standards does not mean that a generous supply has been made if the outputs fall below what is necessary to meet demand.

Flexibility should be introduced into the plan to enable the market to respond to a wider range of opportunities than the current strict adherence to a restrictive spatial strategy allows. Allocating more land is not an over allocation and there is a need to promote choice. It is therefore considered crucial that the LDP brings forward sites or provides a policy mechanism for consideration to be given to sites within the smaller villages and countryside within the plan area.

**Representation:** 802/002

**Representee:** Mr R Wallace

**Agents:** J J Fitzpatrick Planning Consultant

**Comment:**

PAN 2/2010 advises that windfall sites should only be counted towards the effective supply where they currently have planning permission.

The LDP should focus on outputs in seeking to determine appropriate scale for the release of land. Releasing land which is capable, in terms of area, of delivering the required number of housing units at accepted density standards does not mean that a generous supply has been made if the outputs fall below what is necessary to meet demand.

Flexibility should be introduced into the plan to enable the market to respond to a wider range of opportunities than the current strict adherence to a restrictive spatial strategy allows. Allocating more land is not an over allocation and there is a need to promote choice. It is therefore considered crucial that the LDP brings forward sites or provides a policy mechanism for consideration to be given to sites within the smaller villages and countryside within the plan area.

**Representation:** 804/002

**Representee:** Mr John Ritchie

**Agents:** Archial Group

**Comment:**

The shortfall in the effective land supply described in para. Q3.3 gives encouragement to allocate larger numbers of units to offset the failure of certain sites to deliver. This approach is supported by Scottish Planning Policy (SPP), which frequently states that a generous supply of housing land should be provided (paras. 66, 70 & 72). The allocation of sites only to meet the housing requirement and no more, could not be described as a generous allowance, as encouraged by SPP.

Examination of Topic Paper 4 Housing explores the arguments for and against the allocation of additional housing land to offset failure in delivery. Many of the arguments which are ranged against more generous allocations are based upon the advice from the Chief

Planner. This states that in cases when failure to deliver housing units is based upon lack of development finance or mortgage availability, then the release of additional land is unlikely to be effective in increasing supply. Whilst this may have some relevance to sites which are constructed by volume housebuilders, it does not give consideration to sites which are to be delivered by alternative means. For example a site which is to be delivered via self-build units is less likely to be constrained by development finance borrowing limitation. The provision of a range of sites, which may be delivered by a variety of means can only help to compensate for the failure of some sites to deliver, thereby assisting in ensuring the provision of generous housing land supply.

**Representation:** 863/004

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5-year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 845/003

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 847/003

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advice Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 844/005

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advice Authorities on the need to review the effectiveness of sites through the Audit process.

In identifying land in Proposed Proposed ALDP, on sites which are perceived to be effective now, there is no guarantee that they will remain effective over the period of the LDP. Building in flexibility now through a more generous supply provides for a more positive planning approach to identifying preferred sites, rather than reacting to a lack of supply during the Plan period. This approach is considered to reflect the underlying SPP requirements for a more generous supply of housing land.

This issue of sites not delivering is acknowledged in paragraph 4.4 of the MIR which queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but site specific difficulties."

**Representation:** 890/004

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The Council has correctly identified that there is a need to increase the number of new homes being built across the West Angus HMA and that this approach is imperative to meet housing demand and support economic recovery. The allocation of sites in the wrong location or which are constrained has already led to a shortage in housing land supply in the West Angus HMA. Indeed the current economic climate has caused even greater uncertainty for site development, specifically over funding issues.

Rather than an over-allocation of sites we would suggest that the Council seriously examines its HLA on a continual review basis and takes pragmatic decisions as to whether sites are deliverable within anticipated timescales. If established sites are no longer viable, additional effective housing land should be brought forward to compensate and to make good any shortfall.

At Kirriemuir two allocated housing sites have failed to come forward for development, totalling some 69 units (HLA Ref: K (b) and K3). Both sites have been allocated for development since at least 2004. Access to K3, which gained planning consent in 2008, is proposed to be taken from K (b); however as the last planning permission for K (b) has now expired, it is unclear if either site will ever be developed.

Encouraging a generous supply of sites which are thoroughly deliverable is central to maintaining an effective land supply over five years. Sites currently within the Housing Needs and Demand Assessment require to be re-assessed, as demonstrated above, with those facing real long-term constraints being re-allocated to a later plan phase, and effective site capable of delivering in the short/medium term identified and being brought forward to make good the shortfall.

**Representation:** 783/005

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

The Angus Local Development Plan requires to provide a robust effective land supply in accordance with Scottish Planning Policy and Planning Advice Note 2/2010. All proposed allocations through the LDP process should be fully and rigorously assessed in accordance with the requirements of paragraph 55 of Planning Advice Note 2/2010 and only where demonstrated as effective should they be allocated.

**Representation:** 759/004

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process.

In identifying land in Proposed Proposed ALDP, on sites which are perceived to be effective now, there is no guarantee that they will remain effective over the period of the LDP. Building in flexibility now through a more generous supply provides for a more positive planning approach to identifying preferred sites, rather than reacting to a lack of supply during the Plan period. This approach is considered to reflect the underlying SPP requirements for a more generous supply of housing land.

This issue of sites not delivering is acknowledged in paragraph 4.4 of the MIR which queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but site specific difficulties."

**Representation:** 892/001

**Representee:** Mr William Stewart

**Agents:** Fox Planning Consultancy

**Comment:**

It is submitted that the Council ought to allocate additional land for housing in order to compensate for the possible failure of some sites to deliver new homes on expected timescales for the reasons set out below.

The Council recognises the less than perfect current market conditions and acknowledges that economic recovery is likely to be slow. In this regard the Proposed ALDP should attempt to do as much as possible to allow the recovery to gather pace over time. The allocation of a greater quantity of land than would be allocated in perfect market conditions (when every housing site that is promoted for development comes forward on the desired timescale), thereby exceeding the requirements identified in TAYplan, offers the most scope to assist in the economic recovery and improve the rate of housing supply in Angus. . This would provide a greater flexibility and choice of sites for both housing developers and homeowners, would effectively improve housing competition and address the need for housing. It would significantly contribute towards providing a range of housing sites and would increase the opportunities of individual developments where landowners can provide serviced plots for individual housing development opportunities. This would be particularly appropriate during an economic recession where the choice of sites is limited due to house builders bringing forward a limited range of sites, particularly where the same developer has an option to develop the majority of allocated housing sites in an area.

**Representation:** 788/041

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Angus Council should ensure that the Housing Land Supply is sufficient to provide for a 7 year requirement in line with SPP. A generous supply of land is required to ensure that there is at all times, a 5 year housing land supply to meet demand and in order to provide that



opportunity, the Council may very well need to look at over allocating land to ensure development numbers are coming forward in line with targeted housing need. This means that at the end of the plan period a 5 year supply should be available. Stewart Milne Homes would not advocate the allocation of land on an ad hoc basis but, to ensure that quality, marketable sustainable sites are allocated through the LDP in the first instance to avoid situations where large areas of land being released in single locations find they cannot be brought forward due to significant infrastructure constraints. Angus Council should work closely with developers in order to ensure land that is deliverable, marketable and sustainable is being allocated. It is essential that land being promoted through the LDP process has the backing of house builders and land un-associated with the development industry should be examined with caution in terms of its deliverability.

**Representation:** 841/003

**Organisation:** Robert Fleming & Co.

**Representee:** Robert Fleming & Co.

**Agents:** The Charlton Smith Partnership

**Comment:**

R Fleming and Co consider that it would be appropriate to allocate a moderate amount of land for new homes outwith the existing development boundary. They have proposed their 2.1Ha site (20N) at Marykirk Road, Hillside for this purpose. The site can accommodate around 30 houses, or a mix of housing and business premises could be considered, as Hillside has good road links for car and cycle and has a frequent bus service to Montrose where all additional town facilities are located.

The site was assessed in the Council's previous Assessment of Possible Development Areas (2003) and was considered to have well defined boundaries and by its location would consolidate the urban pattern and provide a more balanced gateway to the village. It was considered to be well located in terms of access to Rosemount Primary School and employment uses in the north of Montrose.

The most recent embodiment of national policy, Scottish Planning Policy, February 2010, (paras.66 – 85) requires that Planning authorities allocate a generous amount of housing for flexibility and the ability to deliver in case of changes to the effective land supply. This should be on a range of sites bearing in mind efficient use of land; accessibility of homes to services, open space, employment opportunities and a range of transport options; best use of available infrastructure; deliverability and protection and enhancement of landscape, natural, built and cultural heritage. There is an expectation that housing land requirements will be met within or adjacent to existing communities and para.84 encourages ...the development of rural communities through appropriate housing development.

Para.92 encourages planning authorities to ...enable development in all rural areas which supports prosperous and sustainable communities whilst enhancing environmental quality. Para.93 encourages development which will support the service function and the cultural heritage of small towns. At para.95 it is stated that the aim is ...to maintain and improve the viability of communities and to support rural businesses.

This circumstance would be consistent, also, with the sequential requirements of Policy 1: Location Priorities B of the Tayplan, which indicates at point 2. Land on the edge of principal settlements can be considered and 3:- Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements, and where it is consistent with Part A of this policy and with Policy 2, the expansion of other settlements should be considered. The Housing Section of Tayplan also states.... the first twelve years of this Plan emphasise being ready to support the progress of the recovery from the start and requires Local Development Plans to identify sites which are effective or capable of becoming effective to meet the housing land requirement

up to year 10, maintain a minimum 5 year effective housing land supply and work towards a 7 year supply by 2015.

Marykirk Road is available to be brought forward in the short term i.e. 2014 – 2019 and could prove to be an effective site in the years when Sunnyside is most likely to remain a constrained, Opportunity Site. The Submitted Site Assessment for this site, 20N, for the MIR process notes that this site accords with the objectives and location priorities of the TAYplan and existing boundary realignment can be rationalised if necessary.

**Representation:** 893/004

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advise Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 838/004

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

It is considered that the Proposed ALDP must allocate land to compensate for the possible future failure of some sites to deliver. This is particularly important in the principal settlements, including Montrose which is one of the settlements identified for the majority of allocations to be located. Within Montrose, the only allocated site for residential development is an existing, long standing allocation which is part of the established housing land supply and has yet to be completed.

It is argued that there are reasons why it has not been developed and to allocate all of the housing allocations for Montrose to that site is risky. The MIR even recognises that some housing sites won't deliver in accordance with desired timescales because of site specific difficulties and that in the past, new homes on some allocated sites have not been developed as expected. A letter from Jim Mackinnon to Heads of Planning on 29 October 2010 states that maintaining an effective 5 year land supply will require a flexible and realistic approach. Constraints will have to be reassessed and the 'deliverability' of sites reconsidered. Therefore, to continue to allocate sites which are known to have existing

difficulties will result in the failure to meet the housing land requirements of the area. It is therefore considered essential to identify additional housing sites, especially in the Montrose area, to compensate for the possibility that some existing sites may again, fail to deliver the required housing in the timescales specified.

Montrose has the ability to accommodate significant additional development to support the major employment proposals at the Port. This will be a major employer in the area and if housing sites are not developed alongside this, the Angus Local Development Plan will miss the opportunity to provide housing close to places of employment which meets the aspirations of sustainable development and paragraph 77 of Scottish Planning Policy which encourages the co-ordination of housing land release with investment in major projects. The MIR suggests a reasonable alternative option for the allocation of housing land in North Angus, which is for 1025 homes, rather than the preferred option of 825. This is considered to be a better option for the area. SPP paragraph 71 acknowledges that allocating a generous supply of land for housing in the development plan will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes to the effective housing land supply occur during the lifetime of the Plan. The allocation of 1025 homes to North Angus would take account of sites that fail to deliver in the plan period. This would also promote population increase in the area.

A growing population is key to economic development and the success of the area. This will maintain viable communities and ensure infrastructure and services are adequate to meet the needs of existing and future communities, also to grow the region and ensure opportunities for its future growth are secured and planned for. The population of the area is growing naturally and recent trends show significant migration to the area. Official projections show that the population will continue to grow and therefore demand for new housing will continue. Higher rates of housing development should be considered to sustain this population growth over the lifetime of the Plan.

New sites, not previously allocated, should be identified to ensure the housing requirement is met. Land adjacent to existing settlements can create high quality residential environments, which is important to promote migration to the area. The development of Usan Road, Ferryden is ideal to meet this requirement.

**Representation:** 887/002

**Representee:** Mr G K Robertson

**Agents:** Savills

**Comment:**

Consider that the Council should allocate additional land to compensate for the possible failure in the delivery of some allocated sites. This is a realistic and market responsive approach that will ensure an effective housing land supply. A number of housing sites in the Angus area have not been delivered during the time period of the current local plan due to economic conditions. This approach will ensure that these sites retain their allocations to allow for conditions to improve and for these sites to be developed while also ensuring that new sites are available that could be brought forward in the short to medium term to maintain an effective land supply. We therefore request that the Council implements Reasonable Alternative Option 2.

**Representation:** 795/008

**Organisation:** Strathmore Estates

**Agents:** Ristol Ltd

**Comment:**

In terms of allocating development land to meet housing land supply targets, Strathmore Estates consider that the Proposed Plan should provide for a generous supply of housing land in order to ensure that a minimum 5 year effective land supply exists at all times, as advocated by the Scottish Planning Policy (para 75). Furthermore, in order to create the

requisite confidence in the outcome of the development plan process and support long term investment decisions to reflect the principles of sustainable economic growth advanced by the Scottish Planning Policy, Strathmore Estates submit that the Proposed Plan should indicate longer term directions for growth post the current plan time frame.

**Representation:** 881/003

**Organisation:** Scotia Homes

**Agents:** Barton Willmore

**Comment:**

It is submitted that in order to maximise the chance of the delivery of housing, the possibility of historical and new sites to deliver as predicted, new land over and above the bare minimum required as set out in the preferred option should be identified for housing. This would require incorporating the spirit of "Reasonable Alternative 2" as set out in Table 5 of the MIR into the preferred option.

**Representation:** 760/004

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In his letter of 29th October 2010, the then Director and Chief Planner, Jim McKinnon reminded the Heads of Planning that Scottish Planning Policy (SPP) states that a supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for housing. Planning authorities should monitor land supply through the audit and Development Plans should identify the triggers for the release of future phases of effective sites where a 5-year effective supply is not being maintained.

The letter confirms that "In the changed economic climate, maintaining an effective 5 year land supply which meets these criteria will require a flexible and realistic approach. Constraints may have to be reassessed and the 'deliverability' of sites reconsidered." The letter sought, in part, to advice Authorities on the need to review the effectiveness of sites through the Audit process and to provide for a generous supply at the outset to compensate for the potential lack of deliverability of some sites.

Sites being identified for development now in the LDP are no doubt perceived as effective now, however recent experience has indicated that many of these sites do not continue to be effective or are incapable of delivery in the 5 year period. Building in flexibility now through a more generous supply will compensate for the potential failure of some sites.

Clearly the Council already has concerns over this issue; paragraph 4.4 of the MIR queries whether a more generous supply should be provided "on the basis that some housing sites won't deliver in accordance with desired timescales because of unforeseen but sites specific difficulties."

**Representation:** 878/001

**Organisation:** Gowanbank LLP

**Agents:** Project Management Scotland Ltd.

**Comment:**

From on-going monitoring of the development market in Forfar Gowanbank LLP would caution against the release of further housing land as this will result in an oversupply which would have the impact of worsening local market conditions, making it even more difficult for landowners and developers to make housing developments viable.

**Response:**

Comments Noted. The approach to delivering and maintaining a five year effective land supply in the 4 Housing Market Areas across Angus will be set out in the Proposed ALDP.

Progress on the delivery of house completions and maintenance of a five year effective housing land supply will be monitored through the annual Angus Housing Land Audit process.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 1

**Question:** 4

**Answer:** Yes

**Representation:** 874/004

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

Similar to the response to Question 3, Kinpurnie Estate supports the Council's approach outlined in Question 4. It is considered that allocating additional sites to account for those sites which do not progress will not provide sufficient flexibility, and risks allocating sites which will not be developed due to physical constraints, ownership issues or commercial viability. This approach would potentially stifle development where allocated sites cannot be progressed while unallocated "windfall" sites by their nature would be available and developable within the Plan period. Again this approach presents the best opportunity for Angus to deliver housing targets in these difficult economic times.

**Representation:** 765/002

**Organisation:** Dundee City Council

**Representee:** Gordon Reid

**Comment:**

The Angus Local Development Plan should not allocated land just to compensate for the possible failure of some sites to deliver homes in expected timescales. There are a number of reasons for delay, including the state of the housing market. It is important that land release should be in accordance with and not exceed TAYplan.

TAYplan requires the allocation of a generous land supply by identifying 960 units in the South Angus Housing Market Area. The strategy for identifying additional sites should be to give priority to the reuse of brownfield land within existing settlements and to focus limited greenfield land release in line with TAYplan Strategic Development Plan Policy 4.

**Representation:** 849/006

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Agree that the Proposed ALDP should not allocate land for new housing development to compensate for the possible failure of some sites to deliver new homes on the expected timescale.

**Representation:** 902/004

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The possible failure of some sites to deliver new homes will not be due to site-specific reasons other than short-term gain at the expense of long term security. The allocation of land for development purposes as outlined in the MIR meets current demand projections and are suitably sited.

The alternative would also greatly increase the negative environmental impacts, and would impinge upon valuable agricultural assets.

**Representation:** 786/004

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

Guild Homes supports the preferred option to maintain a steady and effective supply of housing land. By providing additional land to compensate for the possibility of allocated land not progressing could result in an excess of land available.

**Representation:** 798/004**Organisation:** Scottish Natural Heritage**Representee:** Carolyn Deasley**Comment:**

Scottish Natural Heritage would argue that the purpose of a collaborative plan-making process is to ensure that unforeseen difficulties to delivering new homes are minimized and that the sites put forward are viable and deliverable. In that context there should not be a need for land to be allocated that is significantly additional to that which meets the requirements of TAYPLAN. Additional allocations are more likely to be in locations that are less favourable (in terms of environmental impacts) than sites already allocated in existing plans that have been the subject of rigorous analysis. If significant additional sites are allocated, Scottish Natural Heritage would expect a full environmental appraisal of those sites in the SEA.

**Representation:** 868/004**Organisation:** Barratt East Scotland Limited**Agents:** Ryden LLP**Comment:**

Agree that the Proposed ALDP should not allocate land for new housing development to compensate for the possible failure of some sites to deliver new homes on the expected timescale.

**Representation:** 885/002**Organisation:** GB Oils Limited**Agents:** Montagu Evans LLP**Comment:**

Agree that the Proposed ALDP should not allocate land for new housing development to compensate for the possible failure of some sites to deliver new homes on the expected timescale.

**Response:**

Comments and support noted.

**Recommendation:**

Comments noted.

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**Main Issue:** 1**Question:** 4**Answer:** No**Representation:** 758/003**Representee:** Mr & Mrs Lochart Porter**Agents:** Burness Paull & Williamsons LLP**Comment:**

The LDP requires to critically assess previously allocated sites to determine whether they will deliver any houses in the LDP period. National guidance requires an effective supply of housing land throughout the life of the Plan. It is appropriate to allocate more land to ensure that the supply is maintained. Appropriate phasing and drawdown policies can control the delivery of land.

**Response:**

Comments noted.

**Recommendation:**

Comments noted.

**Chapter 4 – Question 5 Do you agree that the housing land supply of the Proposed ALDP should be released in two phases during the 10-year plan period? Please explain your answer.**

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**Main Issue:** 1

**Question:** 5

**Answer:** No

**Representation:** 788/005

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes do not agree that land should be set out in 2 phases across the LDP period. Examples of where this has been implemented in other Local Authority Areas is already proving problematic, and in some cases is preventing development coming forward at the rate the market area requires. Development sites have a natural life span and in the main, the level of housing being delivered on the majority of housing sites in any single year by a single developer is agreed across the industry as 25 per annum. By using this number as a rule of thumb, development on any site would organically develop in line with market demand. In circumstances where Councils are setting out 2 phases of development developers could see significant abortive costs if the 1st development phase was completed well in advance of the 2nd plan period in having to move compounds off site and then re-set up once the next 5 year period started. In addition, sites will generally be serviced at the point of site start in many cases seeing significant upfront outlay. Again, if there were gaps in being able to deliver development onsite due to plan phasing restrictions, development could be rendered as unviable if unnaturally stifled.

**Representation:** 842/001

**Organisation:** NHS Tayside

**Agents:** Scottish Futures Trust

**Comment:**

NHS Tayside does not agree that the housing land supply of the Proposed ALDP should be released in two phases during the 10 year plan period. This should only be the preferred approach if the Proposed ALDP makes clear that any such phasing is purely indicative and that there will not be any barrier to sites coming forward earlier than indicated in any phasing schedule.

The view of Angus Council put forward within the Main Issues Report (paragraph 4.10) is that a lack of phasing would mean that a large quantity of new housing land would be "made available all at once, which could distort the market and dissuade landowners from selling their sites to enable new housing development".

Scottish Planning Policy (SPP) advocates the use of an annually updated Housing Land Audit in order to manage the release of land for housing. This is to ensure the continuous availability of a 5 year housing land supply. It goes on to state (paragraph 75) that should a shortage of effective land become evident, development plans should identify triggers for the release of future phases of effective sites. The Scottish Government does not advocate the use of the Housing Land Audit or any phasing mechanism for artificially restricting the supply of housing land in order to support land values. No evidence has been presented to support the position that allocating a generous 10 year supply of housing land would suppress values and prevent sites becoming effective and available.

NHS Tayside is also concerned that should the Proposed ALDP establish two tranches of housing land releases between 2014 – 2024, this would not be sufficiently flexible to respond to the changing circumstances of individual sites as investors come forward and sites become deliverable. This approach would be counter the principles of generosity and flexibility set out by the Scottish Government for the establishment of a housing land supply within local development plans (SPP paragraphs 70-71, 74).

Should a site that is allocated in the latter phase be in a position to come forward sooner, there should be no barrier to doing so. Attempting to organise the timing of site releases in Local Development Plans will achieve little other than potentially discouraging and delaying investment in sites within the latter phase. This may have a dampening effect on the housing land market thereby creating its own distortion.

Should Angus Council wish to align the targets of the Angus Local Housing Strategy and divide the housing land supply into two phases, NHS Tayside would urge Angus Council make clear within the plan that sites in the latter phase can come forward earlier if it can be demonstrated that a site will be in a position to deliver homes in the 2014/15-2018/19 period.

**Representation:** 892/002

**Representee:** Mr William Stewart

**Agents:** Fox Planning Consultancy

**Comment:**

It is submitted that the above justification supports the Reasonable Alternative 2 in preference to the Preferred Option, with all the sites being released for housing at the base date of the LDP. It is therefore requested that Angus Council supports Reasonable Alternative 2 as offering a realistic opportunity to meet the housing needs of Angus while supporting development of a diverse range of sites and opportunities. Reasonable Alternative 2 would effectively maximise the potential of ensuring adequate housing provision during the economic recession particularly where a limited number of house builders and/or housing land owners are operating in an area thereby reducing the potential of allocated sites being brought forward as house builders generally focus development on a single site within a town before moving on the next, all to the detriment of the range and diversity of available housing sites; this has certainly been the case in Kirriemuir and Forfar in recent years and this, combined with the economic recession, has reduced the number of allocated sites being brought forward for development. On this basis the Preferred Option would not meet the effective provision of housing sites and this would be better supported by Reasonable Alternative 2. It is submitted that Reasonable Alternative 2 ought to replace the currently Preferred Option. It is submitted that any negative environmental impacts on biodiversity, flora & fauna, soil, water, landscape factors, scale and nature of the impacts can be satisfactorily dealt with at the development control stage.

**Representation:** 783/006

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

Trying to set two 5 year housing land allocation periods may restrict deliverability. Sites can often take 2 or more years to navigate the planning process and developers/investors require confidence that other delays, such as regimented phasing approach, will not thwart beneficial development/investment. A fluid approach is more likely to support the delivery of beneficial development in present market conditions

**Representation:** 788/042

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes do not agree that land should be set out in 2 phases across the LDP period. Examples of where this has been implemented in other Local Authority Areas is already proving problematic, and in some cases is preventing development coming forward at the rate the market area requires. Development sites have a natural life span and in the main, the level of housing being delivered on the majority of housing sites in any single year by a single developer is agreed across the industry as 25 per annum. By using this number as a rule of thumb, development on any site would organically develop in line with market demand. In circumstances where Councils are setting out 2 phases of development



developers could see significant abortive costs if the 1st development phase was completed well in advance of the 2nd plan period in having to move compounds off site and then re-set up once the next 5 year period started. In addition, sites will generally be serviced at the point of site start in many cases seeing significant upfront outlay. Again, if there were gaps in being able to deliver development onsite due to plan phasing restrictions, development could be rendered as unviable if unnaturally stifled.

**Representation:** 874/005

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

Kinpurnie Estate would not agree with a phased approach to housing land release. Given the current market conditions, there is too much uncertainty as to when any specific site could be developed. The phased approach could delay the development of sites that could potentially come forward for development within the first five year period. The phased approach would also be insufficiently flexible to respond to changes in the housing market during the Plan period.

**Representation:** 887/003

**Representee:** Mr G K Robertson

**Agents:** Savills

**Comment:**

It is considered that the housing land supply should not be released in two phases and that all housing land allowances are released at the date of adopted on the LDP. It is considered that phasing of individual sites can be controlled through planning conditions and that this approach would allow the Council to respond to market changes.

**Main Issue:** 1

**Question:** 5

**Answer:** Yes

**Representation:** 759/005

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

Whilst the reasons for the two phases identified, that is, 2014-2019 and 2020-2024 are supported, it is considered that the Policy should be developed to include the ability, during the plan period, to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply. Clear policy triggers should therefore be included within the Proposed Plan to ensure robust delivery of the proposed supply and the Plans ability to respond to changing circumstances within the supply.

On the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for housing land allowances of 4,345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing. As a result of this, 940 additional units require to be identified in the South Angus HMA rather than 850 units.

For clarification in terms of Table 5, Reasonable Alternative 1 is not supported, however, Reasonable Alternatives 2 and 3 are supported.

**Representation:** 890/005

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

This approach is supported, however there should be flexibility and a 'draw-down' mechanism should be used to bring forward sites earlier if required and to ensure a generous

supply of housing land is available at all times. The Council should also be cautious in the allocation of sites and ensure that first and foremost, sites are included in the Plan on the basis of being, or being able to become, wholly effective in a given timescale. This also provides flexibility within the Plan to ensure that the housing land supply is able to deal with unpredictable changes, therefore according with Scottish Planning Policy.

**Representation:** 867/005

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Taylor Wimpey agree that the LDP period being divided in two is the correct approach. This will ensure that sites allocated within phase 1 which are to be delivered within this period, such as their land at The Grange, Monifieth, can come forward with confidence.

Reference to diagram 5 indicates that for South Angus HMA 550 units are required to come forward in period 2014-2019 with the balance of 290 to come forward in 2020-2024. This approach requires land to be identified for housing uses which is capable of delivering this number of units within this plan period. As set out further within Taylor Wimpey's response, the proposed allocation of land at Carnoustie offers no confidence in the units identified for delivery within the preferred phasing programme being delivered.

An other issue to consider is that this two phase approach requires the addition of a draw down mechanism where additional land (phase 2) can come forward before the second period of the LDP where phase 1 sites are either not delivering any units as programmed or the delivery of these units is delayed resulting in a housing land supply shortfall. A robust and efficient mechanism needs to be put in place either within the LDP or through Supplementary Planning Guidance to ensure that this is in place to deal with any shortfall efficiently and effectively.

**Representation:** 786/005

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

Guild Homes supports a 2 phased release of residential land in this way the preferred sites can be promoted first. It is important that any phasing should allow a draw down from future phasing should market conditions require.

**Representation:** 844/006

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

Whilst the reasons for the two phases identified, that is, 2014-2019 and 2020-2024 are supported, it is considered that the Policy should be developed to include the ability, during the plan period, to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply. Clear policy triggers should therefore be included within the Proposed Plan to ensure robust delivery of the proposed supply and the Plans ability to respond to changing circumstances within the supply.

On the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for housing land allowances of 4,345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing. As a result of this, 940 additional units require to be identified in the South Angus HMA rather than 850 units.

For clarification in terms of Table 5, Reasonable Alternative 1 is not supported, however, Reasonable Alternatives 2 and 3 are supported.

**Representation:** 804/003

**Representee:** Mr John Ritchie

**Agents:** Archial Group

**Comment:**

The splitting of the housing land supply into 2 phases will help to assist in delivering housing early in the lifetime of the LDP. A similar approach has been adopted in the Aberdeenshire Local Development Plan. Sites which are allocated in the first phase but are not progressed are at risk of being replaced in subsequent versions of the plan. This approach adds a stimulus to commence development early, rather than waiting until the conclusion of the 10 year period.

**Representation:** 863/005

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310. As a result of this, 940 units (600 in Phase 1 and 340 in Phase 2) would be required in the South Angus HMA rather than 840 units (550 in Phase 1 and 290 in Phase 2).

For clarification in terms of Table 5, Reasonable Alternatives 1 and 3 are not supported, however, there is strong support for Reasonable Alternative 2.

**Representation:** 902/005

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The City of Brechin & District Community Council agrees with that phasing is appropriate in the current economic climate and the present reliance on the private sector for house-building.

**Representation:** 765/003

**Organisation:** Dundee City Council

**Representee:** Gordon Reid

**Comment:**

Dundee City Council agrees with the phased approach that proposes new housing sites for the South Angus Housing Market Area between 2014-2019 of 550 units and 290 units between 2020-2024. Phasing land release will provide continuity over the Plan period.

**Representation:** 907/005

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes agree in phasing the release of sites providing a sufficient supply is maintained and provision is made to draw down from the second phase if circumstances require it. A range of sites must be allocated throughout the 10-year plan period to ensure that second phase development is not simply a further phase of the same allocations. Should the first phase of a particular site fail to deliver, there would be little point in bringing the second phase forward, therefore a range of sites should be identified.

By having a range of allocated sites across two phases ensures that there is opportunity to bring forward second phase land earlier than anticipated to supplement housing land supply should the first phase fail to deliver.

**Representation:** 760/005**Representee:** Mr M Batchelor**Agents:** Emac Planning LLP**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310. As a result of this, 1,125 units (585 in Phase 1 and 540 in Phase 2) would be required in the East Angus HMA rather than 825 units (435 in Phase 1 and 390 in Phase 2).

For clarification in terms of Table 5, Reasonable Alternatives 1 and 3 are not supported, however, there is strong support for Reasonable Alternative 2 to "Allocate additional land to account for the potential failure of some sites to deliver new units within five years of adoption."

**Representation:** 871/005**Representee:** Mr R Watson**Agents:** Emac Planning LLP**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310. As a result of this, 940 units (600 in Phase 1 and 340 in Phase 2) would be required in the South Angus HMA rather than 840 units (550 in Phase 1 and 290 in Phase 2).

For clarification in terms of Table 5, Reasonable Alternatives 1 and 3 are not supported, however, there is strong support for Reasonable Alternative 2.

**Representation:** 878/002

**Organisation:** Gowanbank LLP

**Agents:** Project Management Scotland Ltd.

**Comment:**

Gowanbank LLP agree with paragraph 7 on page 74. It would be counterproductive to release additional large-scale new sites for housing in the early part of the LDP period. What we would add is that there is no certainty that the current economic conditions will improve in the early part of the LDP period. Releasing additional sites in the later part of the LDP period could therefore also be counterproductive. Angus Council should therefore consider how the LDP can take stock of the economic situation and progression of the early housing land allocations partway through the LDP period to ensure that it is appropriate to allow the later release of housing land at that point in time.

**Representation:** 881/004

**Organisation:** Scotia Homes

**Agents:** Barton Willmore

**Comment:**

It is considered that a phased approach to housing delivery is appropriate, however, the phased allowances should also be generous to maximise the opportunity for delivery and to stimulate competition which will in turn drive up quality.

Furthermore, where the early delivery of future phases would assist in the delivery of key infrastructure it should be possible to draw down from future phases to enable a continuous effective supply.

**Representation:** 758/004

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

Land should be identified for release within certain phases of the LDP, however there requires to be appropriate drawdown policies allowing land to come forward from a later period if necessary, either to maintain an effective land supply or to allow for the proper planning of infrastructure on large sites.

**Representation:** 855/005

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd agree that the housing land supply can be released in two phases during the 10 year LDP period, as this is in line with SPP.

Provision should however, be made for the early draw down of sites from Phase 2 to Phase 1 if there is a demonstrable failure of the 5 year land supply. This could be covered by Supplementary Guidance if properly referenced in the LDP.

**Representation:** 757/005

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and

TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310.

For clarification in terms of Table 5, Reasonable Alternatives 1 and 3 are not supported, however, there is strong support for Reasonable Alternative 2.

**Representation:** 781/004

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Housing land can be notionally identified in the two TAYplan 5 year periods, i.e. 2014-2019 and 2020-2024 to ensure there is a properly considered allocation of sufficient and deliverable housing land to satisfy the TAYplan requirement. However, there must be no impediment to moving land forward where an effective 5-year land supply is not being maintained. Clear policy triggers should therefore be included within the Proposed Plan to ensure robust delivery of the proposed supply and the Plans ability to respond to changing circumstances within the supply.

**Representation:** 788/021

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Whilst the reasons for the two phases identified, that is, 2014-2019 and 2020-2024 are supported, it is considered that the Policy should be developed to include the ability, during the plan period, to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

On the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for housing land allowances of 4,345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing. As a result of this, 940 additional units require to be identified in the South Angus HMA rather than 850 units.

For clarification in terms of Table 5, Reasonable Alternative 1 is not supported, however, Reasonable Alternatives 2 and 3 are supported.

**Representation:** 893/005

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and

TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310. As a result of this, 1,255 units (705 in Phase 1 and 550 in Phase 2) would be required in the West Angus HMA rather than 855 units (505 in Phase 1 and 350 in Phase 2).

For clarification in terms of Table 5, Reasonable Alternative 1 is not supported, however, Reasonable Alternatives 2 and 3 are supported.

**Representation:** 760/024

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported. However, it is considered that the Policy should be developed to include the ability for review during the plan period to ensure a continuous effective supply both in terms of SPP and TAYplan requirements and to allow the Plan to respond to changing circumstances within the supply.

In addition, on the basis of these questions and having regard to Topic Paper 4: Housing and Tables 4 and 5 of the MIR, it is considered that the Preferred Option should be amended to provide for an increase in the effective housing land supply of 4345 units over the Plan period in accordance with the 'Reasonable Alternative (Housing Land Allowances 2014-2024) identified in Table 21 (page 36) of Topic Paper 4: Housing.

This would equate to maintaining a corresponding effective supply at all times of 3,041 units, rather than 2,310. As a result of this, 940 units (600 in Phase 1 and 340 in Phase 2) would be required in the South Angus HMA rather than 840 units (550 in Phase 1 and 290 in Phase 2).

For clarification in terms of Table 5, Reasonable Alternatives 1 and 3 are not supported, however, there is strong support for Reasonable Alternative 2.

**Response:**

Comments Noted. The approach to delivering and maintaining a five year effective land supply in the 4 Housing Market Areas across Angus will be set out in the Proposed ALDP. Housing land will be allocated to meet the requirements of TAYplan and will where appropriate be phased over two phases of the 10 year LDP period. Development of large sites may extend beyond the LDP period. Progress on the delivery of house completions and maintenance of a five year effective housing land supply will be monitored through the annual Angus Housing Land Audit process.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 1

**Question:** 5

**Answer:** Yes

**Representation:** 868/005

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

Agree that the housing land supply for the Proposed ALDP should be released in two phases over the 10-year plan period.

**Representation:** 849/007

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Agree that the housing land supply for the Proposed ALDP should be released in two phases over the 10-year plan period.

**Representation:** 845/004

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported.

**Representation:** 847/004

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

The proposed two phases identified, that is, 2014-2019 and 2020-2024 are supported.

**Representation:** 885/003

**Organisation:** GB Oils Limited

**Agents:** Montagu Evans LLP

**Comment:**

Agree that the housing land supply for the Proposed ALDP should be released in two phases over the 10-year plan period.

**Representation:** 796/011

**Organisation:** Dalhousie Estates

**Agents:** Ristol Ltd

**Comment:**

Agree that the housing land supply for the Proposed ALDP should be released in two phases over the 10-year plan period.

**Response:**

Agreement and support Noted.

**Recommendation:**

No change.

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**Main Issue:** 1

**Question:** 5

**Answer:** No view

**Representation:** 798/005

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Representation:** 838/005

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Representation:** 795/009

**Organisation:** Strathmore Estates

**Agents:** Ristol Ltd

**Representation:** 889/004

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith



**Chapter 4 – Question 6 Do you agree with the preferred option of requesting a contribution towards meeting the calculated affordable housing needs from new housing sites? Please explain your answer.**

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**Main Issue:** 2

**Question:** 6

**Answer:** No

**Representation:** 783/014

**Organisation:** Muir Homes Ltd

**Agents:** Muir Smith Evans

**Comment:**

Muir Homes Ltd (MHL) submits that the MIR (as represented within Topic Paper 4, paras 3.35 – 3.58) set out unrealistic proposals for securing delivery of affordable housing.

- Instead the MIR seeks to bring forward an amended version of previous policy, increasing the requirement placed on housebuilders which have sites in areas of specific housing need.
- MHL firmly believes that, within the current and forecast economic circumstances, this will actually act to reduce house completions (including affordable units) rather than increasing the affordable housing supply.
- MHL submits that the single best mechanism for securing provision of much needed affordable housing is through the deliberate allocation of a generous land supply for general needs housing. This supply should include a range of easily developed, effective sites. Such an approach is particularly appropriate given the concerns regarding the underestimated housing land requirement in almost all areas of Scotland, a concern from which the TAYplan and Angus areas are not immune.
- MHL notes the Options which are set out.
- MHL also notes that there are two tables which are labelled 'Table 15', and assumes that this is an typographical error.
- MHL notes that a target of 25% affordable provision is set for most sites.
- MHL is of the view that even a target of 25% will represent an onerous and unreasonable imposition on the house building industry, and one that will ultimately prove counter-productive.
- The previous 25% policy has failed to deliver more than 98 units per year across Angus (Topic Paper 4, para 3.36). Achieving the stated targets for affordable housing can only be further undermined by the reduced availability of public subsidy. The truth of the matter is that, as has been demonstrated elsewhere, the policy will be counter-productive leading developers already under pressure due to economic circumstances to look elsewhere rather than proceed with development in the Proposed ALDP area.
- MHL is of the view that even the continued delivery of 25% affordable units will be threatened, given the economics of development. Any affordable units delivered on a site are effectively cross-subsidised by the market housing. This model relies on developers being able to plan the houses that suit the market, their product and their customers to generate the profit that will support 25% affordable units. A further erosion of developer profits to deliver smaller units, lower valued units and units to suit the needs of older people, will mean that fewer sites are financially viable in the Angus area.
- MHL suggests that Angus Council should enter into constructive discussions with the housebuilding industry before finalising a policy approach for the Proposed Plan.

**Representation:** 758/005

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

The affordable housing policies require to be carefully drafted in the current economic climate to allow greater flexibility in the provision of affordable housing due to the lack of government grants to social landlords. Mainstream housing should not be held up through an inability to access funding for affordable housing as this will exacerbate the need. Whilst it may be appropriate to aim for a target figure of affordable housing from new sites, this figure

cannot be cast in stone as each site will require to be considered at the time it comes forward.

**Representation:** 852/001

**Representee:** Karen Nicoll

**Comment:**

When considering developing areas of land that won't require significant improvements to the infrastructure, consideration should also be given to reducing the level of affordable housing. As with other local Authorities this will assist the actual delivery of housing in view of the economic climate and funding issues.

**Main Issue:** 2

**Question:** 6

**Answer:** Yes

**Representation:** 902/006

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

Private house builders cannot be relied on to provide housing that meets the criteria of 'affordable housing' as they will seek the maximum return on their investment regardless of social benefit.

The alternative option of specific allocation we agree would not deliver for the reasons laid out in paragraph 4.18.

The option finally decided on should as a priority aim to provide sufficient 'affordable housing' for the residents of Angus.

**Representation:** 855/006

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd support the "Preferred Option" as it is within the scope of SPP. Gedhall Ltd also feel that this is most likely to result in the delivery of affordable housing than allocating specific sites.

**Representation:** 907/006

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes agree with requesting contributions for affordable housing against a national benchmark. However, the contribution must also be assessed on a site specific basis considering all aspects of site viability.

Each development site should be assessed on its own merits with regard to affordable housing contributions to ensure that delivery is achievable and viable. In the current economic climate, it is important to encourage appropriate development as affordable housing demand is directly linked to available supply.

In assessing potential housing land, it is important to consider that sites which do not require large infrastructure contributions are more likely to come forward at an earlier stage. Funders are currently very risk adverse and unlikely to fund sites that require high up-front infrastructure investment until there is a significant recovery in the market.

Sites that can be delivered on a phased basis with minimum up-front investment are more likely to be developed and furthermore, with better financial viability are more likely to be able to contribute to planning gain payments and affordable housing delivery.

**Representation:** 857/002

**Organisation:** The Clayholes Partnership

**Agents:** Graham + Sibbald

**Comment:**

The Clayholes Partnership agree with the preferred approach since it represents a fair allocation, based upon quantifiable need as identified from the HNDA. The suggested approach, whilst allowing some variation subject to local needs, is easy to follow, and the maximum cap at 25% is considered to be fair. There also needs to be flexibility in the type of affordable housing being sought and any policy should be as wide reaching as possible to all different means of housing to be provided. The use of commuted sums should also be included within the policy.

**Representation:** 867/006

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Taylor Wimpey acknowledge the significant and increasing affordable housing shortfall within the South Angus Housing Market Area.

Given this, it is critical for the LDP to identify land which is effective and which can deliver housing, including affordable housing, within the first period of the LDP. In this, Taylor Wimpey's land at The Grange, Monifieth is both effective and could come forward at the earliest opportunity. Taylor Wimpey are committed, as landowners as well as developers, to make provision for 25% affordable housing on this site. With a notional capacity of up to 400 units, up to 100 units would be affordable. Of the sites indicated as 'preferred' within the MIR there is no known timeframe to deliver housing at Carnoustie nor what the affordable housing element will be within this allocation. With this and with Ashludie, Monifieth being correctly considered as a post 2024 proposal, the Council can have no confidence that the LDP will practically address the affordable housing shortfall in the foreseeable future, if at all.

**Representation:** 871/006

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

In answer to Q6 a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle

**Representation:** 838/006

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

Bon Accord Land Ltd & Stewart Milne Homes broadly support the preferred option of requesting affordable housing contributions from new developments in accordance with the Angus HNDA. However, each site needs to be considered on its own merits and in some cases viability will need to be considered, as the vision and strategy of the Local Development Plan could be compromised if the affordable housing targets are set too high.

**Representation:** 783/007

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

Affordable housing requirements should be set at no higher than the Scottish Government's indicative 25% threshold. In addition, additional flexibility should be included in order to allow a wider range of affordable housing within the 25% level in addition to traditional social housing. The definition should be extended to include housing which is affordable "by design" and where shared equity is provided by the developer (for a period of circa 10

years). Initiatives such as the latter allow people to get on the property ladder at a discounted level generally until such time as their incomes sufficiently increase.

**Representation:** 760/025

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In answer to Q6 a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle

**Representation:** 863/006

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

A request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

**Representation:** 844/007

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

In answer to question 6, a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

**Representation:** 797/005

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

Support the preferred option. This will ensure that requirements are justified on the basis of identified local need i.e. through the Angus HNDA process. By seeking contributions from new housing sites this will help to encourage integrated tenure blind homes.

By contrast, allocation of a number of small scale sites exclusively for affordable housing would not promote integration (reasonable alternative 1).

**Representation:** 759/006

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

In answer to question 6, a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for

local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 781/005

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Where a Housing Need and Demand Assessment and Local Housing Strategy identifies a shortfall of affordable housing, it should be addressed in the Development Plan. If 25% is justified it should therefore be included within the relevant policy. However, policy and SPG should be clear that flexibility will apply on the basis of up to date assessments on viability; resources; etc and the use of all options as set out in the PAN 2/2010.

Development Plans should set out the scale and distribution of affordable housing required for an area and should outline what is expected from prospective developers. It is clearly vital that development plan policies, including the percentage affordable housing figure for an area, are fully justified by the HNDA and it is considered good practice for policies in development plans to:

- \* be developed in full consultation with stakeholders, including the development industry, with the aim of achieving a shared understanding of the potential contribution of the development plan and avoiding disputes at development plan examinations or in planning appeals;
- \* be justified by a HNDA which reflects the diversity of requirements within an area. The scope for and scale of contributions through the planning system will depend on a number of factors, including the vibrancy of the local housing market;
- \* have regard to financial obligations linked to particular developments, including any expectation that developers will contribute to infrastructure and supporting development such as schools and roads. Land values across Scotland and indeed across a large area like Angus vary significantly and therefore the capacity of developments to bear a range of costs will also vary significantly;
- \* be sensitive to different levels of need and circumstances;
- \* ensure flexibility in the type of housing required including recognition that commuted sums are appropriate; and
- \* where a higher percentage is sought as an exception on particular sites or settlements then this has to be clearly set out with a reasoned and robust justification.

The house building industry understand and support, wherever possible, the need for affordable housing however should Angus Council choose to seek high affordable housing contributions from new residential development it is clear that in the current financial climate this may threaten the viability of new development and in some areas could result in no new housing development coming forward altogether.

**Representation:** 849/008

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Support for preferred Option of requesting affordable housing contributions from new developments in accordance with the Angus HNDA and Angus Housing Supply Targets.

**Representation:** 760/006

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In answer to Q6 a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

For the East Angus Housing Market Area (HMA), it is considered that for the reasons outlined in Topic Paper 4: Housing and in accordance with paragraph 4.20 of the MIR the percentage requirement for East Angus should be capped at 20%.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option is supported outwith the East Angus HMA, but within the East Angus HMA it should be capped at 20%.

There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 2 is supported where justified and subject to the above comments. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 788/022

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

A request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

**Representation:** 757/006

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

In answer to question 6, a request to contribute to the calculated affordable housing needs from new housing sites is supported in principle, subject to the comments set out below.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-

to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 3/2012 on Planning Obligations.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 3/2012: Planning Obligations and Good Neighbour Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 768/004

**Organisation:** Baxter Bryce Group / Heathfield Ltd

**Agents:** Muir Smith Evans

**Comment:**

This will depend on local circumstances and local market areas. The plan requires to relate the provision of affordable housing or contributions to the viability of development where there are abnormal development costs.

Some benchmarking might be appropriate but further explanation and justification is required for specific policy requirements.

**Representation:** 788/006

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes support affordable housing policies across Scotland but have long petitioned for a greater flexibility in the delivery of such homes. The national benchmark for affordable housing as Angus Council sets out within the MIR is 25%. The implementation of such affordable housing has become progressively more difficult with the economic downturn and the drying up of Government funding coming through Social Registered Landlords. This has left in many cases, gaping holes in the affordable housing delivery across Scotland with the funding cuts due to get deeper in the coming years. Alternative affordable delivery mechanisms have been developed, one such funding mechanism being National Housing Trust (NHT), which Stewart Milne Homes have supported and indeed delivered. Such innovative delivery mechanisms need to be more widely accepted by Local Authorities at such a time. Another mechanism to deliver lower cost homes into specific market areas is to allow low cost homes to be developed for sale by private developers and set this out as policy within the LDP and Supplementary Guidance. Affordable housing can no longer depend on Social Rented Landlords and the delivery of market housing development cannot be hindered by the inability to meet Council affordable housing policies. Greater discussions need to be had between Local Authority and the Development Industry to look to establish realistic models to deliver affordable homes. It is essential that there is flexibility for the delivery of affordable housing.

**Representation:** 786/006

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

It is largely accepted by developers that new developments require to provide an element of affordable housing. However it is essential that there is flexibility in the application of policy and that the Council ensures that they fully understand project viability. In the recent past with house prices reducing and costs increasing the viability of residential development is increasingly in doubt. From experience bank finance is simply not available if the anticipated profitability of a scheme is less than that required by the banks to accommodate development risk. In the recent past there has been a fundamental lack of understanding by local authorities regarding the viability of residential schemes. This has been compounded by the reduction in government funding towards affordable housing. Any affordable housing policy operating in the current difficult economic climate must have an appreciation of the market, this has been sadly lacking in the current plan period. Therefore while Guild Homes accepts the need for an affordable housing policy there must be a greater understanding and appreciation of the current climate by council officers and a greater flexibility in applying policy. Therefore while Guild Homes supports the requirement for a contribution towards affordable housing, there must be flexibility and negotiation in the requested contribution figures including the possibility of providing a financial contribution. Further, the developer must be permitted to choose the location on site where the affordable housing is to be located as unfortunately this can cause difficulties in mainstream sales.

**Representation:** 890/006

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The Preferred Option as set out in Table 6 requests "affordable housing contributions from new housing developments in accordance with the Angus HNDA (February 2010) and the Angus Housing Supply Targets. These contributions will be capped at a maximum of 25%." For West Angus HMA, this would see an increase in the percentage contribution from 15% to 25%, a substantial increase which may very well discourage new housing development from coming forward. The Council must be cautious therefore in implementing this potential change, as discussed below.

The Council must also take account of the fact that Housing Associations, previous providers of the majority of affordable housing as social rented accommodation, have seen their finances severely reduced. Other more innovative ways must therefore be introduced to meet the needs of those who cannot afford to pay market rates. Examples could include low cost home ownership, shared equity, mid-market rent and off-site provision.

**Representation:** 893/006

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

A request to contribute to the calculated affordable housing needs from new housing sites is supported in principle.

**Representation:** 868/006

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

Support for preferred Option of requesting affordable housing contributions from new developments in accordance with the Angus HNDA and Angus Housing Supply Targets.

**Response:**



Comments and support noted. The policy approach to securing delivery of affordable housing will be set out in the Proposed ALDP. The policy and related Implementation Guide will be developed in the context of the guidance on delivery of affordable housing provided by Scottish Planning Policy (June 2014) and the requirement for affordable housing across the 4 Angus Housing Market Areas (HMA's) identified by the TAYplan Housing Needs and Demand Assessment (December 2013). This identified a substantial backlog of need for affordable housing across all 4 Angus HMA's.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 2

**Question:** 6

**Answer:** No view

**Representation:** 889/005

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 798/006

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

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**Chapter 4 – Question 7 Do you think that any percentage affordable housing contribution should be lower than the national benchmark (25% of the total number of homes) in the first five-years of the Proposed ALDP (2014-2019), because of economic difficulties and uncertainties? Please explain your answer.**

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**Main Issue:** 2                                    **Question:** 7                                    **Answer:** No

**Representation:** 867/007

**Organisation:** Taylor Wimpey

**Agents:** Montgomery Forgan Associates

**Comment:**

Taylor Wimpey acknowledge the significant and increasing affordable housing shortfall within the South Angus Housing Market Area.

Given this, it is critical for the LDP to identify land which is effective and which can deliver housing, including affordable housing, within the first period of the LDP. In this, Taylor Wimpey's land at The Grange, Monifieth is both effective and could come forward at the earliest opportunity. Taylor Wimpey are committed, as landowners as well as developers, to make provision for 25% affordable housing on this site. With a notional capacity of up to 400 units, up to 100 units would be affordable. Of the sites indicated as 'preferred' within the MIR there is no known timeframe to deliver housing at Carnoustie nor what the affordable housing element will be within this allocation. With this and with Ashludie, Monifieth being correctly considered as a post 2024 proposal, the Council can have no confidence that the LDP will practically address the affordable housing shortfall in the foreseeable future, if at all.

**Representation:** 855/007

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd feel that the percentage affordable housing contribution should be based on the output of the Housing Need & Demand Assessment and if a higher or lower percentage is justified, then this should be sought. Obviously, if development viability is affected by the requirement, then this may need to be reviewed. We nevertheless support the % figures shown in the table, particularly for East Angus Housing Market Area, as a benchmark from which negotiations can be held on a case by case basis.

**Representation:** 902/007

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The meeting of the housing needs of Angus residents should be a part of the recovery of the housing industry, not separate to it.

**Representation:** 907/007

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes disagree with a two stage benchmark as this would create many applications being submitted in the first stage to secure a lesser contribution but actual development delivery would occur in the second phase. We believe in flexibility on applying the benchmark on a site by site basis to allow site viability to be acknowledged.

**Main Issue:** 2                                    **Question:** 7                                    **Answer:** Yes

**Representation:** 863/007

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 3/2012 on Planning Obligations.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 3/2012: Planning Obligations and Good Neighbour Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 759/007

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

The approach to question 7 is supported, subject to the comments set out below.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 757/007

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

The approach to question 7 is supported, subject to the comments set out below.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 758/006

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

The affordable housing policies require to be carefully drafted in the current economic climate to allow greater flexibility in the provision of affordable housing due to the lack of government grants to social landlords. Mainstream housing should not be held up through an inability to access funding for affordable housing as this will exacerbate the need. Whilst it may be appropriate to aim for a target figure of affordable housing from new sites, this figure cannot be cast in stone as each site will require to be considered at the time it comes forward.

**Representation:** 788/023

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 788/007

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes would support additional flexibility in affordable housing percentage delivery on sites which were proven to be undeliverable in the current climate due to viability arguments and lack of available funding. Angus Council should consider that delivery of some affordable housing would be of greater benefit than none, if a site were constrained through lack of funding. Whilst as an industry, we seek to maximise site turnover through maximum developable acreage, there are genuine instances where levels of affordable housing requirements on a site have sterilised development. This could be said of the 40% affordable housing policy currently in place within the south Angus HMA. There are obvious constraints with development in the south Angus HMA, with the requirement of 40% affordable housing being a significant reason for that. Stewart Milne Homes welcomes the approach by Angus Council in considering possible approaches to move development forward and seeking to lower the % requirement to the national benchmark despite demand for affordable homes in the SAHMA being far greater. An alternative to this would be for the Council to allocate more land for housing.

**Representation:** 783/008

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

There is a balance to be struck between the provision of affordable housing and development economics. The provision of a level of affordable housing is accepted as an integral part of new development but greater levels of flexibility in terms of what may constitute affordable housing (see the response to Question 6) would assist the deliverability of housing overall.

**Representation:** 781/006

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Where a Housing Need and Demand Assessment and Local Housing Strategy identifies a shortfall of affordable housing, it should be addressed in the Development Plan. If 25% is justified it should therefore be included within the relevant policy. However, policy and SPG should be clear that flexibility will apply on the basis of up to date assessments on viability; resources; etc and the use of all options as set out in the PAN 2/2010.

Development Plans should set out the scale and distribution of affordable housing required for an area and should outline what is expected from prospective developers. It is clearly vital that development plan policies, including the percentage affordable housing figure for

an area, are fully justified by the HNDA and it is considered good practice for policies in development plans to:

- \* be developed in full consultation with stakeholders, including the development industry, with the aim of achieving a shared understanding of the potential contribution of the development plan and avoiding disputes at development plan examinations or in planning appeals;
- \* be justified by a HNDA which reflects the diversity of requirements within an area. The scope for and scale of contributions through the planning system will depend on a number of factors, including the vibrancy of the local housing market;
- \* have regard to financial obligations linked to particular developments, including any expectation that developers will contribute to infrastructure and supporting development such as schools and roads. Land values across Scotland and indeed across a large area like Angus vary significantly and therefore the capacity of developments to bear a range of costs will also vary significantly;
- \* be sensitive to different levels of need and circumstances;
- \* ensure flexibility in the type of housing required including recognition that commuted sums are appropriate; and
- \* where a higher percentage is sought as an exception on particular sites or settlements then this has to be clearly set out with a reasoned and robust justification.

The house building industry understand and support, wherever possible, the need for affordable housing however should Angus Council choose to seek high affordable housing contributions from new residential development it is clear that in the current financial climate this may threaten the viability of new development and in some areas could result in no new housing development coming forward altogether.

**Representation:** 874/006

**Organisation:** Kinpurnie Estate

**Comment:**

Kinpurnie Estate would support a policy which lessened the Affordable Housing burden for new development as a mechanism to increase the viability of proposed developments and thereby stimulate development.

Affordable Housing requirements of 40% in South Angus currently act as a dis-incentive to developers by placing an overly onerous burden, which often renders sites unviable for development. Kinpurnie Estate therefore welcomes the Council's planned reduction to the Affordable Housing requirement in South Angus to 25%.

**Representation:** 849/009

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Reasonable alternative preferred to ensure developers do not renege on their obligations in the second 5 years as well.

**Representation:** 868/007

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Comment:**

Support for Reasonable Alternative 3 requesting smaller contributions from new housing development over the first 5 years of the LDP (15% during 2014-2019), before increasing the requested contributions to the Scottish government's benchmark for the last 5 years (25% during 2019-2024)

**Representation:** 783/013

**Main Issue:** 2

**Question:** 7

**Answer:** Yes

**Organisation:** Muir Homes Ltd

**Agents:** Muir Smith Evans

**Comment:**

Muir Homes Ltd (MHL) submits that the MIR (as represented within Topic Paper 4, paras 3.35 – 3.58) set out unrealistic proposals for securing delivery of affordable housing.

- Instead the MIR seeks to bring forward an amended version of previous policy, increasing the requirement placed on housebuilders which have sites in areas of specific housing need.
- MHL firmly believes that, within the current and forecast economic circumstances, this will actually act to reduce house completions (including affordable units) rather than increasing the affordable housing supply.
- MHL submits that the single best mechanism for securing provision of much needed affordable housing is through the deliberate allocation of a generous land supply for general needs housing. This supply should include a range of easily developed, effective sites. Such an approach is particularly appropriate given the concerns regarding the underestimated housing land requirement in almost all areas of Scotland, a concern from which the TAYplan and Angus areas are not immune.
- MHL notes the Options which are set out.
- MHL also notes that there are two tables which are labelled 'Table 15', and assumes that this is an typographical error.
- MHL notes that a target of 25% affordable provision is set for most sites.
- MHL is of the view that even a target of 25% will represent an onerous and unreasonable imposition on the house building industry, and one that will ultimately prove counter-productive.
- The previous 25% policy has failed to deliver more than 98 units per year across Angus (Topic Paper 4, para 3.36). Achieving the stated targets for affordable housing can only be further undermined by the reduced availability of public subsidy. The truth of the matter is that, as has been demonstrated elsewhere, the policy will be counter-productive leading developers already under pressure due to economic circumstances to look elsewhere rather than proceed with development in the Proposed ALDP area.
- MHL is of the view that even the continued delivery of 25% affordable units will be threatened, given the economics of development. Any affordable units delivered on a site are effectively cross-subsidised by the market housing. This model relies on developers being able to plan the houses that suit the market, their product and their customers to generate the profit that will support 25% affordable units. A further erosion of developer profits to deliver smaller units, lower valued units and units to suit the needs of older people, will mean that fewer sites are financially viable in the Angus area.
- MHL suggests that Angus Council should enter into constructive discussions with the housebuilding industry before finalising a policy approach for the Proposed Plan.

**Representation:** 890/007

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

In line with the MIR's Preferred Option of phased housing land release over the first five years of the Plan, a cap on the percentage of affordable housing contributions at the current 15% for the West Angus HMA for the same period would have merit. It could assist in the provision of a steady-build rate for much-needed houses in the West Angus HMA, particularly in the current economic climate.

Henry Young (Cairn Timber) Ltd also believe that an increase in the level of affordable housing provision in the West Angus HMA should not necessarily be increased to the 25% benchmark for the second phase of the Plan period. Increasing the level of contribution is also not strictly in line with SPP which allows Local Authorities to deviate from this figure "if a different percentage is required locally, justified by the housing need and demand

assessment and identified in the local housing strategy and development plan."(Paragraph 88).

Henry Young (Cairn Timber) Ltd would suggest that there should be a continuous review of the HNDA which would provide an upto-date picture of what the demand on the ground actually is. In addition, if the level of affordable housing is set at 15% for the first phase of the Plan, the results of this require to be analysed before another level of provision is set. Planning Advice Note (PAN) 2/2010: Affordable Housing and Housing Land Audit mirrors the thrust of SPP, in requiring policy "to be applied constructively and with flexibility in response to financial and market conditions." (Paragraph 2) In line with the PAN the Reasonable Alternative Option 3 provides a long term context for development of affordable housing in the West Angus area (Page 7).

There is also scope, as identified above, to consider different mechanisms of delivery, for example shared equity, off –site delivery, low cost. Flexibility must be built into the policy in order to accord with both SPP and PAN 2/2010.

**Representation:** 786/007

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

Guild Homes fully supports the reduced percentage level of affordable housing in the first 5 years of the LDP, and indeed would suggest that if market conditions have not improved significantly then the percentage should not be increased. The former Chief Planner in a letter to the Heads of Planners dated the 15th March 2011 stated:

"My letter of the 29th October 2010 stressed the importance the Scottish Government places on removing constraints to development of housing land in the current economic climate. Authorities will also be aware of the significantly lower levels of public funding that are likely to be available to support the development of affordable housing in the coming years. In these circumstances I suggest that authorities, in drawing up and implementing planning policies on affordable housing, should consider"

\* Whether contributions of 25% or more are likely to be deliverable in the current economic climate. Levels of affordable housing requirement that act to stifle overall levels of housing development are likely to be counter-productive. In certain cases the effect could be that development would not proceed at all."

Clearly this advice is of relevance to the current policy debate. Guild Homes submits that in the current economic climate to insist upon the benchmark 25% affordable housing will do exactly what the Chief Planner warns against and stifle development. As such Guild Homes fully supports the proposed reduced level of affordable housing of 15% within the first 5 years of the plan, with this to be reviewed and only if a significant upturn in the economic conditions can be demonstrated.

**Representation:** 881/005

**Organisation:** Scotia Homes

**Agents:** Barton Willmore

**Comment:**

It is submitted that, in line with our comments above in relation to effectiveness, viability and most importantly, delivery of housing, both market and affordable, it is vital not to increase burden on developer costs before securing sustained recovery in the development industry. By applying a relatively high requirement across each of the HMAs and in particular the West Angus HMA when compared to previous requirements there is a risk that other initiatives to stimulating development, including the provision of a generous supply over a range and choice of sites, could be



hindered.

In light of this, we respectfully submit that Reasonable Alternative 2 (Table 6, Page 22) be adopted. This would see affordable housing requirement set at 15% for the first 5 years of the plan period, then potentially increasing subject to review of the economy at the time.

**Representation:** 871/007

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 3/2012 on Planning Obligations.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 3/2012: Planning Obligations and Good Neighbour Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 893/007

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 760/007

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

The approach in Q7 is supported, subject to the comments below.

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

For the East Angus Housing Market Area (HMA), it is considered that for the reasons outlined in Topic Paper 4: Housing and in accordance with paragraph 4.20 of the MIR the percentage requirement for East Angus should be capped at 20%.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option is supported outwith the East Angus HMA, but within the East Angus HMA it should be capped at 20%.

There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 2 is supported where justified and subject to the above comments. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 844/008

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed

further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 1/2010 on Planning Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Representation:** 760/026

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

PAN 2/2010 would support a 25% requirement where this is justified. Flexibility below the national benchmark would be supported where this is based on proper justification and up-to-date assessments on affordable housing requirements for a settlement, including viability and resources.

Certainty on the scale and distribution of affordable housing is welcomed where it is based by an up-to-date HNDA. It is considered that the emerging policy should be developed further in full consultation with interested parties, in light of further information on the likely deliverability within the local housing market area and having regard to the requirements contained in Circular 1/2010 on Planning Agreements.

It is likely that the ability of sites to contribute to affordable housing requirements will vary depending on overall site costs, current economic circumstances and the justification for local need and the type of affordable housing. Further engagement on this issue would be welcomed.

In reference to Table 6, the 25% requirement as referred to in the Preferred Option and Reasonable Alternative 2 is supported where justified and subject to the above comments. There is some concern over Reasonable Alternative 1 in that these sites may not deliver unless funding is proven to be in place. Reasonable Alternative 3 is supported, at this stage, in the interests of deliverability, albeit that the provisions of Circular 3/2012: Planning Obligations and Good Neighbour Agreements may already cover the ability to reduce requirements where this would meet the specified policy tests for Planning Obligations.

**Response:**

Comments Noted. The policy approach to securing delivery of affordable housing will be set out in the Proposed ALDP. The policy and related Implementation Guide will be developed in the context of the guidance on delivery of affordable housing provided by Scottish Planning Policy (June 2014) and the requirement for affordable housing across the 4 Angus Housing Market Areas (HMA's) identified by the TAYplan Housing Needs and Demand Assessment (December 2013). This identified a substantial backlog of need for affordable housing across all 4 Angus HMA's.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 2                      **Question:** 7                      **Answer:** No view

**Representation:** 889/006

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 798/007

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Representation:** 838/007

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

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# Chapter 5

## Chapter 5 - General

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**Representation:** 764/002

**Organisation:** GlaxoSmithKline

**Agents:** PPCA Ltd

**Comment:**

The Local Development Plan notes, through Main Issue 4 and Table 9, that Angus Council has a duty to act in a way that is best calculated to contribute towards delivering the emission reduction targets which have been set by the Scottish Government. It notes that new build development should avoid reduce energy emissions wherever possible and feasible.

The Local Development Plan Main Issues Report makes no reference to the ability of existing buildings and development being able to reduce their carbon footprint though, for example, offsetting carbon emissions by introducing new renewable energy technology. This must be included in the Local Development Plan and be applicable to all forms of development at all scales to include commercial scale facilities, many of which will have significant energy consumption.

**Response:**

Angus Council are required to meet the terms of The Climate Change (Scotland) Act 2009 in relation to a policy to reduce projected greenhouse gas emissions from new build housing.

The use of renewable technologies which reduce emission of greenhouse gases is already well established and is not a Main issue or change of policy. The Proposed ALDP will continue to facilitate renewable energy projects of whatever scale where appropriate and in accordance with other policies.

**Recommendation:**

No change.

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**Representation:** 792/001

**Organisation:** Wind Prospect Developments Limited

**Representee:** Rory Carmichael

**Comment:**

The Main Issues Report refers to the Renewable Energy Implementation Guide as a starting point for a spatial framework for all onshore wind turbine developments. Wind Prospect has concerns over this approach because section 5.14 of the Implementation Guide specifies heights of turbine development that may be appropriate for different landscape types in Angus and concludes that there is unlikely to be scope for turbine development greater than 80m to tip in any location within Angus. Few commercial scale wind turbines are less than 80m to tip, therefore this policy would seek to prohibit commercial scale wind farms in Angus.

Wind Prospect considers that the scale of development should be properly considered on a site by site basis.

**Response:**

Angus Council in conjunction with Scottish Natural Heritage have commissioned a Strategic Landscape Assessment for Wind Energy in Angus which will inform the development of policy preparation of Locational Guidance and development management decisions in relation to the landscape assessment of wind turbines. The locational framework will be developed in accordance with Scottish Planning Policy and on line renewables planning advice.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 782/003

**Organisation:** RES UK & Ireland Ltd

**Representee:** Carolyn Wilson

**Comment:**

RES strongly objects to the Council's further preferred option of designating areas of local landscape value to protect landscapes which are valued for their contribution to the local character and distinctiveness of an area, or their contribution to tourism and recreational facilities. SPP is very clear in its policy advice which confirms that protection should only be afforded to sites designated for their national or international landscape, or heritage value. Such areas of local landscape character maybe identified in the spatial strategy as areas with potential constraints, but it is important to note that such designations should not necessarily prevent development. Proposals must be considered in such areas on their individual merits against identified criteria. Such a move to restrict development within such areas would be contrary to the national objectives of reducing carbon emissions and sustainable economic development. Furthermore the development plan will contain policies which in themselves highlight the contribution of such areas and which will require consideration as part of the development management process, accordingly further protection in the form of generic topic specific policies is not required.

The promotion of renewable heat/combined heat and power facilities within new housing or employment land allocations is supported, however the assessment of such proposals should again be based upon criteria based policy such as ER34 and the merits of the proposal, rather than purely a spatial landuse policy. In accordance with SPP such policy support should encourage renewable energy development, and would allow a more flexible and fluid approach given the pace of technological advancement against the development planning process. Account also needs to be taken of envisaged further policy support for renewable energy development in the draft NPF3 and revised SPP to meet the Scottish Government's energy generation targets.

**Response:**

Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP 2014 and SNH guidance.

**Recommendation:**

Comments noted. This representation will be considered in preparing the Proposed Plan, Action Programme and associated guidance.

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**Representation:** 791/004

**Organisation:** SSE

**Agents:** Jones Lang LaSalle

**Comment:**

There is significant offshore renewable energy potential for the East Scotland region. This has potential for a large contribution to the generation of energy from renewable sources and also securing a more diverse energy supply.

The LDP should be seeking to update the current Angus Local Plan renewable energy policies, as necessary, to take account of known / planned connections. This is not apparent within Main Issue 5.

In addition, the assests of offshore wind farms could, be viewed as being capable of maintaining the quality of agricultural land in which they are located, as while minor land take would be involved for cables, substations etc, they have a generally limited life span of 25 years.



SSE recommend that this is recognised within the LDP.

**Response:**

Comment noted. The need for infrastructure to support renewable energy developments is recognised in the current ALPR and this will continue into the proposed ALDP.

**Recommendation:**

No change.

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**Representation:** 771/002

**Organisation:** Scottish Renewables

**Representee:** Michael Rieley

**Comment:**

National Planning Policy currently requires Local Planning authorities to produce, Spatial plans for Wind turbine Developments over 20 MW. Scottish renewables are concerned with the Councils approach to this requirement for the following reasons;

1. Using the Renewable Energy Implementation Guide as a starting point -

Scottish Renewables original response to this Guide stated that "The table in section 5.14 of the Implementation Guide specifies heights of turbine development that may be appropriate for different landscape types in Angus. The table indicates that the council considers that there is unlikely to be scope for turbine development greater than 80m to tip in any location within Angus. In a market that is incentivised towards maximising energy potential, supported by a policy framework with the same aim, such a restriction could fail to maximise Angus' resources and renewables potential. The reasons for limiting turbine height to 80m are not clear and we are concerned this overly prescriptive approach is not justified by the level of capacity study so far undertaken. We would again urge Angus Council to consider all developments, of all scales, on their individual merit."

2. Landscape Capacity Study and Associated Policy

Scottish Renewables understand that the Council has recently appointed environmental consultants, Ironside Farrar, to review the landscape capacity to accommodate wind farms in Angus, the same consultants that prepared their landscape capacity and cumulative analysis study in 2008.

The 2008 study was carried out in response to an inquiry into wind farm developments and has subsequently been cited in numerous recommendations for refusal of wind farm applications in Angus.

This study divided Angus into three general landscape character areas: –

\* Highland hills

\* Coast

\* Lowland farmland and hills

It concluded that only the lowland farmland and hills had any capacity to absorb wind farm development and even here capacity would be limited by the medium scale and pattern of the landscape and the presence of high numbers of sensitive visual receptors within the settled, predominantly agricultural landscape. The study also recommends that any wind farms in Angus are small in scale and height.

A number of our members have expressed significant concern that overly restrictive landscape policies set at a local level inhibit the potential to develop commercial scale wind energy projects and help the Scottish Government achieve its Renewable Energy Generation and Carbon Reduction targets.

Scottish Renewables believe that by continuing this approach and failing to take into account further restraints and technical requirements of wind farm development Angus Council will continue to create planning policies that are not in line with other parts of Scotland and will block future development.

**Response:**

The ALPR identifies the three general landscape character areas based on the Tayside Landscape Character Assessment. Ironside Farrar based their format on these previously established areas.

Angus in conjunction with Scottish Natural Heritage have commissioned a Strategic Landscape Assessment for Wind Energy in Angus which will inform the development of policy preparation of Locational Guidance and development management decisions in relation to the landscape assessment of wind turbines. The locational framework will be developed in accordance with Scottish Planning Policy and on line renewables planning advice.

The ALPR and proposed plan address a range of renewable energy technologies and emission reductions are achieved from a wide range of actions to address insulation, transport, heat networks etc as well as the construction of wind turbines,, The current and emerging local plans should be considered as a whole.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

The Proposed ALDP will address renewable and low carbon energy generation, heat mapping and exchange and energy efficiency with a view to building an information base to facilitate infrastructure, co-location and retro-fitting of heat network, community and district heating schemes etc.

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**Representation:** 764/003

**Organisation:** GlaxoSmithKline

**Agents:** PPCA Ltd

**Comment:**

Main Issue 5 deals with the means of support for renewable energy across the Council area. It refers, rightly to Scottish Government targets to 2020. Table 11 in the Main Issues Report looks to enhance the current renewable energy Council implementation guide with a map overlay to assess cumulative impact.

The approach taken in Table 11 of the Main Issues Report is considered unacceptable. The current implementation guide is overly restrictive and negative as it stands in relation to the promotion of wind farm and wind turbine development seeking to impose an 80m limit on wind turbine development in rural areas. The implementation guide does not form part of the Development Plan consultation process. This is unreasonable. The guide should be rewritten as a Local Development Plan policy in line with national and strategic policy rather than be used as a tool to control future development. Only in that way will proper, full and open public consultation be possible on the Council position in relation to renewable energy. This meets the requirement set out in paragraph 19 of Scottish Planning Policy which requires that where Supplementary Planning Guidance is to form part of the development plan, authorities should ensure the guidance is derived from the plan.

In order to achieve the Scottish Government's targets for renewable energy generation and bring Angus in line with other planning authorities then the height restriction of turbines needs to be raised from 80 metres tip height to between 120 to 130 metres. Current multi-megawatt class turbines are all over 100metres in height and to provide any real contribution to the

targets the turbines need to be multimegawatt machines. The 80 metre turbine is now classed as medium wind and is unlikely to exceed 800kW peak generation.

Angus Council has granted very few wind farm developments in its Local Authority boundary. The pro-active approach to wind turbine development adopted by neighbouring planning authorities should not be used as a negative cumulative impact tool to prevent such development in the Angus Council area. Cumulative impact is only one of a number of factors that must be taken into account in the determination of renewable energy development and is not necessarily the most important in every case. Socio-economic factors, for example, may outweigh such considerations in certain cases. Angus Council would appear to be giving undue weight to cumulative and landscape impacts as factors to be taken in to account in assessing the suitability of wind farm / turbine development in the approach taken in the Main Issues Report.

Angus Council must take a more pro-active approach to promotion of renewable energy generally, taking into account material considerations such as socioeconomic impact, as directed by the National Planning Framework, Scottish Planning Policy and the Strategic Development Plan.

**Response:**

The Proposed ALDP, as with the ALPR, will continue to recognise the importance of all forms of renewable energy. Appropriate development in appropriate locations will continue to contribute to the Angus economy, including wind energy development compatible with other economic activities and the environment. Cumulative impacts extend across administrative boundaries and do affect the capacity for wind energy development within Angus and both are valid elements of assessing proposals for wind energy development. Wind turbines are only one form of renewable energy development and their contribution to the local economy must be considered in relation to the full range of activities which may be negatively affected by inappropriate turbine scale and location.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation: 792/002**

**Organisation: Wind Prospect Developments Limited**

**Representee: Rory Carmichael**

**Comment:**

Wind Prospect understands that the new landscape capacity study, due to be published in March 2013, will be based on updating Ironside Farrar's (2008) study.

Ironside Farrar's 2008 study divided Angus into three general landscape character areas and concluded that only the lowland farmland and hills character area, had any capacity to absorb wind farm development. The study goes on to recommend that any wind farms in Angus should be small in scale and height.

Wind Prospect consider that should a spatial framework be based on the restrictive guidance within the Renewable Energy Implementation Guide and the Landscape Study, the potential to maximise Angus' renewable energy resources to help the Scottish Government achieve its energy generation and carbon reduction targets would be inhibited.

**Response:**

The ALPR identifies the three general landscape character areas based on the Tayside Landscape Character Assessment. Ironside Farrar based their format on these previously established areas.

Angus in conjunction with Scottish Natural Heritage have commissioned a Strategic Landscape Assessment for Wind Energy in Angus which will inform the development of policy preparation of Locational Guidance and development management decisions in relation to the landscape assessment of wind turbines. The locational framework will be developed in accordance with Scottish Planning Policy and on line renewables planning advice.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation: 766/001**

**Representee: Mr Raymond Gibson**

**Comment:**

No objections to a map based approach. But it feels like signing a blank cheque without knowing the findings of the current work being undertaken. One trusts that the results will not be in any way like Tan 8 in Wales and full consultation will take place with residents and interested parties once they are known.

It is worrying SNH have commissioned the study for Angus and Aberdeenshire, which I understand will be completed by February. It would have been better for the Council to have directly commissioned the study without SNH involvement and it is puzzling that cross boundary issues with Perth seem to have been forgotten.

If the map based approach, which takes account of landscape, is only one part of the assessment that is fine. But there also must be a clearer guidelines and equal weight given to residential amenity. Comments by recent Reporters giving decisions to appeals should be noted and acted upon.

The Council's recent guidelines report was an excellent piece of work but the issue of residential amenity was the one weak spot and needs to be strengthened.

It would be deeply troubling if the map based approach identified areas of low landscape value suitable for windfarm development – but adjacent to many people's homes.

I am not against all windfarm development – but only if they are in the right places. Obviously Angus Council must follow Government policy on renewable energy and so far I believe the planners and councillors have got the balance right – approving applications for turbines in suitable locations and rejecting those which would seriously damage the landscape and destroy amenity of residents.

**Response:**

Comments noted. Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

The Ironside Farrar Study addresses Strategic Landscape Assessment for Wind Energy in Angus and will inform the revised Implementation Guide in due course. The joint commissioning does not undermine the independence of the study and cognisance is taken of cross boundary developments in Perthshire.

Residential amenity will be addressed in accordance with SPP and other local Plan policies where appropriate.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation: 771/001**

**Organisation: Scottish Renewables**

**Representee: Michael Rieley**

**Comment:**

Scottish Renewables are concerned with a number of references to the existing local plan and Renewable Energy Implementation guide.

Paragraph 5.25 clearly states "Whilst the current local plan provides appropriate guidance for renewable energy developments and has recently been supplemented by a more detailed implementation guide; there are growing concerns about the visual impact of wind turbines..."

We disagree with this statement on the basis of our original response, jointly prepared with Renewable UK (then BWEA) to the 2005 Local plan. Furthermore, Scottish Renewables wrote to Angus council on the 16 March 2012, outlining our concerns with the 'Draft Renewable Energy Implementation Guide.' In this response we set out a number of concerns, including;

- \* Lack of "Spatial Framework for onshore wind farms above 20MW"
- \* Turbine height limit of 80m
- \* Unclear requirement to demonstrate technical and financial viability

**Response:**

Scottish Renewables comments on the Implementation Guide are addressed in the Appendix to Committee Report 314/12, which contains all the comments received and Angus Council's response/modifications.

Scottish Planning Policy (SPP) 2014 identifies elements to be included in a Locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

The proposed ALDP and Supplementary Guidance will be prepared in accordance with current SPP and SNH guidance. The Implementation Guide was developed to expand policies in the ALPR and not the proposed plan.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation: 782/002**

**Organisation: RES UK & Ireland Ltd**

**Representee: Carolyn Wilson**

**Comment:**

The Council's preferred option as highlighted in Table 11 to supplement the existing policies within the local plan with a more detailed map based approach to assess cumulative impacts as part of a spatial framework for all wind energy development across Angus, is contrary to the policy guidance in SPP.

SPP at paragraph 189 confirms planning authorities should set out a spatial framework for onshore wind farms of 20MW+ generating capacity in their development plan and if considered appropriate wind farms below this threshold can also be included. The spatial framework should identify areas requiring significant protection for specified designations, or where cumulative impact of both existing and consented wind farms limit further development.

However such a spatial framework should also identify areas with potential constraints whereby proposals will be considered on their merits and areas where proposals are likely to be supported subject to detailed consideration against identified criteria. This should not however be interpreted as a map based approach to cumulative impact assessment of all wind turbine development. The purpose of the spatial framework in identifying areas of search is to guide developers to suitable locations for future development, however they should not be used to place a sequential approach to determining applications requiring applicants proposing development outwith identified areas, to demonstrate there is no capacity within such areas.

The Council's implementation guide is informed by the Landscape Capacity Study by Ironside Farrar (2008) which states "there are a number of windfarm design factors that affect the perception of cumulative impacts. This includes not only size and number of turbines in any windfarm but also a juxtaposition of different windfarm layouts including turbine size and positioning." Accordingly the cumulative impact of development is not fixed and will alter over time as applications are submitted, approved and sites developed. Wind turbine developments have technical and operational requirements which direct them to certain areas, thereby such requirements together with other factors could lead to pressure in some areas for development.

The landscape character of such areas, together with the scale, design and juxtaposition of wind turbine development should determine the level of impact of cumulative development. Furthermore the Scottish Government's "Process for preparing spatial frameworks for wind farms" recognises that in some more lowland and populated areas the Feed in Tariff Scheme (FiT) has driven a notable shift to scales of wind farm below 5MW and that locally developed planning guidance for that scale of development can serve developers and communities well. This recognises a distinction between an approach to larger scale wind farms and those of a much smaller scale including developments of one or two turbines.

It is difficult to envisage therefore how a purely map based approach to the assessment of the cumulative impact of all wind energy development will be developed and updated. Local Development Plans by their nature, although more flexible than local plans, are unlikely to accommodate the pace of change required in the development of renewable energy and in particular onshore wind, to meet the Scottish Government's targets. As such a purely spatial assessment of the cumulative impact of all wind turbine development will become outdated very quickly. Cumulative impact assessment should be site specific and made based on merit at the development management stage, rather than based on an outdated landuse strategy.

The reasonable alternative strategy outlined in Table 11 that the spatial framework required by SPP will be an enhancement of the Implementation Guide for Renewable Energy Proposals (June 2012) and adopted as formal supplementary guidance (SG) is not supported by RES.

RES made representations dated 13th March 2012 in respect of the consultation on the implementation guide. These concerns however, do not appear to have been addressed in the adopted version by the Council and no satisfactory response to them received given

their contention with national policy. The lack of a transparent, or robust consultation is entirely unsatisfactory in creating supplementary guidance for the LDP. The existing Implementation Guide for Renewable Energy in Angus once reviewed and significantly updated must be part of robust consultation in accordance with the Council's Participation Statement (LDS; March 2012) and the development planning regulations. Similarly the commissioned Landscape Capacity Study, if it is to inform the spatial strategy, must also be the subject of robust and transparent consultation.

**Response:**

Scottish Planning Policy (SPP) 2014 identifies elements to be included in a Locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

RES comments on the Implementation Guide for Renewable Energy Development are addressed in the Appendix to Committee Report 314/12, which contains all the comments received and Angus Council's response/modifications. Supplementary Guidance is subject to consultation and subsequent approval by the Scottish Government

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 780/002

**Organisation:** Nathro Wind Farm Ltd

**Agents:** Jones Lang LaSalle

**Comment:**

Nathro Wind Farm Ltd (Eurowind) would support the current policies of the existing Local Plan being carried forward to the LDP (Policies ER34 & ER35). However, Nathro Wind Farm Ltd (Eurowind) have a concern regarding the options set out for developing the spatial strategy for wind energy development.

The current Angus Implementation Guide for Renewable Energy Proposals provides general policy guidance for the assessment of renewables development. Whilst this approach is not consistent with Scottish Planning Policy (SPP), it is consistent with the difficulty in mapping areas that are considered to be at cumulative capacity for onshore wind energy development. However, the preferred approach set out within the MIR seeks to "go further" with regard to providing a spatial framework for onshore wind energy development. It is considered that this approach has the potential to be overly protectionist and significantly contrary to the the Scottish Government's and UK Government's drive towards a low carbon economy and to develop a renewables economy.

**Response:**

Comment noted. Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 772/007

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

National renewable targets are recognised and it is good that the document highlights the need for consistency to national policy across all forms of renewable energy.

It is also good that Angus Council recognise the need for spatial frameworks and propose a preferred option to go beyond spatial frameworks and include mapping for <20MW. Scottish Government wish to see a spatial framework which takes a positive approach to supporting appropriately sited wind turbines. Angus Council should develop the spatial framework in accordance with SPP.

The core elements of Angus Council's spatial framework (the principal policy and the map) should be contained in the local development itself, with more detailed aspects in supplementary guidance. It should proactively identify opportunities for onshore wind while safeguarding landscapes and taking account of other considerations.

**Response:**

Support and comments noted. Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

**Recommendation:** Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 764/004

**Main Issue:** 5

**Question:** 0

**Answer:**

**Organisation:** GlaxoSmithKline

**Agents:** PPCA Ltd

**Comment:**

Local Development Plan paragraphs 5.28-5.32 and Table 12 deal with other forms of renewable energy. Paragraph 5.28 seeks to actively further restrict areas for renewable energy development through the identification of further local landscape value. Paragraphs 5.29-31 focus on the potential for renewable heat / heat and power provision.

The approach taken in paragraph 5.28 is unacceptable and goes against the proactive approach to new renewable energy development as set out in national and strategic planning policy. The Local Development Plan seeks to further restrict the provision of renewable energy development by introducing a local layer of landscape restrictions on such development. Paragraph 5.28 acknowledges that there is no requirement to designate areas in this way. As such, there is no justification to do so. Again, and as above, landscape is only one of a number of factors that should be taken into account in the location of renewable energy development and is not necessarily the most important in all cases. The Local Development Plan must acknowledge that, whilst natural and cultural heritage designations are important, they are not necessarily an impediment to development.

Angus Council must take a more pro-active approach to promotion of renewable energy generally as directed by the National Planning Framework, Scottish Planning Policy and the Strategic Development Plan.

The Main Issues Report makes no reference at all to any other forms of renewable energy development other than those set out above. This is a flaw in the document that must be addressed in line with instruction set out in Scottish Planning Policy. Representation is lodged on the basis that the Local Development Plan does not sufficiently consider a wide range of



renewable energy technologies such as wave energy generation e.g. in the River South Esk and solar power.

All renewable energy technologies should be supported in principle by the Local Development Plan in line with Scottish Government policy on the matter.

**Response:**

Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP and SNH guidance and this will inform the SG in due course.

The MIR raises new issues – the Proposed ALDP will continue and revise both policy and Supplementary Guidance for other forms of renewable energy

**Recommendation:**

Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP and SNH guidance.

These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 772/008

**Main Issue:** 5

**Question:** 0

**Answer:**

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

The Main Issues Report recognises the wider role that energy from waste could play but does not go into much detail on this issue, other than saying that this would be considered in conjunction with national energy policy. Overall there is a lack of detail and in particular to other forms of energy generation such as hydro, biomass, etc. More could also be made of promoting renewable heat in the area. Heat makes up around half of all energy demand in Scotland and accounts for around a third of our CO2 emissions – it is therefore a high priority. The Scottish Government has already funded heat mapping in three local authority areas (The Highland Council, Fife and Perth & Kinross). The heat maps are a specific tool to help local authorities, and others, to identify and maximise opportunities for local heat use and to support investment decisions on strategic heat infrastructure. Scottish Government are now engaging with other local authorities to roll out the heat mapping methodology in a Scotland wide heat mapping programme. The Scottish Government would encourage Angus Council to consider this opportunity for Angus.

**Response:**

Comment noted and input into development of policy and guidance welcome.

**Recommendation:**

These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework. The Proposed ALDP will also address renewable and low carbon energy generation, heat mapping and exchange and energy efficiency with a view to building an information base to facilitate infrastructure, co-location and retro-fitting of heat network, community and district heating schemes.

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**Representation:** 764/001

**Main Issue:**

**Question:** 0

**Answer:**

**Organisation:** GlaxoSmithKline

**Agents:** PPCA Ltd

**Comment:**

Chapter 5 of the Local Development Plan Main Issues Report notes in its introduction that "In order to mitigate carbon emissions, a greater reliance on renewable energy can be facilitated by the development plan". It goes on to state that "The future development and use of renewable energy technologies would be consistent with the LDP strategy as a way of mitigating global climate change, although the high environmental quality of our countryside will need to be maintained."

The Local Development Plan must recognise that there is a balance between renewable energy development and associated economic growth and the need to protect the environmental quality of the area. It cannot continue the current restrictive stance adopted by the Council in its Supplementary Planning Guidance and through recent decisions on renewable energy planning applications (mainly for wind turbine development). There will be cases where the socio-economic benefits of development will outweigh the environmental constraints placed upon it by the Council. Angus Council will make no meaningful contribution to the nationally significant aim of renewable energy development if this approach is not relaxed. This runs contrary to stated Scottish Government policy on the economy and renewable energy.

**Response:**

The Proposed ALDP, as with the ALPR, will continue to recognise the importance of all forms of renewable energy. Appropriate development in appropriate locations will continue to contribute to the Angus economy, including wind energy development compatible with other economic activities and the environment.

**Recommendation:**

These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

**Representation:** 799/001

**Main Issue:** 3

**Question:** 0

**Answer:**

**Organisation:** CTC Right to Ride Network

**Representee:** Ian McConnell

**Comment:**

CTC Right to Ride Network wish to see the following:

Before we respond to the document, we list our "aims" which are "hopefully" similar to those of Angus Council.

- 1) To reduce convenience of the car / need to travel especially by car.
- 2) To promote "modal shift".
- 3) To promote cycling and where appropriate non motorised users as a "mode of transport" (not leisure and recreation) also national guidance and best practice.
- 4) To promote emissions reduction from road transport including EU "dictats" ie:- nitrogen dioxide 2015. (Copy enc.)
- 5) To provide "on road" facilities (not always path networks) for cyclists and where appropriate other non motorised users. ie:- positively enforced 20 mph zones, homeszones etc etc. A universal 20 mph zone in "all" urban areas would be a positive target to aim for.
- 6) To do away with Angus Councils "obsession" with "free flow traffic" and its associated "driver aggression". ie:- more pedestrian / cyclist crossing points, pedestrianized areas, Homezones, universal 20 mph zones throughout built up areas, ASL's etc etc.
- 7) To continue and strengthen past policies and development guidelines ie:-

Policy S.2 Provide and / or enhance.....are or can be made accessible.....

Policy S.6 Development Principles (Roads, parking, access) Home zones, Provision for cycle parking / storage for flatted development

Please assure us that given the “antiquated” nature of Angus Council Roads Standards Document 1996, the former TRC document of 1992, should the reference to Roads Standards now be:-

- 2010 Cycling by Design Transport Scotland 2020
- 2010 Designing Streets Scottish Govt. 2010
- Sept 09 DDA Good Practice Guide for Roads..Transport Scotland

Policy SC.26 Large Scale Retail Development Proposals. Are accessible to all sections.....

b) ensure provision of dedicated pedestrian and cycle access. We would be obliged if this can be extended to cover both the boundary areas and within the site. The idea behind this initiative is to try and separate cyclists from reversing vehicles within the car parking areas (a safety initiative).

Policy IMP1 Developer Contributions

Please assure us that the place for cyclists is on the road and that positive measures will be taken to reduce road danger from motorised users, ie:-

- Restricted, not freeflow motorised traffic.
- Lower speed limits, positively enforced.
- Mandatory 20 mph speed limit in all built up areas.
- NOT the simple method presently being used by Angus Council, converting existing footways into dual usage facilities which are positively unfit for purpose.

**Response:**

Comments noted. The Proposed ALDP policy framework and land allocations will be informed by a range of additional background information, including a Transport Appraisal which will consider local and strategic traffic impacts. In some areas the transport network will require improvement to support and enable future development. Where appropriate, the LDP site allocation policies and development briefs will specify where infrastructure requirements or improvements are required.

Detailed policies of the Proposed ALDP will address retail development, developer contributions and accessible development. These policies will take account of national legislation requirements set out in Scottish Planning Policy (SPP).

In relation to specific comments relating to Roads Standards, Angus Council's Communities Committee held on 19 August 2014, agreed to adopt the National Roads Development Guide as the new roads standard document for use on all new development roads in Angus.

The new national document was produced as a collaborative project undertaken by Scotland's local authorities through the Society of Chief Officers of Transportation in Scotland (SCOTS) and embraces current Scottish Government Policy documents, in particular, 'Designing Streets'.

**Recommendation:**

No change. This representation will be considered in preparing the proposed Plan.

---

**Representation:** 772/006

**Main Issue:** 4

**Question:** 0

**Answer:**

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Use of the word 'acceptably' in relation to whether new buildings can or cannot accommodate Zero Carbon Generating Technologies may be open to interpretation by developers. If this policy is to be taken forward, it is better to specify exceptions in these cases.

**Response:**

Comment note.

**Recommendation:**

Amend reference in development of policy and guidance.

**Representation:** 916/037

**Main Issue:** 6

**Question:** 0

**Answer:**

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

In December 2011, SEPA published the National Flood Risk Assessment (NFRA) required by the Flood Risk Management (Scotland) Act 2009. The NFRA identifies areas that are potentially vulnerable to flood risk (Potentially Vulnerable Areas or PVAs). This information does not imply that all sites within a PVA are subject to flood risk.

The NFRA datasets will in future help to support Flood Risk Management Planning by 2015. Development Plans in future will require to have regard to Flood Risk Management Plans.

SEPA have considered the strategic information in the FRMA with respect to PVA locations within the development plan area and would advise that the location of this Development Plan is within the following PVA's and the key information available in the FRMA for these PVAs includes:

PVA 07/04 (Kincardine and Angus Coastal Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows fluvial and coastal sources present: impact to a large number of residential properties; impact to a large number of commercial properties; impact to minor transport links; impact to extensive area of high grade agricultural land; impact to sensitive environmental designation and impact to sensitive designated sites, with frequent reports of flooding in the area between 1873 and 2009.

- Main sources of flood risk – Coastal, Pluvial and Fluvial

- Number of existing properties currently at risk - 700

PVA 07/05 (River South Esk (Tayside) Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows that River South Esk and Deb Burn present: impact to some residential properties; impact to high grade agricultural land; limited impact to less resilient environmental designation and impact to sensitive designated sites, with frequent reports of flooding in the area between 1774 and 2009. Existing defences on River South Esk offer partial protection to some of these impacts.

- Main sources of flood risk – Fluvial, Pluvial and Coastal

- Number of existing properties currently at risk - 155

PVA 07/06 (Lunan Water Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows small watercourses present: impact to high grade agricultural land and impact to sensitive designated sites, with frequent reports of flooding in the area between 2007 and 2009.

- Main sources of flood risk – Pluvial and Fluvial
- Number of existing properties currently at risk - 19

PVA 07/07 (Kincardine and Angus Coastal Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows that Brothock Water and coast present: impact to a large number of residential properties; impact to a large number of commercial properties; impact to minor transport links; impact to high grade agricultural land and impact to sensitive designated sites, with frequent reports of flooding in the area between 1873 and 2009. Existing defences on Brothock Water offer partial protection to some of these impacts.

- Main sources of flood risk – Fluvial, Coastal and Pluvial
- Number of existing properties currently at risk - 290

PVA 07/08 (Kincardine and Angus Coastal Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows the coast presents: impact to a small number of residential properties; limited impact to agriculture and impact to sensitive designated sites, with recent reports of flooding in the area.

- Main sources of flood risk – Coastal, Pluvial and Fluvial
- Number of existing properties currently at risk - 62

PVA 07/09 (Dundee Coastal Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows that Barry Burn presents: impact to a large number of residential properties; impact to some commercial properties; impact to high grade agricultural land and limited impact to less resilient designated sites, with frequent reports of flooding in the area between 1907 and 2009. Existing coastal defences and defences on Barry Burn offer partial protection to some of these impacts.

- Main sources of flood risk – Fluvial, Coastal and Pluvial
- Number of existing properties currently at risk - 845

PVA 07/10 (Dundee Coastal Catchment)

- Summary of main impacts - Assessment of past events shows frequent reports of flooding in the area between 2004 and 2009. Existing Coastal defences offer partial protection to impacts.

- Main sources of flood risk – Pluvial, Coastal and Fluvial
- Number of existing properties currently at risk - 23

PVA 08/05 (River Tay Catchment)

- Summary of main impacts - Assessment of future flood risk and past events shows that Dean Water and small watercourses present: impact to a small number of residential properties; impact to a small number of commercial properties; impact to high grade agricultural land and limited impact to less resilient designated sites, with frequent reports of flooding in the area between 1873 and 2009. Existing defences on Gairie Burn offer partial protection to some of these impacts.

- Main sources of flood risk – Pluvial and Fluvial
- Number of existing properties currently at risk - 73

Any locations within a Development Plan outwith a PVA should not be assumed to be free from flood risk. SEPA has produced the NFRA as the first stage of the Flood Risk Management Planning process. This sub-catchment area is not included as a PVA because it is below the threshold of significance of the NFRA/PVA method.

**Response:**

Comment noted.

**Recommendation:**

A Strategic Flood Risk Assessment incorporating flood risk affecting allocated sites and future development plans will have regard to current Flood Risk maps and flood management plans in accordance with the Flood Risk Management (Scotland) Act 2009.

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**CHAPTER 5 QUESTION 8 Do you think that the Proposed ALDP should seek to reduce carbon emissions by encouraging live-work accommodation in the rural area? Please explain your answer.**

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**Main Issue:** 3

**Question:** 8

**Answer:** Yes

**Representation:** 760/008

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 893/008

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 759/008

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 847/005

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 844/009

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to

guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 760/027

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 788/024

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 863/008

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment –**

**As above and:-**

The location of this site is ideally located to offer the potential for live-work accommodation and achieve this concept and objective in line with SPP policy for the location of new development in this LDP. In addition, the initial DCF specifically identifies a village hub and rural business provision as part of a sustainable mixed use development proposal at this site.

**Representation:** 871/008

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

**As above and:-**

The location of this site is ideally located to offer the potential for live-work accommodation and achieve this concept and objective in line with SPP policy for the location of new development in this LDP.

**Representation:** 845/005

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

**As above and:-**

The representee's site at Rossie Mills could offer the potential for live-work accommodation.

**Response:**



The Council's approach is aimed at encouraging live/work accommodation as part of an overall strategy to reduce carbon emissions through reducing the need to travel and capitalising on new digital communications, but not enforcing unachievable requirements on rural development.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 8

**Answer:** Yes

**Representation:** 849/010

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Preferred option preferred but must ensure that the businesses do not encourage more traffic in to the business.

**Response:**

The traffic implications of any development will be assessed at the planning application stage

**Recommendation:**

No change. This representation will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 8

**Answer:** Yes

**Representation:** 786/008

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

Live/work has becoming more common practice in recent years with many businesses and local authorities encouraging home working, work smart and hot desking. As a consequence it is realistic to expect that a greater number of people will be seeking a live/work accommodation within any prospective new homes. It is appropriate to react to new working practices and to provide policies which encourage and accommodate live/work units.

**Representation:** 902/008

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

Further to the points made in paragraphs 5.3 through to 5.7

Rural regeneration and a sustainable future for Angus will rely on greater use of local assets for both essentials such as food and cultural activities. The encouragement of live-work accommodation as opposed a commuter-based model will encourage local business and initiatives and thereby strengthen the local economy and build community resilience.

**Representation:** 916/003

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SEPA would encourage the LDP to seek a reduction in carbon emissions in this way. This would assist the Council in working towards their duties under Section 44 of the Climate Change (Scotland) Act 2009 which requires all public bodies to act in the best way calculated to contribute to the delivery of the emission reduction targets and the climate

change adaptation framework in exercising their functions. Furthermore, the National Planning Framework states that “Development plans should include policies designed to promote sustainable development and contribute to the mitigation of, and adaptation to, climate change”.

**Representation:** 762/005

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Comment:**

The opportunities for home/work units should also be strongly encouraged to assist rural enterprise and sustainable living and to reduce carbon emissions within the new policy.

**Representation:** 800/001

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran strongly supports the statements on "reducing our transport-related carbon emissions in sections 5.3 – 5.7 of the MIR. In terms of comments on the timescale for large-scale change to new EV technology, reference could be made to the Scottish Government's target of almost complete de-carbonisation of transport through wholesale adoption of electric vehicles by 2050.

Tactran supports the Preferred Option approach to identify new development sites as being suitable for a mix of uses, as set out in Table 7.

**Representation:** 768/005

**Organisation:** Baxter Bryce Group / Heathfield Ltd

**Agents:** Muir Smith Evans

**Comment:**

Paragraphs 6.33 and 6.44 are supported in terms of specific examples of where a bespoke approach is required in order to facilitate development and deal with heritage assets creatively. Such sites should enjoy a policy presumption in favour of development that is required to make development financially viable and that other policies should relate to and support this as the primary objective. In other words, policies should not be contradictory, on one hand encouraging brownfield redevelopment of known problem sites and on the other hand requiring unrealistic developer contributions that make a development unviable.

The general approach in Table 21 with reference to the paragraphs above is therefore supported.

**Representation:** 789/003

**Representee:** Irene Taylor

**Comment:**

Improvement of digital connectivity is probably the most important element in encouraging work from home opportunities in small communities thus reducing carbon emissions. However insistence that live-work is a requirement for development approval would be a complication/deterrant to new developments and would a result in fewer new builds.

**Representation:** 788/008

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes actively promote and advocate working from home through developing houses that meet the flexible needs of the modern family. That includes ensuring our homes are designed to provide sufficient space for home office set ups and where accessible, install appropriate connections for broadband connections. We would therefore

support Angus Council in encouraging live-work accommodation and flexible living space to help reduce carbon emissions within the local authority area. The Council would have to ensure that it wasn't being overly prescriptive to unduly influence the design and marketability of the product.

**Response:**

Support noted – the intention is to encourage opportunities for live-work accommodation to be incorporated within rural residential developments. It is accepted that this may not always be a viable option and Stewart Milne Homes' promotion of home working through design is welcome.

**Recommendation:**

No Change - continue to develop policy/guidance to promote opportunities for live/work accommodation, in appropriate rural and urban development proposals.

**Main Issue:** 3                                      **Question:** 8                                      **Answer:** Yes

**Representation:** 781/007

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

This would appear to be a reasonable aspiration although we would question whether there is any evidence of this approach being successful elsewhere.

**Representation:** 798/008

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage do not have any information on the potential contribution live-work accommodation could make to reducing carbon emissions in this area, or the demand for such accommodation.

**Representation:** 800/004

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports the development of community hubs and working from home in rural areas to reduce the need to travel and therefore contribute towards reducing carbon emissions.

**Response:**

Support and comments noted

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

**Main Issue:** 3                                      **Question:** 8                                      **Answer:** Yes

**Representation:** 776/001

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

Lunanhead & District Community Council are not sure how this encouragement can be applied by Angus Council through the LDP other than by somehow drawing attention to the benefits of live-work. The personal benefits accrue from financial savings (on travel and child care for example); the green savings are due to less carbon being emitted. Presumably live-work accommodation could be afforded preferential rates?

**Response:**

The Proposed ALDP cannot set community charge levels, but small businesses can apply for non-domestic rate relief.

As recognised by the Community Council this approach is aimed at encouraging live/work accommodation as part of an overall strategy to reduce carbon emissions through reducing the need to travel and capitalising on new digital communications.

**Recommendation:**

No change

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**Main Issue:** 3                      **Question:** 8                      **Answer:** Yes  
**Representation:** 796/012  
**Organisation:** Dalhousie Estates  
**Agents:** Ristol Ltd

**Representation:** 783/009  
**Organisation:** Muir Homes Ltd  
**Agents:** TMS Planning & Development Services Ltd

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**Main Issue:** 3                      **Question:** 8                      **Answer:** No view  
**Representation:** 889/007  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 855/008  
**Organisation:** Gedhall Ltd  
**Agents:** Strutt & Parker

**Representation:** 838/008  
**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes  
**Agents:** Ryden LLP

**Representation:** 758/007  
**Representee:** Mr & Mrs Lochart Porter  
**Agents:** Burness Paull & Williamsons LLP

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**Chapter 5 – Question 9 Do you think that the Proposed ALDP should promote the development of community hubs (for business and personal use) in order to help reduce transport-related emissions in the rural area? Please explain your answer.**

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**Main Issue:** 3                      **Question:** 9                      **Answer:** Yes

**Representation:** 874/007

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

There is insufficient detail in the LDP to enable Kinpurnie Estate to fully support the development of community hubs. On the limited information contained within the LDP, Kinpurnie Estate can comment that it is currently promoting the development of a day care centre at the North Street site in Newtyle and that it has developed a business centre at Ralston to the north of Newtyle village. Subject to market conditions and the growth of the village there is potential for other community and commercial facilities to be located within and around the village.

On this basis Kinpurnie Estate is supportive of the principle of community hubs but would add that the format of these should not be limited to single sites in villages, but that they could comprise facilities spread across a community.

**Response:**

The concept of community hubs as promoted by the Scottish Government is envisaged as shared commercial services – offices, infrastructure, support staff, whilst the comments relate to the more general provision of facilities which effectively make a village the social and economic hub. These concepts do not appear to conflict with the concept as promoted by the Scottish Government, merely it would form one element of the broader approach suggested.

**Recommendation:**

If community hubs are promoted in the Proposed ALDP, their role within the village as a service centre should be emphasised. This would support the principle of the rural settlement strategy.

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**Main Issue:** 3                      **Question:** 9                      **Answer:** Yes

**Representation:** 760/028

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Development should not be refused where this is not viable. Sustainable forms of development are supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). However, this issue needs to be balanced against other planning considerations.

**Representation:** 871/009

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

**As above and:-**

The location of this site is ideally located to offer the potential for live-work accommodation and achieve this concept and objective in line with SPP policy for the location of new development in this LDP.

**Representation:** 863/009

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

**As above and:-**

The location of this site is ideally located to offer the potential for live-work accommodation and achieve this concept and objective in line with SPP policy for the location of new development in this LDP. In addition, the initial DCF specifically identifies a village hub and rural business provision as part of a sustainable mixed use development proposal at this site.

**Representation:** 788/025

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

**As above and:-**

However, this issue needs to be balanced against other planning considerations, particularly with reference to Circular 1/2010.

**Response:**

The Council is requesting views on the possible development of community hubs as part of an overall strategy to reduce carbon emissions through reducing the need to travel and capitalising on new digital communications. There is no requirement to develop community hubs as part of any development proposal and therefore no reference to refusing any development.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan.

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**Representation:** 788/009

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes support the Council in looking towards the development of community hubs within settlements where facilities are currently lacking. As a concept, where community needs are properly researched, provision of appropriate facilities within a community hub will significantly impact on reducing carbon emissions and help to create more sustainable communities. In existing settlements where the Council have identified infrastructure and community facility shortfalls, allocated development could assist in bringing forward such facilities either through measured contributions, or provision of land for the facility. Working examples of community hubs have proven to assist in the reduction of carbon output. As an example, where a hub has a multi-purpose consulting room, for more remote communities that do not have direct access to GP facilities, visiting surgeries can have a dramatic impact on the reduction of need to travel to the closest fixed facilities. The Council need to recognise that to enable funding for these hubs to be forthcoming, land for development will require to be allocated to cross subsidise such facilities if the Council are not prepared to, or indeed cannot fund them outright.

**Representation:** 916/004

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SEPA would welcome the promotion of the development of community hubs for the same reasons as detailed in our response to question 8.

**Representation:** 902/009

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

Refer to the explanation given to Question 8

Further to which, many such developments are in use or under consideration across Europe, there are therefore many examples of best practise that can be studied by both the Council and local communities.

**Representation:** 776/002

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

There seems to be much good sense in this. However there would be bound to be financial implications as far as the facilities for personal use would be concerned. The alternative transport related savings would be efficient public transport. Much of the public transport is not designed for purpose ie excessively large buses, old inefficient engines (this comment could perhaps be applied to much of our public transport)

**Main Issue:** 3

**Question:** 9

**Answer:** No view

**Representation:** 798/009

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

As the MIR explains, the efficacy of this policy (in emissions terms) depends on the particular geographic and socio-economic factors relevant to Angus, on which others are best placed to advise.

**Response:**

Support and comments noted.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan.

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**Main Issue:** 3

**Question:** 9

**Answer:** Yes

**Representation:** 849/011

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Preferred option preferred but must ensure that the businesses do not encourage more traffic in to the business.

**Response:**

The traffic implications of any development will be assessed at the planning application stage (as 849/010)

**Recommendation:**

No change. This comment will be considered in preparing the Proposed Plan.

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**Main Issue:** 3

**Question:** 9

**Answer:** Yes

**Representation:** 783/010

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Representation:** 796/013  
**Organisation:** Dalhousie Estates  
**Agents:** Ristol Ltd

**Representation:** 759/009  
**Representee:** Mr C Hay  
**Agents:** Emac Planning

**Representation:** 893/009  
**Organisation:** Delson Contracts Ltd  
**Agents:** Emac Planning LLP

**Representation:** 844/010  
**Organisation:** D J Laing  
**Agents:** Emac Planning

**Representation:** 760/009  
**Representee:** Mr M Batchelor  
**Agents:** Emac Planning LLP

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**Main Issue:** 3                      **Question:** 9                      **Answer:** No view  
**Representation:** 889/008  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 838/009  
**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes  
**Agents:** Ryden LLP

**Representation:** 855/009  
**Organisation:** Gedhall Ltd  
**Agents:** Strutt & Parker

**Representation:** 758/008  
**Representee:** Mr & Mrs Lochart Porter  
**Agents:** Burness Paull & Williamsons LLP

**Representation:** 786/009  
**Organisation:** Guild Homes  
**Representee:** Mark Guild

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**Chapter 5 – Question 10 Do you agree with the preferred options that are shown in Tables 7 and 8 for determining the location of new development? Please explain your answer.**

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 893/010

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is supported. The review of this and the inclusion of amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported.

**Representation:** 757/008

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

A policy of encouraging mixed-use developments on certain sites, as shown in Table 7, is supported in principle. In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is strongly supported. The review of existing boundaries and the inclusion of an extended Arbroath settlement boundary east and west of Montrose Road on behalf of Meadowbank Inn and Silverwells Garden Centre is supported.

A dual approach to the allocation of new land, which also included the review of existing settlement boundaries, would allow certainty on the scale of development acceptable in and adjacent to existing settlements whilst also protecting the wider countryside and landscape from inappropriate development.

**Representation:** 844/011

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by site specific masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review of all settlement boundaries and new settlement boundaries, where they do not currently exist, is also supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

**Representation:** 760/029

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive. The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is strongly supported.

We support the comments made in paragraph 5.14 of the MIR that " The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other wellrelated sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements."

**Representation:** 760/010

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is supported. The review of this and the inclusion of amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported.

**Representation:** 788/010

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes support in part preferred option (Table 7) in that where appropriate, housing land allocations would be set out as being suitable for housing and or a mix of uses complementary to residential development. This is important at the outset to establish appropriate land use to enable the development industry to fully assess site viability and to forward plan the delivery of sites. The Council should be clear by the point of allocating specific sites within the Proposed LDP what the community needs are and identify spatial strategies for delivery of essential housing, employment, education, infrastructure and commercial land through the plan.

We do not agree with Angus Council's suggestion that within site-specific guidance should be set out mix of housing either sizes or types. This is not for the Council to specify and should be left open. Housebuilders have the expertise in delivery of housing to meet market need. The reason this should not be included is that housing market conditions and need can change incredibly quickly and it would be wrong and ultimately ineffective of the Council to set out its perceived need.

Stewart Milne Homes do not, in essence object to the preferred strategy set out within Table 8, and would be open to landscape based assessments for allocating development within smaller settlements. This should however be coupled with detailed community needs based analysis which should be for a Council wide consultation to establish clear needs within existing communities. The Local Development Plan for Angus should be looking closer at the rural communities, particularly within the south Angus HMA to identify shortcomings in infrastructure provision and identifying land for development accordingly. The Council should work closely with developers to ensure that sites that are effective, deliverable and can provide for essential community facilities to maximise sustainability are being brought forward within this LDP.

**Representation:** 788/026

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by site specific masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review of all settlement boundaries and new settlement boundaries, where they do not currently exist, is also supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

**Representation:** 871/010

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is strongly supported.

Mr R Watson supports the comments made in paragraph 5.14 of the MIR that “ The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements.”

**Response:**

Comments noted. Proposed land allocations for residential development consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP. It is considered that some sites may be suitable for a mix of complementary uses. Such an approach could support the creation of more sustainable communities through the co-location of compatible uses and potentially reduce the need to travel. Where appropriate the Proposed LDP will identify sites where mixed use development will be encouraged. Specific requirements, including the potential mix of uses, will be assessed on a site by site basis through the development management process or where appropriate as specified by guidance in the form of a Development Brief.

The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP and any related supplementary guidance.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 849/012

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Preferred option preferred to allow village boundaries to change.

**Representation:** 876/002

**Representee:** David Milne

**Agents:** Montgomery Forgan Associates

**Comment:**

The preferred option within Table 8 which advocates supplementation of LDP policies with detailed spacial guidance for development in rural areas and the review of development boundaries of the smaller settlements to determine the settlements capacity to accommodate small scale new development is supported. This is a more inclusive approach which allows a tailored response to the needs and potential of individual settlements such as Aberlemno while recognising the importance of potential landscape impact.

**Response:**

Comment noted. The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP Proposed Plan and any related supplementary guidance.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 798/010

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage fully support the preferred options in Table 7 and 8 for determining the location of new development.

Scottish Natural Heritage would be happy to advise further on proposed Landscape Capacity Studies for small rural settlements.

Scottish Natural Heritage would expect that the proposed supplementary guidance will set out an overall distinctive vision for each settlement that aligns with community aspirations as a basis for determining the right mix of uses. Scottish Natural Heritage would hope in particular that the resulting development briefs/masterplans will reflect the contribution of the natural heritage to making distinctive places and would be keen to be involved in advising further on some of this guidance as it is developed.

Scottish Natural Heritage's policy on place-making "Better Places for People and Nature" provides the context for our involvement. Scottish Natural Heritage would be keen to help Angus Council identify where there are significant opportunities to integrate and enhance existing green-networks into new places as a means of delivering a number of benefits for people and nature. Scottish Natural Heritage are currently engaged in such an exercise with Fife Council and would welcome the opportunity to share experience of this process with Angus Council.

**Response:**

Comments noted. Proposed land allocations for residential development consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP. It is considered that some sites may be suitable for a mix of complementary uses. Such an approach could support the creation of more sustainable communities through the co-location of compatible uses and potentially reduce the need to travel. Where appropriate the Proposed ALDP will identify sites where mixed use development will be encouraged. Specific requirements, including the potential mix of uses, will be assessed on a site by site

basis through the development management process or where appropriate as specified by guidance in the form of a Development Brief.

The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP Proposed Plan and any related supplementary guidance.

SNH support in developing and undertaking Landscape Capacity Assessments for smaller rural settlements and in identifying opportunities to integrate and enhance green networks is welcomed

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 10

**Answer:** No

**Representation:** 758/009

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

Identification of mixed use developments is consistent with national guidance, but it may be that an area should be masterplanned as a whole rather than expecting every allocated site to be mixed use. Equally, it is submitted that the actual mix of housing on each site is more appropriate for development briefs or masterplans, rather than the LDP.

**Representation:** 786/010

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

In terms of Table 7 while it is reasonable to indicate when residential allocations are appropriate to accommodate a mix of commercial/retail or leisure uses it must be left to the market and the developer to decide on whether it is appropriate to develop such uses. There is no point in requiring a developer of provide for example retail units when there is clearly no demand for such a facility. It would perhaps be more sensible to consider if a mix of uses is appropriate at the time of a development brief which is prepared in conjunction and in discussion with the developer.

**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 838/010

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

It is not appropriate for all sites to be mixed use. Often the size of sites are not suitable for a mix of uses and any requirement to provide a mix could constrain housing delivery as it would involve different developers, different requirements and may make them unviable. The accessibility of neighbouring facilities also means that sites have access to a range of uses and therefore do not need a mix of uses on the site. Sites should be identified for the most appropriate use and site specific discussions should be left to preapplication discussions and the planning application process. It is, however, important to locate residential development near to employment proposals to encourage sustainable travel between the two uses. Paragraph 77 of Scottish Planning Policy acknowledges this by stating that one of the key considerations for the location of development is the co-ordination of housing land release with investment in infrastructure, and other major proposals.

An ideal opportunity exists in Ferryden to locate housing close to the major employment proposal at Montrose Port. This is a good example of sustainable economic development by

providing two land uses in proximity to each other to reduce travel between them. The MIR states that it is likely that new housing requirements will lead to an expansion of towns beyond their current boundaries which could mean that new homes were being developed in areas that are increasingly inconvenient for walking to the town centre or places of work (paragraph 5.8).

This can be addressed by the careful allocation of sites such as Ferryden, Montrose. It is argued that in many cases greenfield sites are more appropriate for development than brownfield sites. This is especially true if the brownfield site is constrained and has no prospect of coming forward for development. Housing sites on the edge of settlements can be successfully integrated into the existing town fabric and paragraph 85 of Scottish Planning Policy acknowledges that extending existing settlements can reduce servicing costs and help sustain local schools, shops and services. Usan Road at Ferryden, would round off this part of the settlement to the south of Montrose. It is close to facilities, infrastructure, public transport and is inherently sustainable as it would make use of existing infrastructure, especially the school which is significantly under capacity. There are no constraints to the development of this site to meet housing land requirements and it benefits from the backing of a major housebuilder which demonstrates the ability to be delivered in the Local Development Plan period.

**Representation:** 847/006

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

Mrs A Ogilvie supports the comments made in paragraph 5.14 of the MIR that " The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements."

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of new and amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review is supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

It is also noted that the Proposed Local Development Plan will continue the approach set out in the Angus Local Plan Review of considering rural housing proposals in accordance with policy and possible supplementary guidance. The preferred approach would be to include this site adjacent to Saty Dyke, within a new settlement boundary at West Ferryden, however, comments will also be made on the emerging draft policies once available for public consultation.

With respect to West Ferryden, it is considered that a new settlement boundary should be provided for the settlement, including Mrs Ogilvie's land. In support of this, the Angus Local Plan Review, 2009 already identifies settlement boundaries around villages of a similar form and scale and there are settlement boundaries around smaller settlements. It would be consistent with the previous approach to identifying settlement boundaries to take the opportunity through the Proposed LDP to address West Ferryden.

**Representation:** 874/008

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

With regards to creating a successful mix of uses, Kinpurnie Estate supports the Reasonable Alternative option outlined in Table 7. In the context of changing market conditions, the Preferred Option, to produce site-specific guidance on the mix of housing sizes and types would be too specific and inflexible over the Plan period. This would potentially restrict development of otherwise effective housing sites.

With regards to protecting high quality rural landscapes, Kinpurnie Estate supports the Preferred Option outlined in Table 8, to undertake a landscape capacity-based review of the development boundaries of smaller settlements. Sites adjoining current settlement boundaries can make an important contribution to the effective housing land supply, help sustain existing communities and provide additional choice in local housing markets. A landscape capacity-based review would identify sites where these essential requirements can be addressed without unacceptable adverse impacts upon the local landscape or conservation interests.

In this regard, Kinpurnie Estate submitted six proposed housing sites which adjoin settlements to the Call for Sites consultation. Five of these sites are located around Newtyle, and these are discussed in detail in response to Question 47 below. One site is located adjacent to Lundie and Kinpurnie Estate considers that it incorporates areas which would be natural locations to extend this small settlement in South Angus.

**Representation:** 845/006

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

Mr D Ogilvie supports the comments made in paragraph 5.14 of the MIR that " The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements."

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of new and amended settlement boundaries, which would be subject to further public consultation, in



the Proposed LDP is supported. The review is supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

It is also noted that the Proposed Local Development Plan will continue the approach set out in the Angus Local Plan Review of considering rural housing proposals in accordance with policy and possible supplementary guidance. The preferred approach would be to include this site at Rossie Mills, within a new settlement boundary, however, comments will also be made on the emerging draft policies once available for public consultation.

With respect to Rossie Mills, it is considered that a new settlement boundary should be provided for the settlement, including Mr Ogilvie's land. In support of this, the Angus Local Plan Review, 2009 already identifies settlement boundaries around villages of a similar form and scale and there are settlement boundaries around smaller settlements. It would be consistent with the previous approach to identifying settlement boundaries to take the opportunity through the Proposed LDP to address Rossie Mills.

**Representation:** 759/010

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by sitespecific masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review of all settlement boundaries and new settlement boundaries, where they do not currently exist, is also supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

**Representation:** 847/006

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

Mrs A Ogilvie supports the comments made in paragraph 5.14 of the MIR that “ The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements.”

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of new and amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review is supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

It is also noted that the Proposed Local Development Plan will continue the approach set out in the Angus Local Plan Review of considering rural housing proposals in accordance with policy and possible supplementary guidance. The preferred approach would be to include this site adjacent to Saty Dyke, within a new settlement boundary at West Ferryden, however, comments will also be made on the emerging draft policies once available for public consultation.

With respect to West Ferryden, it is considered that a new settlement boundary should be provided for the settlement, including Mrs Ogilvie’s land. In support of this, the Angus Local Plan Review, 2009 already identifies settlement boundaries around villages of a similar form and scale and there are settlement boundaries around smaller settlements. It would be consistent with the previous approach to identifying settlement boundaries to take the opportunity through the Proposed LDP to address West Ferryden.

**Representation:** 874/008

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

With regards to creating a successful mix of uses, Kinpurnie Estate supports the Reasonable Alternative option outlined in Table 7. In the context of changing market conditions, the Preferred Option, to produce site-specific guidance on the mix of housing sizes and types would be too specific and inflexible over the Plan period. This would potentially restrict development of otherwise effective housing sites.

With regards to protecting high quality rural landscapes, Kinpurnie Estate supports the Preferred Option outlined in Table 8, to undertake a landscape capacity-based review of the development boundaries of smaller settlements. Sites adjoining current settlement boundaries can make an important contribution to the effective housing land supply, help sustain existing communities and provide additional choice in local housing markets. A landscape capacity-based review would identify sites where these essential requirements can be addressed without unacceptable adverse impacts upon the local landscape or conservation interests.

In this regard, Kinpurnie Estate submitted six proposed housing sites which adjoin settlements to the Call for Sites consultation. Five of these sites are located around Newtyle, and these are discussed in detail in response to Question 47 below. One site is located adjacent to Lundie and Kinpurnie Estate considers that it incorporates areas which would be natural locations to extend this small settlement in South Angus.

**Representation:** 845/006

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed-use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

Mr D Ogilvie supports the comments made in paragraph 5.14 of the MIR that “ The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements.”

The preferred option of reviewing settlement boundaries and including, where appropriate, sites on the edge of settlements is supported. The review of this and the inclusion of new and amended settlement boundaries, which would be subject to further public consultation, in the Proposed LDP is supported. The review is supported on the basis of having regard to natural and man-made characteristics.

This dual approach would allow certainty on the scale of development acceptable in existing settlements having regard to encouraging appropriate small-scale development in appropriate locations, whilst also protecting the wider countryside and landscape from inappropriate development.

It is also noted that the Proposed Local Development Plan will continue the approach set out in the Angus Local Plan Review of considering rural housing proposals in accordance with policy and possible supplementary guidance. The preferred approach would be to include this site at Rossie Mills, within a new settlement boundary, however, comments will also be made on the emerging draft policies once available for public consultation.

With respect to Rossie Mills, it is considered that a new settlement boundary should be provided for the settlement, including Mr Ogilvie’s land. In support of this, the Angus Local Plan Review, 2009 already identifies settlement boundaries around villages of a similar form and scale and there are settlement boundaries around smaller settlements. It would be consistent with the previous approach to identifying settlement boundaries to take the opportunity through the Proposed LDP to address Rossie Mills.

**Representation:** 902/010

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

City of Brechin & District Community Council does not agree with the alternatives in Table 7 for the reasons given in paragraphs in 5.9 and 5.10.

Similarly the City of Brechin & District Community Council support the preferred option in Table 8 and not the continuation of the existing ALPR policies as the conserving of landscape character in our rural areas is beneficial to the people of Angus and a positive feature for attracting visitors.

**Representation:** 855/010

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd are broadly in support of the preferred options shown on Tables 7 & 8 for determining the location of new development.

Appropriate mixed use development in the right locations can significantly enhance the overall provision in an area and the sustainability of development in general.

**Representation:** 871/010

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle. However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site. This is similar to the stated Reasonable Alternative, but would provide some certainty on the future approach to be adopted on a site and allow for the proper engagement of all interested parties.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is strongly supported.

Mr R Watson supports the comments made in paragraph 5.14 of the MIR that " The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other well related sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements."

**Representation:** 863/010

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

In terms of Table 7, a policy encouraging mixed use developments on certain sites is supported in principle and can be provided on this site.

However, site-specific guidance is not supported in terms of supplementary guidance. Instead, it is considered that future planning applications for such sites should be supported by masterplans addressing the particular and unique characteristics of the site.

In terms of Table 8, both the preferred option and the reasonable alternative are supported and are not considered to be mutually exclusive.

The preferred option of reviewing settlement boundaries and including sites on the edge of settlements is strongly supported.

Inveraldie Properties Ltd support the comments made in paragraph 5.14 of the MIR that " The preferred option is therefore to review the boundaries of smaller settlements, to address any anomalies and consider opportunities to include small-scale brownfield or other wellrelated sites within the settlement boundary. This boundary review would be based on individual landscape capacity studies, which would be consistent with any detailed supplementary guidance on landscape impact and would be used to allow Room for new homes or businesses around the edge of some of our small settlements."

**Main Issue:** 3                      **Question:** 10                      **Answer:** Yes

**Representation:** 881/006

**Organisation:** Scotia Homes

**Agents:** Barton Willmore

**Comment:**

The MIR (Chapter 5) sets out the Council's approach for creating sustainable communities. Part of this strategy includes the promotion of mixed use development on the majority of new housing allocations within the Angus Council area. This would see the integration of local shops, community facilities and offices with housing, in turn encouraging sustainable travel patterns. This is in line with the spirit of SPP which states (Paragraph 78) that "The aim should be to create places with a distinct character and identity, promoting a well integrated mix of land uses including well designed homes of different types and tenures."

The MIR's stated preferred option also confirms that for larger land allocations, Supplementary Guidance will be prepared to provide site specific guidance on the mix of house sizes and types.

In light of the above, the preferred option for Creating a Successful Mix of Uses, as identified in Table 7 is therefore welcomed and supported.

It is in this context that we submit our vision for Forfar a residential led mixed use development which builds on Forfar's strengths as an Agricultural Centre and creates a new gateway to the town.

**Representation:** 857/003

**Organisation:** The Clayholes Partnership

**Agents:** Graham + Sibbald

**Comment:**

The Clayholes Partnership agree with the preferred option shown in Table 7, i.e. "Where appropriate, housing land allocations are described as being suitable for a mix of uses that are complementary to housing (e.g. local shops, community facilities or businesses)..." This preferred option comes under the banner of: "Creating a successful mix of uses". The overarching support for this approach of integrating residential development with other land uses lends support to Alternative Option 1(extended to include the Clayholes site) as opposed to the current Preferred Option for Carnoustie, since the current Preferred Option is more remote from the town centre and associated local services.

**Response:**

Comments noted. Proposed land allocations for residential development consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP. It is considered that some sites may be suitable for a mix of complementary uses. Such an approach could support the creation of more sustainable communities through the co-location of compatible uses and potentially reduce the need to travel. Where appropriate the Proposed ALDP will identify sites where mixed use development will be encouraged. Specific requirements, including the potential mix of uses, will be assessed on a site by site

basis through the development management process or where appropriate as specified by guidance in the form of a Development Brief.

The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP Proposed Plan, Action Programme and any related supplementary guidance.

Proposed land allocations for residential development in settlements and Housing Market Areas consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 901/003

**Organisation:** Scottish Water

**Representee:** Adele Gallagher

**Comment:**

Scottish Water is funded to provide upgrades at treatment works where the 5 growth criteria have been met and so limited capacity should not be seen as a barrier to development. Early conversations between Scottish Water and the developer are advised to allow maximum time for scheduling upgrades.

**Response:**

Scottish Water is one of the Key Agencies and will be consulted throughout the Plan Preparation process. The availability of drainage and water supply capacity are key components in identifying sites that are free from infrastructure constraint and capable of delivery during the life of the ALDP.

**Recommendation:**

Comment noted. The availability of drainage and water supply capacity will be considered as part of the site assessment process to inform the selection of sites allocated for development in the Proposed ALDP.

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 916/005

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

With regard to Table 7, SEPA support the preferred option. SEPA would highlight the potential for combined heat and power (CHP) as a positive co-location between industry and other uses in terms of assisting the delivery of Scotland's renewable energy targets. SEPA require the LDP to recognise the role of decentralised and local renewable or low carbon sources of heat and power, including energy from waste facilities and maximising the re use of surplus heat. Furthermore SEPA would encourage the LDP to identify proposed or existing developments that would produce surplus heat that could provide a source of heat for existing or new developments. This should be a key consideration in allocating sites for development and the overall settlement strategy.

**Response:**

Support and comment noted

**Recommendation:**

Support and comment noted

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**Main Issue:** 3

**Question:** 10

**Answer:** No

**Representation:** 783/011

**Organisation:** Muir Homes Ltd

**Agents:** TMS Planning & Development Services Ltd

**Comment:**

MIR page 45 paragraph 7.5 states that "It is the Council's intention to retain existing housing land allocations where these are still considered to be capable of coming forward (in part or as a whole) within the first five years of the Proposed ALDP (2014-2019)".

Unfortunately there is no indication of the assessment process to be used to determine the effectiveness of existing allocations. This has to be addressed in a robust manner otherwise continuing with some existing allocations may prove fruitless. The table at paragraph 7.3 on page 45 details the Housing Land Allowances from 2014 to 2024 and refers to "no. of new homes". These are in fact different things. The land allocation required to deliver a set level of units within a set period will always exceed the number of units to be delivered. If we are to assume that the figures are the unit numbers then the capacity of land allocations required will clearly exceed these levels. In addition, in respect of South Angus, it is assumed that land to deliver an additional 350 units is required over the period to 2024 that is in addition to the existing land supply which is estimated as capable of delivering 490 units over this period.

Again, what robust assessment underpins the effectiveness of the established land supply as it informs the Local Development Plan process? This needs to be set out in accordance with prevailing practice – paragraph 55 of PAN 2/2010. The danger here is that the effectiveness of established/allocated sites is overestimated and therefore the need for new allocations artificially suppressed. This will not assist deliverability and would conflict with the underlying development strategy to be addressed.

The South Angus Housing Market Area (page 48) has a preferred strategy "to ensure that the majority of new development occurs within Carnoustie and the Dundee Core Area, with expansion of these settlements occurring only if development cannot be accommodated within their existing boundaries". However, taking this approach forward appears to concentrate new development/allocations in Carnoustie, Monifieth and Newtyle. The problem with this approach is that Carnoustie is a Tier 3 settlement in terms of the TAYplan hierarchy, Newtyle is not recognised as a preferred area for development (no TAYplan tier level identified) and Birkhill/Muirhead (a TAYplan Tier 1 settlement) is not considered for any new meaningful development in order to contribute to the spatial/development strategy. This is clearly contrary to TAYplan. It is recognised in the MIR that "The estimated large and growing shortfalls in both affordable and market housing by 2018/19, will need to be addressed by interventions including the building of new homes" within the South Angus Housing Market Area and therefore an effective land supply in the right locations (deliverable and sustainable) is essential. The preferred approach in the MIR, in addition to being contrary to TAYplan, will not meet such requirements.

A fully detailed assessment of opportunities and a related allocation(s) in Birkhill/Muirhead is clearly required in order to ensure that the Local Development Plan complies with TAYplan and, additionally, in order to provide a sufficiently robust and deliverable settlement/development strategy in order to help meet housing delivery targets.

**Response:**

The Proposed ALDP requires to be consistent with the approved TAYplan SDP (June 2012). The spatial strategy put forward in the Proposed ALDP MIR is consistent with TAYplan and seeks to direct an appropriate level of plan led development within the hierarchy of settlements. It is important to the implementation of the TAYplan strategy that Local

Development Plans do not undermine the delivery of development within the Tier 1 Dundee City by promoting greenfield land release in areas around the Dundee Fringe which could prejudice delivery of the Dundee Western Gateway or undermine redevelopment of the significant supply of brownfield sites within Dundee. The restriction applies primarily to significant greenfield extensions/allocations in the area but does not preclude appropriate brownfield and windfall sites within existing development boundaries coming forward.

The approach to delivering and maintaining a five year effective land supply in the 4 Housing Market Areas across Angus will be set out in the Proposed ALDP. Progress on the delivery of house completions and maintenance of a five year effective housing land supply will be monitored through the annual Angus Housing Land Audit process.

Proposed land allocations for residential development in the South Angus HMA consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP.

**Recommendation:**

No change to the Proposed ALDP Strategy as a result of this representation.

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 800/005

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports mixed use developments, outlined in Table 7, which have the potential to reduce the need to travel, enabling work and other journeys to be undertaken on foot. Tactran is not in a position to comment on Table 8.

**Response:**

Comments noted. Proposed land allocations for residential development consistent in scale and location with the provisions of TAYplan will be detailed in the Proposed ALDP. It is considered that some sites may be suitable for a mix of complementary uses. Such an approach could support the creation of more sustainable communities through the co-location of compatible uses and potentially reduce the need to travel. Where appropriate the Proposed ALDP will identify sites where mixed use development will be encouraged. Specific requirements, including the potential mix of uses, will be assessed on a site by site basis through the development management process or where appropriate as specified by guidance in the form of a Development Brief.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Representation:** 781/008

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Homes for Scotland do not have a view providing the Proposed Plan generally accords with the TAYplan strategy.

**Response:**

Comment noted. Legislation demands that the Proposed ALDP is consistent with the strategy and policies established by the TAYplan Strategic Development Plan which was approved by Scottish Ministers in June 2012. The Strategy and Options presented in the Main Issues Report are considered consistent with the strategic guidance provided by TAYplan.



**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3**Question:** 10**Answer:** Yes**Representation:** 889/009**Organisation:** Kinnordy Estate**Agents:** CKD Galbraith**Comment:**

Kinnordy Estate support the retention of the general approach to small-scale development in appropriate rural locations. In particular, Kinnordy Estate is supportive of the retention of Policies SC5 and SC6, in order to allow redevelopment of redundant non residential buildings and limited new building in the countryside.

Kinnordy Estate are considering a redevelopment of the Garlowbank Steadings, along with a limited amount of new build housing, and would therefore be supportive of retention of the above policies, which would allow developments such as this.

**Response:**

Comments noted. The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP and any related supplementary guidance.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3**Question:** 10**Answer:** Yes**Representation:** 776/003**Organisation:** Lunanhead & District Community Council**Representee:** David Conran-Smith**Comment:**

The preferred option seems entirely sensible. There must be many sites in small settlement and rural locations that would benefit from small scale development and a positive approach to encourage development in them could only be useful. Such development would have little impact on the more general leaning towards development in and around the larger settlements. It might not be practical to encourage affordable housing in these small settlement or rural sites as presumably most of the families settling there would be public transport dependant which might not be available.

**Representation:** 889/009**Organisation:** Kinnordy Estate**Agents:** CKD Galbraith**Comment:**

Kinnordy Estate support the retention of the general approach to small-scale development in appropriate rural locations. In particular, Kinnordy Estate is supportive of the retention of Policies SC5 and SC6, in order to allow redevelopment of redundant non residential buildings and limited new building in the countryside.

Kinnordy Estate are considering a redevelopment of the Garlowbank Steadings, along with a limited amount of new build housing, and would therefore be supportive of retention of the above policies, which would allow developments such as this.

**Representation:** 803/004

**Organisation:** The Church of Scotland General Trustees

**Agents:** John Handley Associates Ltd

**Comment:**

The Church of Scotland General Trustees support the Preferred Option shown in Table 8 on page 26 of the MIR which recommends that the development boundaries of the smaller settlements will be reviewed on an individual basis, to determine the settlement's capacity to accommodate small-scale new development.

**Response:**

Comment noted. The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP and any related supplementary guidance.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 3

**Question:** 10

**Answer:** Yes

**Representation:** 796/014

**Organisation:** Dalhousie Estates

**Agents:** Ristol Ltd

**Representation:** 844/011

**Organisation:** D J Laing

**Agents:** Emac Planning

**Representation:** 842/002

**Organisation:** NHS Tayside

**Agents:** Scottish Futures Trust

**Representation:** 868/008

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

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**Chapter 5 – Question 11 Do you agree with the preferred options that are shown in Tables 9 and 10 for avoiding greenhouse gas emissions? Please explain your answer.**

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**Main Issue:** 4    **Question:** 11    **Answer:** No

**Representation:** 760/011  
**Representee:** Mr M Batchelor  
**Agents:** Emac Planning LLP

**Representation:** 760/030  
**Representee:** Mr M Batchelor  
**Agents:** Emac Planning LLP

**Representation:** 759/011  
**Representee:** Mr C Hay  
**Agents:** Emac Planning

**Representation:** 844/012  
**Organisation:** D J Laing  
**Agents:** Emac Planning

**Representation:** 868/009  
**Organisation:** Barratt East Scotland Limited  
**Agents:** Ryden LLP

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**Main Issue:** 4    **Question:** 11    **Answer:** No

**Representation:** 893/011  
**Organisation:** Delson Contracts Ltd  
**Agents:** Emac Planning LLP  
**Comment:**

The production of Supplementary Planning Guidance with a Sustainability Checklist for new developments, based on the requirements of SPP, may be appropriate, subject to further consultation on its contents and would be preferred to the detailed approaches set out in these tables.

Whilst developments should strive to achieve the low carbon targets proposed by the Scottish Government, the LDP policies should be balanced against achieving viable developments in this economic climate. The ability of developments to reach zero carbon generating technologies may place a financial burden on developments and the imposition of overly stringent standards could threaten the viability of development.

Alternative legislation is available to ensure a reduction in CO2 emissions in developments and therefore the Policy in the LDP should be of a general nature only encouraging such developments, with specific targets being the responsibility of other legislation and policy documents.

This approach is supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). SPP refers to the role of Local Development Plans in securing land use requirements on sustainable developments and it is considered that the LDP policy should comply with SPP.

**Representation:** 788/027  
**Organisation:** Stewart Milne Homes  
**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

The production of Supplementary Planning Guidance with a Sustainability Checklist for new developments, based on the requirements of SPP, may be appropriate, subject to further consultation on its contents and would be preferred to the detailed approaches set out in these tables.

Whilst developments should strive to achieve the low carbon targets proposed by the Scottish Government, the LDP policies should be balanced against achieving viable developments in this economic climate.

The ability of developments to reach zero carbon generating technologies may place a financial burden on developments and the imposition of overly stringent standards could threaten the viability of development.

It is considered that alternative approaches can be employed to meet the targets for carbon reduction prescribed by Government, including considering the use of materials that embody low carbon in their production and transport, layouts that encourage reduced dependence on motorised transport and modern building technologies.

Alternative legislation is available to ensure a reduction in CO2 emissions in developments and therefore the Policy in the LDP should be of a general nature only encouraging such developments, with specific targets being the responsibility of other legislation and policy documents.

This approach is supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which is sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). SPP refers to the role of Local Development Plans in securing land use requirements on sustainable developments and it is considered that the LDP policy should comply with SPP.

**Representation:** 781/009

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Homes for Scotland does not agree that issues around the energy performance of buildings and carbon emissions reductions from buildings should appear in a land-use development plan. These are highly-technical matters which are regulated through Building Standards. The development plan has a legitimate role in dealing with the more passive aspects of energy efficiency, through masterplanning and site briefs which can deal with issues of siting, layout, house types, orientation, and so on.

SPP no longer refers to a requirement to use low and zero-carbon generating technology; it is suggested as one option but is not required. In reality, developers are already achieving very low carbon emissions and high energy-efficiency in new buildings, and where they are building to the 2010 Building Standards then there is no statutory requirement to go further in terms of efficiency. The 2010 standards can be achieved by fabric design, airtightness and modern construction methods, with little need for microtechnologies.

There is already a route map in place for further advances in standards through the Sullivan Report, which sets out further stages of improvements to be introduced in 2013 and 2016. However, the Government has recently announced that it is to reconvene the Sullivan Committee with a brief to consider how its recommendations can be delayed or scaled back in recognition of the costs they will impose on the construction industry at a time when construction cannot absorb more costs. The Government also recognises that the cost-

benefit of higher construction/performance standards set against the potential energy and carbon savings is diminishing to the point where it makes little economic sense.

Homes for Scotland undertook research on the potential impact of achieving Net Zero Carbon standards on all new housing. If all new housing were to be built to this standard tomorrow, then new housing would contribute 0.18% of the annual Scottish carbon reduction target. The costs of achieving this minimal reduction would be substantial – potentially adding up to £10,000 to the cost of a house, which would render both market housing unaffordable to more buyers and “affordable” housing unaffordable.

Research by Aberdeen University showed that, using accepting costs for carbon, the pay-back period for the costs of achieving a net zero carbon house would be over 600 years. Similarly, the pay-back period for reduced energy consumption would be over 500 years. These findings destroy any economic argument for further imposition of higher standards.

The real issue in terms of building energy efficiency and carbon reduction is retro-fitting older property.

To achieve low and zero carbon standards would require the use of microrenewable technologies, which have many drawbacks and difficulties, including:

\* High capital cost in an immature market;

\* Uncertain long-term maintenance costs and availability of skilled maintenance

**Representation:** 838/011

**Organisation:** Bon Accord Land Ltd & Stewart Milne Homes

**Agents:** Ryden LLP

**Comment:**

It is recognised that development requires to be sustainable and resource efficient, however, micro-renewables are not the best or most cost effective method to achieve reductions in CO2. Significant reductions can be achieved by construction methods, better insulation, different wall materials and general air tightness. Micro-renewable technologies, by contrast are generally unproven technically, more expensive, difficult to ensure warranties, mortgages and insurances on, more visually obtrusive and more difficult to assess in terms of impacts. We are strongly of the opinion that SPP and PAN 84 are misguided in seeking the use of the planning system to pursue the policy objective of reducing CO2 emission in development as these are matters for building warrant.

**Representation:** 786/011

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

The construction details of buildings and the resultant sustainability of buildings has in the past has always been the responsibility of the Building Control Regulations. This method of controlling greenhouse gas emissions from buildings and improving the sustainability of new buildings has worked successfully without any issue and as such there is no need to incorporate a planning policy to monitor and control greenhouse gas emissions. Further, there is no expertise within planning authorities to monitor and assess the building standards, materials etc. There is the very real possibility that involving planning departments in this issue will slow down the determination of applications which would be extremely regrettable. As such Guild Homes considers that this issue should remain the responsibility of the Building Control Department.

**Response:**

The Development Plan is required to develop policies relating to reduction of carbon emissions and to contribute to the Government targets for reducing emission of greenhouse

gases from new development. Whilst the building regulations will set the parameters for construction, the Proposed ALDP can add further requirements, advice and encouragement to developers. The need to avoid excessive additional development costs was recognised in the MIR and will be considered in policy and guidance.

**Recommendation:**

These comments will be considered in preparing the Proposed Plan.

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**Main Issue:** 4

**Question:** 11

**Answer:** Yes

**Representation:** 758/010

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

The LDP should have regard to the requirements of the building regulations and should not impose more stringent targets which will only lead to increased building costs and higher house prices.

**Representation:** 902/011

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The avoidance of green house emissions on a local basis may not have any effect on climate change due to the global nature of the problem.

However the necessity to use such technology will lead to innovation and economic growth. The Council should do all it can to encourage the development of this sector in order to bring new industry into the area.

Sustainable economic growth by definition will be long-term, the delivery of housing and business premises should meet at least the levels specified in Tables 9 and 10.

**Response:**

Comments noted. The contribution of greenhouse emissions may be limited but will contribute to international targets to reduce greenhouse gas emissions by the countries committed to the Kyoto international agreement on addressing factors causing climate change. As noted there may also be beneficial economic and health benefits through the provision of homes that are more efficient and use less energy and the support for the preferred options in welcome.

**Recommendation:**

These comments will be considered in preparing the Proposed Plan.

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**Main Issue:** 4

**Question:** 11

**Answer:** Yes

**Representation:** 772/005

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Scottish Government question the reference to permitted development rights in paragraph 5.18. The requirement for zero carbon generating technologies (ZCGT) is for all new would be considered at planning application stage.

Scottish Government prefer the alternative option in Table 9 of specifying rising amounts of projected greenhouse gas emissions to be avoided. SPP states that local development plans must require all new buildings to be designed to avoid a specified and rising proportion of

the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies.

**Representation:** 794/003

**Organisation:** Scottish Enterprise

**Representee:** Peter Noad

**Comment:**

This is consistent with sustainable economic development objectives.

**Representation:** 776/004

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

There can be nothing lost by working towards these two options. Can new build - even affordable new build - that cannot accept at least low carbon generating technologies be contemplated?

**Representation:** 849/013

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

None

**Representation:** 907/008

**Organisation:** CHAP Homes

**Agents:** Halliday Fraser Munro

**Comment:**

CHAP Homes support the vision of the preferred option but disagree with implementing such a tight timescale in the current economic environment. The carbon reduction target will add significant costs, particularly to smaller and affordable house types. If enforced before market recovery, it will impact on the financial viability of many sites.

**Representation:** 788/011

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes would support Angus Council in their approach to reducing gas emission from new buildings and support the preferred option as set out within Table 9. The requirements set out within the preferred option will be required of all new development through Building Regulations and so any policy of the Proposed ALDP would not create further burden on the development industry by insisting on a level of carbon reduction % based on set levels and through needless use of low and zero-carbon generating technologies. Stewart Milne Homes advocate a "fabric first approach" and have over a number of years developed a product that exceeds the current building standard requirements in carbon output. This has been achieved through improved fabric solutions namely air tightness, quality of materials and levels of insulation within our homes. We continue to lobby the Government against the Climate Change (Scotland) Act 2009 with regards to the push on the industry to implement small scale renewable energy technologies to reduce carbon emissions. We welcome the fact that Angus Council seek to look at alternative ways in which to limit carbon output from new homes.

**Response:**

Comments and support noted. The need to avoid excessive additional development costs was recognised in the MIR and will be considered in Proposed ALDP policy and guidance

**Recommendation:**

These comments will be considered in preparing the Proposed Plan.

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**Main Issue:** 4                      **Question:** 11                      **Answer:** No view

**Representation:** 798/011

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage expect SEPA to provide advice on this issue.

**Response:**

Comment noted.

**Recommendation:**

Comment noted.

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**Main Issue:** 4                      **Question:** 11                      **Answer:** No

**Representation:** 871/011

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

The production of Supplementary Planning Guidance with a Sustainability Checklist for new developments, based on the requirements of SPP, may be appropriate, subject to further consultation on its contents and would be preferred to the detailed approaches set out in these tables.

Whilst developments should strive to achieve the low carbon targets proposed by the Scottish Government, the LDP policies should be balanced against achieving viable developments in this economic climate. The ability of developments to reach zero carbon generating technologies may place a financial burden on developments and the imposition of overly stringent standards could threaten the viability of development.

Alternative legislation is available to ensure a reduction in CO2 emissions in developments and therefore the Policy in the LDP should be of a general nature only encouraging such developments, with specific targets being the responsibility of other legislation and policy documents.

This approach is supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). SPP refers to the role of Local Development Plans in securing land use requirements on sustainable developments and it is considered that the LDP policy should comply with SPP.

The DCF submitted with this representation indicates a commitment to a form and pattern of development which has had regard to the above stated principles on sustainable design, which can be progressed further through the masterplanning process. The proposal also intends to supply energy to the development from wind power, which will be progressed in tandem with the proposal.

**Representation:** 757/009

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**



The production of Supplementary Planning Guidance with a Sustainability Checklist for new developments, based on the requirements of SPP, may be appropriate, subject to further consultation on its contents and would be preferred to the detailed approaches set out in these tables.

SPP is clear that the role of Development Plans is to guide development to promote a pattern of development which is sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions (Paragraph 42). SPP refers to the role of Local Development Plans in securing land use requirements on sustainable developments and it is considered that the LDP policy should comply with SPP, by, inter alia, guiding new development to sustainable locations. The extension to the existing Arbroath settlement boundary, which is one of the seven principal settlements preferred for growth in the TAYplan, would constitute a sustainable pattern of growth.

**Representation:** 863/011

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

The production of Supplementary Planning Guidance with a Sustainability Checklist for new developments, based on the requirements of SPP, may be appropriate, subject to further consultation on its contents and would be preferred to the detailed approaches set out in these tables.

Whilst developments should strive to achieve the low carbon targets proposed by the Scottish Government, the LDP policies should be balanced against achieving viable developments in this economic climate. The ability of developments to reach zero carbon generating technologies may place a financial burden on developments and the imposition of overly stringent standards could threaten the viability of development.

Alternative legislation is available to ensure a reduction in CO2 emissions in developments and therefore the Policy in the LDP should be of a general nature only encouraging such developments, with specific targets being the responsibility of other legislation and policy documents.

This approach is supported by SPP which is clear that the role of Development Plans is to guide development to promote a pattern of development which sustainable and to require the siting, design and layout of all new development to limit likely greenhouse gas emissions, particularly by limiting resource and energy requirements (Paragraph 42). SPP refers to the role of Local Development Plans in securing land use requirements on sustainable developments and it is considered that the LDP policy should comply with SPP. The DCF submitted with this submission indicates a commitment to mixed-use development and a form and pattern of development which has had regard to the above stated principles on sustainable design, which can be progressed further through the masterplanning process.

**Response:**

The Development Plan is required to develop policies relating to reduction of carbon emissions and to contribute to the Government targets for reducing emission of greenhouse gases from new development. Whilst the building regulation will set the parameters for construction, the Proposed ALDP can add further requirements, advice and encouragement to developers. The need to avoid excessive additional development costs was recognised in the MIR and will be considered in subsequent policy and guidance. The details of layout, design and the generation of on-site renewable energy generation to address the emission of green house gases and reduction in demand for energy from the national grid is welcomed and would be addressed through all relevant ALDP policies and the Development Management process.

It is agreed that extension to the existing development boundary can constitute a sustainable pattern of growth as evidenced in the MIR preferred option for new land allocation in Arbroath.

**Recommendation:**

Comments noted. These representations will be considered in the preparation of the Proposed Plan. Site specific matters should be developed in accordance with policy and guidance to be provided in the Proposed ALDP.

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**Main Issue:** 4

**Question:** 11

**Answer:** Yes

**Representation:** 916/006

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SEPA support the preferred options outlined in table 9 and 10. This approach will help deliver low energy-demand settlements and contribute to reducing Scotland's greenhouse gas emissions. However, rather than just focusing on the use of low and zero carbon technologies this option should also acknowledge that reducing the demand for energy can also be achieved through passive design and a spatial strategy that reduces the need to travel. Transport is the second largest cause of greenhouse gas emissions, so reducing vehicle use is fundamental to reducing emissions.

When developing these policy principles SEPA encourage Angus Council to consider the energy hierarchy as the most sustainable approach to reducing green house gas emissions. This could be achieved by revising policy ER33 Energy Efficiency in the ALPR to include an energy hierarchy by applying the principles that underpin the waste hierarchy - 'reduce, reuse, recycle and recover' - to energy. SEPA have developed an energy hierarchy as part of the Energy Position Statement (page 9). In accordance with the hierarchy the first priority to reducing greenhouse gas emissions should be to reduce the amount of energy used by minimising the demand and then increase the efficiency of any systems that use energy, as set out in the Scottish Government's Energy Efficiency Action Plan. When all achievable methods of energy reduction are in place you can then consider the role of low and zero carbon generating technologies.

**Response:**

Support noted and SEPA guidance will provide useful input into policy development including ongoing stakeholder discussion.

**Recommendation:**

Comments noted. This representation and associated policy and guidance will be considered in preparing the Proposed Plan.

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**Main Issue:** 4

**Question:** 11

**Answer:** No view

**Representation:** 889/010

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 855/011

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

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**Chapter 5 – Question 12 Do you agree with the preferred options that are shown in Tables 11 and 12, for guiding and considering renewable energy proposals? Please explain your answer.**

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**Main Issue:** 5

**Question:** 12

**Answer:** Yes

**Representation:** 778/001

**Organisation:** Hunthill Estate

**Agents:** Graham + Sibbald

**Comment:**

This submission is in response to Table 11 within the MIR – dealing with wind turbine developments.

There is no doubt that the current Development Plan, supplemented by the Implementation Guide, is helpful in assessing proposed wind energy developments. However, that combination of documents is not up to date spatial guidance of the type sought (indeed required) by the Scottish Government nor is the current policy framework informed by an up to date landscape capacity assessment that addresses all scales of wind energy development taking into account what has already been permitted/consented. Therefore, on appeal or at a s36 Inquiry, the Council's position could easily be rejected based on procedural issues rather than on the substantive determining LVIA and planning policy/balance issues.

Therefore, in order to address this potential situation the content of paragraph 5.27 and the preferred option in Table 11 are both supported.

However, that support is strongly caveated by the view that there is an urgent need for the Council to progress this new, up to date and evidence based approach to spatial guidance and to secure its adoption as formal Supplementary Guidance all as soon as possible.

The Council should target an initial public consultation exercise in Spring 2013.

**Representation:** 871/012

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

The reasonable alternative is supported to enable proposals to be considered on their site-specific merits. In short, the continuation of the current criteria-based policies of the local plan, supplemented by the recent implementation guide, which will be enhanced to provide a spatial framework for wind energy developments with a generating capacity of over 20MW provides for the appropriate level of guidance on this issue, allowing smaller scale proposals to be considered on their own merits.

**Representation:** 779/001

**Representee:** Mr John Simson

**Agents:** Graham + Sibbald

**Comment:**

This brief submission is in response to Table 11 within the MIR – dealing with wind turbine developments.

There is no doubt that the current Development Plan, supplemented by the Implementation Guide, is helpful in assessing proposed wind energy developments. However, that combination of documents is not up to date spatial guidance of the type sought (indeed required) by the Scottish Government nor is the current policy framework informed by an up to date landscape capacity assessment that addresses all scales of wind energy development taking into account what has already been permitted/consented. In particular the various issues that come into play when assessing individual turbines – such as the effect

on neighbours and the effect on amenity are not sufficiently well articulated. Furthermore, the historical context of many Listed Buildings, including the immediate and wider landscape setting of Gallery in particular, does not appear to be given sufficient weight either by Historic Scotland (in consultation replies) or by the Council, in assessing and determining wind energy planning applications. Therefore, unfortunate decisions can be made whose effects are then only realised, too late, when the wind turbine or wind farm is built. In addition, on appeal or at a s36 Inquiry, the Council's position, even if it took into account the issues of concern over setting, could easily be rejected based on procedural issues rather than on the substantive determining LVIA and planning policy/balance issues.

Therefore, in order to address this potential situation the content of paragraph 5.27 and the preferred option in Table 11 are both supported.

However, that support is strongly caveated by the view that there is an urgent need for the Council to progress this new, up to date and evidence based approach to spatial guidance and to secure its adoption as formal Supplementary Guidance all as soon as possible. The support is also caveated by the view that the applicable criteria need to be more certain and clearer on how the historic environment, including setting, is to be properly taken into account in the consideration of all wind turbine and wind farm applications.

The Council should target an initial public consultation exercise in Spring 2013 to urgently address these issues.

**Representation:** 777/001

**Organisation:** Glenogil Estate

**Agents:** Graham + Sibbald

**Comment:**

This submission is in response to Table 11 within the MIR – dealing with wind turbine developments.

There is no doubt that the current Development Plan, supplemented by the Implementation Guide, is helpful in assessing proposed wind energy developments. However, that combination of documents is not up to date spatial guidance of the type sought (indeed required) by the Scottish Government nor is the current policy framework informed by an up to date landscape capacity assessment that addresses all scales of wind energy development taking into account what has already been permitted/consented. Therefore, on appeal or at a s36 Inquiry, the Council's position could easily be rejected based on procedural issues rather than on the substantive determining LVIA and planning policy/balance issues.

Therefore, in order to address this potential situation the content of paragraph 5.27 and the preferred option in Table 11 are both supported.

However, that support is strongly caveated by the view that there is an urgent need for the Council to progress this new, up to date and evidence based approach to spatial guidance and to secure its adoption as formal Supplementary Guidance all as soon as possible.

The Council should target an initial public consultation exercise in Spring 2013.

**Response:**

Scottish Planning Policy (SPP) 2014 identifies elements to be included in a Locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. A Strategic Landscape Assessment for Wind Energy in Angus was published in 2014

and will help inform preparation of future Supplementary Guidance following publication of the LDP.

There is a legislative framework and guidance for the Historic Environment which is applied in the consideration of planning applications affecting listed buildings and their settings. Angus Council determines planning applications within this context and with the advice of Historic Scotland. Specialist advice on matters relating to listed buildings is also provided within the Council.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Main Issue:** 5                                  **Question:** 12                                  **Answer:** Yes

**Representation:** 849/014

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Want to encourage the use of renewable alternatives.

**Representation:** 794/004

**Organisation:** Scottish Enterprise

**Representee:** Peter Noad

**Comment:**

This is consistent with sustainable economic development objectives.

**Representation:** 776/005

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

The additional work would be worth undertaking. Cumulative impact, particularly in the case of wind farms, is a very important issue.

A proportion of applications for wind farms is de rigour bound to be approved by the Council ( and, no doubt, there would be approved a larger proportion of applications submitted to the Scottish Government). The task of determination for the Council is a weighty one but could be made lighter perhaps by incorporating strict guidelines regarding cumulative impact. Perhaps, also, a few large farms would be less aesthetically detrimental to our countryside than a multitude of small ones.

**Response:**

Comments and support noted. With regard to scale of development, all applications are considered on their merits and development should be appropriate to its site and location.

**Recommendation:**

Comments noted.

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**Representation:** 793/001

**Representee:** Derek Powell

**Comment:**

Among the opening comments in the Main Issues report are the following statements:

"The quality of life will make it a place of first choice where more people will choose to live, work, study and visit, and where businesses choose to invest and create jobs".

"Angus is a place where a first class quality of life can be enjoyed by all".

Whilst these statements are admirable and praiseworthy objectives, sadly the objectives of local government and the aspirations of many residents are threatened by the opposing and frequently contrary objectives of central government, particularly in the matter of 'renewable energy'.

Planning policies, unfortunately, place more emphasis on the landscape and the well-being of bats than on the well-being of residents.

The proposal for a map-based potential for renewables development could be a move in the right direction, (given a huge stretch of logic to even consider them justifiable), given certain considerations:

- \* any such map should indicate areas where turbines over certain sizes would not be allowed under any circumstances;
- \* that any map would give sufficient separation for individual dwellings from any turbine;
- \* that any dwelling setback distance would take account of both visual amenity and the strong evidence of noise in its many forms;
- \* that any such map would not result in areas of housing blight through property devaluation.

It is recognised that some of these points are not within current planning policies or are determined by central government, but if the objectives stated in the opening paragraphs are to have any meaning, then policies must be challenged at all levels, irrespective of political dogma, if Angus is to be a place where a first class quality of life can be enjoyed by all.

**Response:**

Scottish Planning Policy (SPP) 2014 identifies the elements to be included in a Locational Framework for wind farms including community separation. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. A Strategic Landscape Assessment for Wind Energy in Angus was published in 2014 and will help inform preparation of future Supplementary Guidance following publication of the LDP.

The current Implementation Guide and proposed SG do and will continue to assess residential amenity within the context of planning policy.

As noted, some areas of concern cannot be addressed by the land use planning system.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 902/012

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The City of Brechin & District Community Council supports the designation of areas of local landscape value and a more detailed map-based approach to assessing the cumulative impact of onshore wind turbine development.

City of Brechin & District Community Council support a positive approach to all forms of renewable energy development. Although in its early stages the LDP should include policy guidance that encourages such technology.

**Response:**

Support noted. Scottish Planning Policy (SPP) 2014 identifies the elements to be included in a Locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP 2014 and SNH guidance. The LDP and Supplementary Guidance will promote a range of renewable energy options, reduced energy use and cumulative impact.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Main Issue:** 5**Question:** 12**Answer:** No**Representation:** 782/001**Organisation:** RES UK & Ireland Ltd**Representee:** Carolyn Wilson**Comment:**

RES does not agree with the preferred options that are shown in Tables 11 and 12 for guiding and considering renewable energy proposals. The intentions outlined in Appendix 2 however, in relation to the existing local plan policies, would be a preferred alternative option. The approach to retain, but significantly update Policies ER34 & ER35 to take account of the Scottish Government's position at the time of the publication of the plan and to provide additional policy clarification, together with siting and design advice through ancillary Supplementary Guidance (SG) is welcomed. It is noted that the commissioned Landscape Capacity Study will assist, rather than form the basis of, a spatial strategy for wind farms of 20MW generating capacity as required by Scottish Planning Policy (SPP) (2010). The intention to review the current Implementation Guide for Renewable Energy in Angus is also supported.

The reasons for the preferred alternative option as highlighted above are enshrined in national planning policy support for renewable energy and the Scottish Government's overarching purpose to increase sustainable economic growth, through the promotion of sustainable development and to tackle climate change. These reasons are outlined as follows:

In general RES welcomes the inclusion of renewable energy as a main issue for the emerging local development plan. SPP confirms that planning authorities should support a diverse range of renewable energy technologies and provide clarity on pertinent issues to guide development to appropriate locations. With particular reference to wind farms paragraph 187 of SPP is clear in its intention that "planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed." To achieve this development plans are required to provide a clear indication of the potential for development of wind farms of all scales and should set out the relevant criteria for consideration. On this basis we support the consideration of onshore wind energy development as a significant contributor to the renewable energy development highlighted as a main issue for the emerging Angus Local Development Plan.

**Representation:** 784/001**Organisation:** Polar Energy LLP**Agents:** Atmos Consulting**Comment:**

The preferred options for guiding and considering renewable energy proposals are not agreed.

There are limited opportunities in Angus for commercial scale onshore wind development as demonstrated in the constraints assessment undertaken for this submission.

The LDP should continue the criteria based policy approach of the Local Plan Review, with the policies revised and updated so that they form an effective policy framework. It would be necessary to also revise and update the Implementation Guide if that is carried forward as SPG to the LDP.

The preparation of a map based cumulative assessment tool is unnecessary and is unlikely to be effective or remain relevant over the life of the LDP.

Should the Council wish to progress the designation of areas of local landscape value, this should be undertaken as a comprehensive exercise and relate to all forms of development, not just renewable energy. This would require the review of the existing Local Plan Review countryside policy. Any local landscape area designated must be fully justified with a clearly defined boundary and citation setting out why it has been designated with policy developed accordingly.

**Representation:** 785/001

**Organisation:** Element Power Northern Europe Developments Ltd

**Agents:** Atmos Consulting

**Comment:**

The preferred options for guiding and considering renewable energy proposals are not agreed.

The LDP should continue the criteria based policy approach of the Local Plan Review, with the policies revised and updated so that they form an effective policy framework. It would be necessary to also revise and update the Implementation Guide if that is carried forward as SPG to the LDP.

The preparation of a map based cumulative assessment tool is unnecessary and is unlikely to be effective or remain relevant over the life of the LDP.

Should the Council wish to progress the designation of areas of local landscape value, this should be undertaken as a comprehensive exercise and relate to all forms of development, not just renewable energy. This would require the review of the existing Local Plan Review countryside policy. Any local landscape area designated must be fully justified with a clearly defined boundary and citation setting out why it has been designated with policy developed accordingly.

**Response:**

Comments noted. Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP 2014 and SNH guidance and will inform the SG.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.



**Main Issue:** 5                      **Question:** 12                      **Answer:** Yes

**Representation:** 798/012

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage consider that the preferred option set out in these tables provides a comprehensive and positive plan-led approach to renewable energy. Scottish Natural Heritage are keen to help develop the spatial framework for wind energy development and to advise on the proposed areas of local landscape value. There are now some good examples of spatial frameworks from other authorities that go beyond the consideration of 20MW farms and Scottish Natural Heritage would be pleased to share these with Angus Council.

**Response:**

Support noted and input into development of policy and guidance welcome.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

**Main Issue:** 5                      **Question:** 12                      **Answer:** Yes

**Representation:** 790/001

**Organisation:** The Mountaineering Council of Scotland

**Representee:** David Gibson

**Comment:**

The Mountaineering Council of Scotland support the preferred option for a more detailed map based approach to assessing cumulative impacts to be developed as part of a spatial framework for all wind energy developments in Angus.

The Mountaineering Council of Scotland strongly endorse paragraph 5.26. We believe it is essential that the LDP is clear on those areas of Angus where wind energy proposals would be unsuitable and further support the option in paragraph 5.27 to consider wind energy proposals of less than 20 MW.

The Mountaineering Council of Scotland support the preferred option to designate areas of local landscape value in Angus as elaborated in paragraph 5.28. The existing polices of the current local plan are unlikely to give adequate protection to varied landscapes of Angus.

The Main Issues Report refers to Supplementary Guidance which is to be prepared. As a key organisation with an interest in the environment, The Mountaineering Council of Scotland would welcome the opportunity to engage with the Planning Authority to support the drafting of this guidance.

**Response:**

Support noted. Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. Local non statutory designations which may be developed by Angus Council will address local landscape value and nature conservation sites (including geodiversity) in accordance with SPP and SNH guidance. Designated Wild Land maps have now been published by SNH and will inform the SG.

Since publication of the MIR the Scottish Government have supported heat mapping across Scotland and opportunities for district heating heat networks and this is reflected in the emerging LDP.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework. The Mountaineering Council of Scotland will be included in any consultation on emerging Supplementary Guidance for Renewable Energy Development.

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**Representation:** 775/001**Main Issue:** 5**Question:** 12**Answer:** Yes**Organisation:** RSPB Scotland**Representee:** Claire Smith**Comment:**

RSPB Scotland supports the preferred option as we are increasingly concerned about cumulative impacts on birds in the wider countryside.

**Response:**

Scottish Planning Policy (SPP) 2014 identifies elements to be included in a locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework. The RSPB will be included in any consultation on emerging Supplementary Guidance for Renewable Energy Development.

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**Main Issue:** 5**Question:** 12**Answer:** Yes**Representation:** 916/007**Organisation:** Scottish Environment Protection Agency**Representee:** Alasdair Milne**Comment:**

In relation to wind energy SEPA support the preferred option in table 11 to carry forward existing policies and provide more detail on assessing the cumulative impacts of wind energy. SEPA understand that the Implementation Guide for Renewable Energy Proposals will be enhanced to form the basis of the spatial framework and adopted as supplementary guidance. SEPA provided comments on the draft implementation guide in March 2012. As highlighted in its response to the Implementation Guide, SEPA would expect the spatial strategy and supplementary guidance to consider the impacts of wind energy developments on carbon rich soils, the water environment and waste. This is particularly important as wind energy developments have the potential to cause significant environmental effects through the release of stored carbon in peaty (and other carbon rich) soils. This contributes to greenhouse gas emissions, pollution/siltation of watercourses and the generation of waste peat that is difficult to dispose. Our soil map indicates that peat soils are present in the upland areas of Angus. To ensure that wind energy developments avoid areas of peat we recommend that this is identified as a constraint in the spatial strategy.

When revising policy ER35 Wind Energy Development SEPA recommend that an additional criterion is added to ensure that adverse environmental impacts are avoided or minimised. The plan should also include a policy framework for the protection of carbon rich soils. This could either be included as part of the wind energy policy or included as a separate policy for the protection of soil functionality which includes carbon rich soils (such as peat) along with prime agricultural land (e.g. as part of policy ER30 Agricultural Land). SEPA have recently produced a Soils Position Statement that outlines how that land use planning can address soil

related issues. You may wish to consider the information contained in this document when developing the policy wording.

In relation to other forms of renewables, SEPA support the proposal in the preferred option to develop policy and guidance on renewable heat or heat and power facilities and the potential for anaerobic digestion technologies. This will provide a positive approach to treating waste as a resource and contribute to the delivery of the Zero Waste Plan. Notwithstanding this, in terms of the overall approach to renewables our preference is the alternative option for a plan-led approach which promotes renewable heat and power facilities through appropriate land allocations. As such, SEPA strongly recommend that the chosen approach incorporates both the preferred and alternative options.

In general, SEPA do not support development plans which rely solely on criteria based policies. SEPA consider development plans that combine policy framework with the identification of appropriate land allocations to be the most positive approach.

SEPA notes that Angus Council intend to promote the use of anaerobic digestion to recover food waste. SEPA support development of bio-energy and recommend that the policies in the plan encourage the recovery of appropriate waste material as the most sustainable feedstock in accordance with the waste hierarchy. In terms of anaerobic digestion this could include by-products from food production, commercial and household food waste, other soft organic materials (e.g. some green waste) and sewage sludge. Other bio-energy generation such as biomass could include waste from forestry, agriculture and some unrecycled plastics. This approach is the most sustainable and will reduce the pressure for dedicated bio-energy feedstock production.

SEPA are concerned that Main Issue 5 only relates to renewable energy. In general, SEPA require plans to include a policy framework to facilitate all energy developments, including renewable and low carbon developments. This requirement is likely to be reflected in the revised Scottish Planning Policy. As the current policy wording only applies to renewable energy technologies there is a chance that it will not capture all emerging energy generating technologies. To address this, SEPA recommend that Policy ER34 Renewable Energy in the ALPR is amended to support all forms of renewable and low carbon generating energy technologies.

The revised policies should also recognise the role of decentralised and local renewable or low carbon sources of heat and power and the re-use of surplus heat. This should incorporate the need for Energy from Waste facilities to maximise efficiency by creating a new heat network, or working with an existing heat network. This approach would require a policy direction that new developments must link in to existing (or new) heat networks in order to maximise the efficiency of existing heat provision. This approach would support the contribution towards national climate change targets for heat through co-location of potential heat users and heat providers, ensuring maximum efficiency and use of heat and energy from thermal treatment plants. Heat recovery should therefore be a key part of site selection and decision making when selecting sites for thermal energy plants. The plan should therefore promote the reuse of waste heat associated with these developments as the most sustainable and energy efficient option. The links between renewable and low carbon energy, decentralisation of the network and waste management should be drawn out in the next stage of the LDP process by linking the relevant policies.

To assist the implementation of decentralised energy systems SEPA recommend that Angus Council identify sites in the plan or proposed supplementary guidance that may have scope for decentralised energy. To assist the implementation of decentralised energy systems SEPA recommend that you undertake a heat mapping exercise or identify areas of search and sites for other renewable and low carbon energy developments. This should include sites for power generation and transmissions and should take into account the potential for local

heat networks to maximise opportunities to use surplus heat. A good example of how this could be taken forward is the Highland Heat Mapping Project. This could be taken forward through the action programme.

If Angus Council agree to take this approach, SEPA would welcome early engagement on any sites for decentralised energy that you intend to identify in the plan. As these sites may require regulation by SEPA any potential emissions to air, noise and/or odour should not have a detrimental impact on existing sensitive receptors.

**Response:**

Scottish Planning Policy (SPP) 2014 identifies elements to be included in a Locational Framework for wind farms. This negates the map based approach advocated in the preferred option. The reasonable alternative now complies with SPP excluding the 20MW threshold. The current Implementation Guide and SG do and will address carbon rich soils, the water environment and waste; adverse environmental impacts.

Since publication of the MIR the Scottish Government have supported heat mapping across Scotland and opportunities for district heating heat networks and this is reflected in the emerging LDP

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework. The Proposed ALDP will address renewable and low carbon energy generation, heat mapping and exchange and energy efficiency with a view to building an information base to facilitate infrastructure, co-location and retro-fitting of heat network, community and district heating schemes etc.

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**Main Issue:** 5                      **Question:** 12                      **Answer:** No view  
**Representation:** 844/013  
**Organisation:** D J Laing  
**Agents:** Emac Planning

**Representation:** 855/012  
**Organisation:** Gedhall Ltd  
**Agents:** Strutt & Parker

**Representation:** 760/031  
**Representee:** Mr M Batchelor  
**Agents:** Emac Planning LLP

**Representation:** 788/028  
**Organisation:** Stewart Milne Homes  
**Representee:** Shelley Thomson  
**Agents:** Emac Planning

**Representation:** 758/011  
**Representee:** Mr & Mrs Lochart Porter  
**Agents:** Burness Paull & Williamsons LLP

**Representation:** 889/011  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 759/012  
**Representee:** Mr C Hay  
**Agents:** Emac Planning

**Representation:** 786/012  
**Organisation:** Guild Homes  
**Representee:** Mark Guild

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**Chapter 5 – Question 13 Do you agree with the preferred options that are shown in Tables 13 and 14 for dealing with the increased risk of flooding and erosion? Please explain your answer.**

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 798/013

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Table 13 Preferred approach re: flooding - No view. Scottish Natural Heritage would expect SEPA to provide advice on the preferred and alternative approaches to managing flood-risk.

Table 14 Preferred approach re: increased risk of erosion - Yes. Scottish Natural Heritage strongly support the preferred option because it provides more certainty for developers in terms of the assessments that will be required (or not required) in certain areas. Scottish Natural Heritage would be happy to advise further on the information available to help identify the areas where it would be appropriate to ask for geomorphology assessments. Coastal erosion is a particular concern for Angus and Scottish Natural Heritage would support a more strategic approach to identifying these areas and exploration of alternative and more cost effective coastal solutions such as managed realignment. This also has potential to provide new habitats with biodiversity value.

**Response:**

Support noted.

**Recommendation:**

Support and Comments noted.

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 760/032

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Response:**

Support for the preferred option for dealing with the increased risk of coastal flooding through specific land allocations and safeguarding areas; and a requirement for flood risk assessment for new development is noted.

Support for the alternative option for dealing with increased risk of erosion is noted. The identification of areas prone to ground instability where geomorphological assessments may be required is supported by the Scottish Environmental Protection Agency (see 916/009; 916/008 and ) and the issue will continue to be dealt with through the development management process, but with better information for the preparation and assessment of planning applications by indicating areas where an assessment may be required, with associated resource implications, before submitting a planning application.

**Recommendation:**

No change. This representation will be considered in preparing the proposed Plan

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**Main Issue:** 6                      **Question:** 13                      **Answer:** Yes

**Representation:** 776/006

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

Lunanhead & District Community Council can find no fault in the arguing of this issue. It seems very likely that the frequency of extreme weather incidents will continue to rise and with it the frequency of flooding and landslip occurrences. SEPA's involvement in forecasting it and remedial action is very important. It appears that there has been in recent years a marked decrease in private drainage and waterway maintenance and perhaps there is a need for the relaxation in regulations concerning this.

**Response:**

Comment noted.

**Recommendation:**

No change. This representation will be considered in preparing the proposed Plan

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**Main Issue:** 6                      **Question:** 13                      **Answer:** No

**Representation:** 902/013

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

Latest scientific data and considered views of climatologists and other experts in related field suggest that a more precautionary approach would be sensible. City of Brechin & District Community Council therefore supports the reasonable alternative in Table 13. However for the same reason City of Brechin & District Community Council support the Preferred Option in Table 14.

**Response:**

Support for Alternative option noted. The majority of respondents, including the Scottish Environment Protection Agency support the approach outlined in the Preferred Option as providing the most appropriate response to flood risk throughout Angus. This submission gives no justification for not continuing with the Preferred Option.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 6                      **Question:** 13                      **Answer:** Yes

**Representation:** 760/012

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. The reasonable alternative is not supported as this is too prescriptive. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Representation:** 788/029

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. The reasonable alternative is not supported as this is too prescriptive. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Representation:** 759/013**Representee:** Mr C Hay**Agents:** Emac Planning**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. The reasonable alternative is not supported as this is too prescriptive. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Representation:** 844/014**Organisation:** D J Laing**Agents:** Emac Planning**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. The reasonable alternative is not supported as this is too prescriptive. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Representation:** 893/012**Organisation:** Delson Contracts Ltd**Agents:** Emac Planning LLP**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. The reasonable alternative is not supported as this is too prescriptive. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Representation:** 871/013**Representee:** Mr R Watson**Agents:** Emac Planning LLP**Comment:**

In terms of table 13, the preferred option is supported and takes account of this issue on a site-specific basis, sufficient for development management purposes and having regard to SEPA's requirements. In relation to table 14, the reasonable alternative is supported as this issue can be responded to, through the existing development management process.

**Response:**

Support for the preferred option for dealing with the increased risk of coastal flooding through specific land allocations and safeguarding areas; and a requirement for flood risk assessment for new development is noted.

Support for the alternative option for dealing with increased risk of erosion is noted. The identification of areas prone to ground instability where geomorphological assessments may be required is supported by the Scottish Environmental Protection Agency (see 916/009; 916/008 and ) and the issue will continue to be dealt with through the development management process, but with better information for the preparation and assessment of



planning applications by indicating areas where an assessment may be required, with associated resource implications, before submitting a planning application.

**Recommendation:**

No change to the preferred approach, investigate whether Angus Council has the resources to identify areas prone to ground instability, when an assessment is required and that the skills are available to assess the findings of any such study.

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 916/009

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

The preferred approach in Table 14 appears sensible if it provides clarity to developers as to when a geomorphology assessment would be required. It is presumed that the LDP will display graphically the areas at increased risk of ground instability and that Angus Council's Roads Department will be responsible for reviewing any geomorphology assessments that are submitted. It should be noted that SEPA does not have the expertise to review any such assessments.

**Response:**

Support noted and SEPA's role accepted.

**Recommendation:**

No Change to the Preferred Option. Policy in the Proposed ALDP should be capable of assessment within the resources and expertise of Angus Council.

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 916/008

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SEPA agree with the preferred approach in Table 13 in terms of the fact that areas known to flood or which have been set aside for river or coastal flood management should be safeguarded from development and that FRAs with allowances for climate change will continue to be required. This approach is in keeping with Angus Council's duties under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management, of which avoidance of flood risk is a corner stone and the approach will help increase resilience of future development to climate change. Furthermore it accords with the guidance in paragraph 205 of SPP which states that LDPs should "safeguard the flood storage and conveyance capacity of functional flood plains".

However SEPA recommend that the policy coverage in the proposed LDP is updated from ER27 and ER28 in the ALPR to highlight that an appropriate assessment of flood risk will be required to support applications at sites where there is a risk of flooding from any source. The sources of flood risk include pluvial, fluvial (from any watercourse not dependent on the scale of the catchment), groundwater, sewer and coastal sources. Furthermore the policy should make a commitment that development within the functional flood plain or areas at risk from other sources should be avoided. The broader definition of flood risk and focus on avoiding development in areas known to flood is in keeping with sustainable flood risk management and the duty to reduce overall flood risk set out in the FRMA. Furthermore it accords with the statutory guidance produced by Scottish Government entitled Delivering Sustainable Flood Management which establishes the overarching outcomes for Scotland. These include "Flood management actions being undertaken that will stand the test of time

and be adaptable to future changes in the climate". Development on the functional flood plain or on areas at risk of flooding from other sources would be contrary to climate change mitigation as it would increase the number of people residing in an area at risk of flooding who would be affected by increased flooding due to sea level rise or increased precipitation.

SEPA recommend that the policy in the proposed LDP highlights that a freeboard allowance of at least 500-600mm should be included between the design flood level and finished floor level of any development. Furthermore it is recommended that the policy wording includes a requirement that water resilient materials and forms of construction should be utilised in any development which is located in medium to high risk areas, if it accords with the risk framework, or adjacent to areas at risk of flooding from any source. The use of water resilient materials at these locations would help lessen the impact of any future flooding of buildings and therefore these measures would contribute to resilience to climate change should precipitation or sea levels increase.

In order that Local Development Plan spatial strategy and allocations are informed regarding flood risk from all sources we recommend that a Strategic Flood Risk Assessment (SFRA) is undertaken. SFRA is designed for the purposes of informing the development planning process, primarily, to avoid increasing overall flood risk by avoiding areas of flood hazard.

An SFRA constitutes a strategic overview of flood risk to the development plan area and should involve the collection, analysis and presentation of all existing available and readily derivable information on flood risk from all sources. It should be used to apply the risk based approach to the identification of land for development and for the development of policies for flood risk management, including surface water management. Planning authorities should prepare SFRA in consultation with SEPA and other stakeholders with an aim to achieving co-ownership of the assessment. This may also usefully inform flood risk considerations beyond the development plan process. Further guidance can be found on [http://www.sepa.org.uk/planning/flood\\_risk/planning\\_authorities.aspx](http://www.sepa.org.uk/planning/flood_risk/planning_authorities.aspx).

It should be noted that SEPA have recently produced Land Use Vulnerability Guidance which is advisory and to be used alongside the Risk Framework set out in the SPP to assess the risks of proposed land allocations, including where a change of use may increase vulnerability to flood risk by imposing greater impacts than the previous use. The approach is intended to support a more robust consideration of the impacts of flooding in accordance with the FRMA. The guidance is available from the following page [http://www.sepa.org.uk/planning/flood\\_risk/policies\\_and\\_guidance.aspx](http://www.sepa.org.uk/planning/flood_risk/policies_and_guidance.aspx).

For information, SEPA have a Technical Flood Risk Guidance for Stakeholders document which outlines methodologies that may be appropriate for hydrological and hydraulic modelling and what information SEPA requires to be submitted as part of an FRA. This document could be referred to in policy wording or supplementary guidance prepared on this topic and is available from the following webpage: [http://www.sepa.org.uk/planning/flood\\_risk/policies\\_and\\_guidance.aspx](http://www.sepa.org.uk/planning/flood_risk/policies_and_guidance.aspx)

For your information links are provided below to the wording of Policy EP2 from Perth and Kinross Council Proposed LDP which we have supported <http://eplanning.pkc.gov.uk/oldp-web/doc/contentsAction.do?itemId=IDb5c01503041b70d41d80e3dbe31bbd8c&pageSize=20&pageNumber=1> and

Primary Policy 5 from the Stirling Council Proposed LDP which we have supported, except for one alteration to remove the text "to determine the functional flood plain" from part (b)(i) to ensure the policy applies to all sources of flood risk.

<http://ldponline.stirling.gov.uk/oldp-web/doc/contentsAction.do?pageNumber=1&itemId=IDcba0a4ee5ccd02fda0fe3f9a3e7b89fe>

**Response:**

Support noted and input into development of policy and guidance welcome.

**Recommendation:**

No change to Preferred Option, work with Scottish Environment Protection Agency in development of policy and guidance.

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 788/012

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Stewart Milne Homes support the preferred option as set out within Tables 13 and 14 by Angus Council, to rely on existing information on flood risk, including indicative flood risk maps and advice from SEPA and Scottish Water for making decisions on land allocations and safeguarding areas that are at known risk and to seek in some instances ground instability assessments and geomorphology assessments where there are known risks of ground instability. The Council should also consider allocated sites with a degree of flexibility. There may be instances where flood risk to a site is greater than first known and in these instances, where set out as existing allocations, the boundary of sites to accommodate allocated numbers should be flexible to take account of flood risks.

**Response:**

Support noted. Site boundaries cannot be modified without reference to a number of considerations including the development management process, consultation and neighbour notification.

**Recommendation:**

No change to the Preferred Option.

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 901/004

**Organisation:** Scottish Water

**Representee:** Adele Gallagher

**Comment:**

Scottish Water supports this option.

**Response:**

Support noted

**Recommendation:**

Support noted

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**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 849/015

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Table 13 – support reasonable alternative. Is the existing policy for dealing with flooding from rivers and burns simply to be kept as it is not mentioned here? Should the problem of road closures due to flooding from sheer volume of rainfall (not specifically rivers) be included now?

**Response:**

Support for Alternative option noted. The majority of respondents, including the Scottish Environment Protection Agency support the approach outlined in the Preferred Option as providing the most appropriate response to flood risk throughout Angus. This submission gives no justification for not continuing with the Preferred Option.

Where no significant change to adopted policy is proposed there is no Main Issue to address. The principle of the policies relating to flooding will continue in a modified form reflecting current national policy and guidance, and with advice from specialist agencies such as Scottish Environment Protection Agency, Scottish Natural Heritage, Scottish Water and Angus Council as flood prevention authority. Pluvial flooding, which creates runoff and flooding from rainfall incidents will be considered in future flood policy.

**Recommendation:**

No change to the Preferred Option.

**Main Issue:** 6

**Question:** 13

**Answer:** No

**Representation:** 855/013

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Gedhall Ltd support the Table 13 “reasonable alternative” in this case. We agree with the approach in Arbroath, Montrose, Carnoustie and Monifieth to not allocating sites, which are 5m or less above sea level, for housing and employment uses. One of the sites which Gedhall Ltd are promoting at Q28 in Carnoustie lies at between 6m and 7m above sea level (see para 2.1 page 2 of the attached Flood Risk Assessment), is protected by existing flood defences which are performing to their design standard. The other site is significantly above this and not affected by flooding.

Gedhall Ltd have no view on Table 14.

**Response:**

Support for Alternative option noted. The majority of respondents, including the Scottish Environment Protection Agency support the approach outlined in the Preferred Option as providing the most appropriate response to flood risk throughout Angus. This submission gives no justification for not continuing with the Preferred Option.

Please see response to submission 855/020 for site specific comment.

**Recommendation:**

No change to the Preferred Option.

**Main Issue:** 6

**Question:** 13

**Answer:** Yes

**Representation:** 889/012

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 868/010

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

**Main Issue:** 6

**Question:** 13

**Answer:** No view

**Representation:** 758/012

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Representation:** 786/013

**Organisation:** Guild Homes

**Representee:** Mark Guild

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# Chapter 6

## Chapter 6 - General

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**Representation:** 916/031

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SuDS

SUDS help to protect water quality, free up capacity in water management infrastructure and reduce potential for flood risk. Scottish Planning Policy states that "local development plans should incorporate the legal requirement for SUDS, promote a coordinated approach to SUDS between new developments and set out expectations in relation to the long term maintenance of SUDS" (Paragraph 209).

SEPA require policies in the plan to cover the requirement for SUDS for all new development. Furthermore, SEPA encourage the plan to promote SUDS as an important measure to reduce diffuse pollution from surface water run-off, to free up capacity in water management infrastructure, and to ensure efficient water management in light of predicted changes to climate. For these reasons SEPA would also encourage the allocation of land for strategic SUDS in larger urban areas.

**Representation:** 916/018

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Protection and improvement of the water environment

The Water Framework Directive (2000/60/EC) (WFD) provides the major driver in Scotland to protect, improve and promote the sustainable use of our water environment, which includes wetlands, rivers, lochs, transitional waters (estuaries), coastal waters and groundwater. Successful implementation of the Directive can also bring wider benefits for developers, communities and for the environment generally, by increasing ecological interest, recreation and amenity, tourism, resilience to flood risk, and regeneration opportunities. River basin management plans are at the heart of the legislation and represent a huge step forward in the way in which we safeguard and improve the quality of our water environment. Planning authorities are legally designated responsible authorities in respect of WFD interests and as such "must exercise their designated functions so as to secure compliance with the requirements of the Directive" (Section 2(2), Water Environment and Water Services (Scotland) Act 2003 (WEWS)).

In light of the above, we expect Local Development Plans to include a positive policy framework to protect and improve the water environment. The LDP should refer to the requirements of the Water Framework Directive and to the protection and enhancement measures set out in the Scotland and Solway Tweed River Basin Management Plans (RBMP) and associated Area Plans. The overall aim of river basin planning is for all Scotland's waters to be in good ecological condition by 2015. The LDP has an important role in ensuring that environmental objectives are met through its influence on the location, layout and design of new development. The RBMPs contain measures to maintain and improve water bodies in order to reach good ecological status, and are a material planning consideration.

While SEPA note that the Angus Local Plan Review contains policies regarding flooding and surface water drainage, SEPA require policies in the plan to cover specific requirements for all new development to protect and improve water bodies. SEPA would therefore expect to see a policy in the LDP relating to the protection and enhancement of the water environment. Any such policy should reference to the 'improvement' objective under the Water Framework Directive (WFD) and wider objectives to promote sustainable use of water

resources and sustainable flood management. It might also be useful to state in the justification paragraph that a main objective of WFD is to restore surface water bodies to good ecological status by 2015 (or 2021/2027 if an extended deadline is agreed) and groundwater to good quality and quantity.

SEPA would recommend that any such policy should be named 'Protecting and improving the water environment' and include the following key principles:

- Commitment to protect and improve to good in line with WFD and Scotland River Basin Management Planning and Area Management Plans
- Reference to whole water environment
- Ensure development will not prevent water environment from being able to achieve good status in the future
- Capture wider WFD aims to promote sustainable use of water resources and sustainable flood management
- Promote multiple benefits associated with development that contribute to RBMP, green networks, flood risk management and biodiversity.
- Inclusion of any coastal zones.

Additional policies should cover engineering works in the water environment and foul drainage (see below). SEPA would welcome further engagement in this regard and would recommend that the Council consult Section 4 of our Land Use Planning System – Guidance Note 11 (available on our website: <http://www.sepa.org.uk/planning.aspx>) for further information.

It should be noted that SEPA would be likely to object to the finalised plan if a policy regarding the protection and improvement of the water environment is not included.

**Representation:** 916/029

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Hydropower proposals can have significant adverse impacts on the water environment and are identified as a pressure in the RBMPs. It is important that the correct balance is struck between the protection of the water environment and renewable energy generation.

Scottish Planning Policy states, "the scope for major new hydro-electric schemes is likely to be limited but there may be an increasing number of proposals for small run-of-river projects. Development plans should identify the issues which will be taken into account in decision making on hydro-electric schemes such as impacts on the natural and cultural heritage, water environment, fisheries, aquatic habitats and amenity, and relevant environmental and transport issues" (Paragraph 194).

The plan should support hydropower developments which can make a significant contribution to Scotland's renewables targets whilst minimising any adverse impacts on the water environment. SEPA require broad map based areas of search or criteria based policy to facilitate the appropriate siting of small schemes to avoid any individual or cumulative deterioration of waterbodies in line with the Scottish Government policy statement.

**Representation:** 916/028

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Watercourse engineering

In order to meet WFD objectives and in line with Scottish Planning Policy (Paragraph 211) it is important that developments are designed to leave the water environment in its natural



state, with engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams avoided wherever possible. These engineering impacts have been identified in the RBMPs as a significant pressure on the water environment in Scotland.

SEPA require the plan to ensure that culverting and unnecessary engineering activities in the water environment are avoided through the policies in the plan and associated supplementary guidance. Where these activities are unavoidable, appropriate mitigation measures must be required. SEPA encourage where possible, opportunities to identify the removal of redundant structures and return water bodies to their natural state, including through developer requirements.

**Representation:** 916/033

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Air quality

SEPA would expect to see a policy requirement in the LDP on air quality.

Angus Council has been monitoring air quality at a number of locations, but it has not identified any air quality problems. Air quality appears to have been a consideration in the SEA screening process and again, it does not appear to have identified any significant issues. However, Dundee City Council has identified exceedances of the air quality objectives on the key commuter routes to and from Angus, and it has since designated an Air Quality Management Area as a result of emissions from road traffic.

Additional residential development in the Dundee Core Area (including Monifieth and Birkhill/Muirhead), Arbroath, Forfar and Montrose may exacerbate the situation.

Commuter traffic is a problem for the majority of the Scottish cities and these vehicles generally originate from one of the neighbouring local authority areas, where there has been a great deal of residential development, but little or no work to support the increased population, forcing them to travel.

As stated in Section 5.3 of the MIR emissions of carbon dioxide from road traffic have remained constant and whilst it may appear not to be a problem in Angus, the cumulative growth in commuter traffic across Scotland is threatening to undermine the Scottish Government's commitment to meet greenhouse gas reduction targets.

SEPA would highlight that we require a generic policy to be included in the plan which ensures that new developments do not have an adverse impact on air quality either through the exacerbation of existing air quality problems or the introduction of new sources of pollution where they would impact on sensitive receptors.

SEPA can provide the following baseline information:

\* Map of SEPA regulated activities;

\* Scottish Pollutants Release Inventory includes a database of pollutant releases to air from SEPA regulated industrial sites:

[www.sepa.org.uk/air/process\\_industry\\_regulation/pollutant\\_release\\_inventory.aspx](http://www.sepa.org.uk/air/process_industry_regulation/pollutant_release_inventory.aspx)

\* SEPA Air Quality Reports - [www.sepa.org.uk/air/air\\_publications.aspx](http://www.sepa.org.uk/air/air_publications.aspx)

SEPA can provide background information on air quality management in Scotland and AQMAs on our website at [www.sepa.org.uk/air](http://www.sepa.org.uk/air).

**Representation:** 916/030

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Waste water drainage

SEPA would require a policy in the LDP to require connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 for all new development proposals either in settlements identified in the plan with a population equivalent of more than 2000 or wherever single developments of greater than 25 houses and large scale business and industrial units are proposed. We note that it is intended to continue Policy ER 22 to the LDP.

In all other cases a connection to the public sewer will be required, unless the applicant can demonstrate that the development is unable to connect to public sewer for technical or economic reasons, and that the proposal is not likely to result in or add to significant environmental or health problems.

Planning Advice Note 79 Water and Drainage highlights that "Planning authorities, Scottish Water and SEPA should not wait until the formal consultation stages of the development plan preparation process to discuss water and drainage issues. Working together is important throughout the process to ensure that, as they are prepared, development plans reflect an up to-date and accurate picture of water supply and drainage capacity and are informed by a shared understanding of how new development can be accommodated" (Paragraph 28).

In light of this we require SEA to be used to assess the capacity of the existing water management infrastructure to support allocations and also the potential requirements for new water management infrastructure including waste water treatment works, water treatment works, pumping stations and reservoirs to meet the extra water demand.

**Representation:** 916/034

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

New developments can introduce sensitive receptors (such as housing, schools or hospitals) to areas that are managed for existing impacts on air, noise and odour through SEPA's regulatory regime.

Planning authorities should consult the operator of the regulated site to ascertain the impact the proposals would have on the existing business and to avoid the need for potentially expensive abatement measures.

**Representation:** 916/035

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

New development allocations requiring regulation by SEPA due to air, noise and/or odour emissions may have an impact on existing sensitive receptors such as residential areas, schools and hospitals.

The plan must not allocate sites for land uses that would require regulation by SEPA due to air, noise and odour emissions where they are unlikely to be authorised due to unacceptable impacts on sensitive receptors.

SEPA can provide the following baseline information:

\* Map of SEPA regulated activities;

\* Scottish Pollutants Release Inventory includes a database of pollutant releases to air from SEPA regulated industrial sites:  
[www.sepa.org.uk/air/process\\_industry\\_regulation/pollutant\\_release\\_inventory.aspx](http://www.sepa.org.uk/air/process_industry_regulation/pollutant_release_inventory.aspx)  
\* SEPA Air Quality Reports - [www.sepa.org.uk/air/air\\_publications.aspx](http://www.sepa.org.uk/air/air_publications.aspx)

SEPA can provide advice and welcome early engagement on this issue.

**Representation:** 916/032

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Protection of carbon sinks

SEPA would expect to see a policy requirement in the LDP for the protection of carbon rich soils (such as peat) and other carbon sinks (such as riparian woodlands). In particular, peatland areas should be considered significant constraints in relation to onshore windfarms. Where development affecting carbon rich soils or carbon sinks is permitted, SEPA encourage Angus Council to include a requirement in the policy to ensure that the areas of deepest peat or carbon stocks are avoided. This could be demonstrated through a peat depth survey or preferably a peat/carbon management plan (which can also be used to ensure that any unnecessary disturbance, degradation or erosion is minimised). Orkney Islands Council has a good example of a soil policy that covers peat. See Policy N6 Protection of soil resources.

**Representation:** 916/019

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

The development plan is an important mechanism in addressing existing pressures on the water environment, and new development can also provide opportunities to deal with historic impacts. The RBMPs have identified the following key pressures on the water environment in Scotland:

- \* Engineering works (eg modifications to beds, banks and shores as the result of historical engineering, electricity generation, urban development, land claim);
- \* Diffuse source pollution (eg forestry, urban development);
- \* Point source pollution (eg the collection and treatment of sewage, aquaculture, manufacturing, mining and quarrying);
- \* Abstraction and flow regulation (eg alterations to water flows and levels as the result of electricity generation, public water supplies);
- \* Non-native invasive species

SEPA require LDP allocations to be informed by the capacity of the water environment to support development, including the identification of existing and potential pressures. Furthermore, SEPA encourage where appropriate, specific requirements for allocations to identify opportunities for ecological network improvements and the restoration of watercourses within any development area.

SEPA require policies in the plan to cover specific requirements for all new development to protect and improve water bodies. For example, policies should cover engineering works in the water environment, water and drainage infrastructure including SUDS, and development specific requirements as detailed below.

For allocations, SEPA encourage the retaining of an appropriately sized buffer strip around still water (ie lochs and ponds), or on either side of watercourses or ditches. Buffer strips help to control soil and water quality amongst other environmental benefits and can also contribute to open space allocations. This is reflected in our comments in Appendix 2 on the

Settlement Strategies where we have indicated the requirement for suitable buffer strips adjacent to watercourses.

Water body data sheets contain information on classification and objectives for particular rivers, lochs and groundwater bodies in Scotland. The data sheets form part of the Scotland and Solway Tweed River Basin Management Plans. They can be accessed through the river basin planning interactive map or at [www.sepa.org.uk/water/river\\_basin\\_planning/waterbody\\_data\\_sheets.aspx](http://www.sepa.org.uk/water/river_basin_planning/waterbody_data_sheets.aspx)

SEPA can provide geo-referenced PDF maps on request showing overall classification status of water bodies in the LDP area.

Angus Council also has access to the SEPA GIS layer showing areas where there is a cumulative environmental impact on water bodies from a proliferation of private septic tanks; however the information can also be provided in a different format if this would be of assistance.

**Response:**

Comment/support noted and input into development of policy and guidance welcome.

**Recommendation:**

No change, work with Scottish Environment Protection Agency in development of policy and guidance.

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**Representation:** 912/003

**Organisation:** Muirhead, Birkhill & Liff Community Council

**Representee:** Colin Hunter

**Comment:**

Green networks and infrastructure Proposed ALDP

The aims stated are admirable but, in our area, in practice little has been done by Angus Council to ensure that paths are maintained and developers have largely ignored opportunities to preserve or enhance green space in and around developments. This seems to be largely ignored in the Proposed ALDP.

NB Volunteers do a considerable amount and in our area Community Payback has carried out some very useful work. The Council needs to be much more supportive of groups of volunteers.

**Response:**

Comments noted. Details will be considered in preparing the Proposed ALDP and Supplementary Guidance.

**Recommendation:**

No Change. Details will be considered in preparing the Proposed Plan and Supplementary Guidance.

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**Representation:** 853/001

**Representee:** Peter Burke

**Comment:**

The 2010 Angus Town Centre Health Checks report should be used to formulate the Town Centre strategies as proposed in this MIR. It is disappointing that Carnoustie town centre is effectively dismissed as 'too difficult to help'. Previous inputs to Angus Council have

suggested part pedestrianisation of the High Street, increased car parking by utilising waste land south of the Coop and elsewhere, and the creation of a town square by the judicious removal of unused properties including the derelict remains of the Fairways Garage. None of these seem to have been considered.

**Representation:** 797/006

**Main Issue:** 7

**Question:** 0

**Answer:**

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

Agree with the commitment to support the primacy of town centres.

**Response:**

Comments noted. Angus Council will support the preparation of town centre strategies which will identify and address the challenges faced by town centres and provide a framework for coordinated action to improve them. Such strategies will be developed in partnership with the local community through the Community Planning Process. The formulation of town centre strategies will be included within the Action Programme for the Proposed Local Development Plan.

**Recommendation:**

No change to the preferred option.

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**Representation:** 772/003

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Para 6.33 deals with proposals for bringing forward development on large Brownfield sites within both urban and rural areas and makes reference to two former hospital sites that include listed buildings and a designed landscape. The proposed plan should support the re-use of brown land and derelict and redundant buildings, reflecting the historic environment's potential to play a role in delivering sustainable economic growth, the proposed plan should highlight the benefits and opportunities it can bring, rather than be seen as a constraint, solely requiring protection.

**Response:**

Comments noted

**Recommendation:**

Comments noted

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**Representation:** 916/036

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

Local Authorities have a legal requirement under Part IV of the Environment Act 1995 to take appropriate measures to improve air quality.

Through the SEA process proposed allocations should be assessed by the Local Authority to determine whether they compromise air quality objectives within AQMAs and wherever possible they should make a positive contribution towards AQMA Action Plans.

SEPA therefore encourage the avoidance of allocations which would exacerbate air quality problems identified within AQMAs or areas that are at risk of becoming an AQMA.

**Response:**

Comment noted. The 2013 Air Quality Progress Report for Angus Council concludes that no Air Quality Management Areas are required as emissions do not exceed acceptable levels. The implications of land allocations for air quality will continue to be monitored.

**Recommendation:**

No change. Work with Scottish Environment Protection Agency in development of policy and guidance.

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**Chapter 6 – Question 14 Do you agree with the preferred options that are shown in Tables 15, 16, 17 and 18 concerning how the Proposed ALDP can help to deliver sustainable prosperity? Please explain your answer.**

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**Main Issue:** 7

**Question:** 14

**Answer:** Yes

**Representation:** 874/009

**Organisation:** Kinpurnie Estate

**Agents:** Drivers Jonas Deloitte

**Comment:**

Kinpurnie Estate broadly supports the preferred option set out in Table 18, to “continue with the approach of facilitating appropriate rural employment development through policies and supplementary guidance that would apply to proposals in the rural area. Identify any potential development sites that would be unsuitable for housing as opportunity sites for appropriate employment uses.”

However, as set out in Kinpurnie Estate's response to the Call for Sites, it is considered that specific policies are required for tourist related developments. Tourism is an essential employment generating use within Angus, reflecting the quality of the rural landscape and the area's international reputation for golf. Tourism therefore plays a critical role in the local rural economy and the policies of the Plan should ensure that opportunities to maximise the potential of this resource can be realised in the lifetime of the Plan.

Tourist related development is also inherently different in nature to general employment uses. Whilst the latter is often suited to urban environments in close proximity to workforces and where environmental impacts will be minimised, tourist developments may have a locational requirement to be within the countryside. Rather than adversely impacting upon the environment, tourist development can enhance it and maximise the opportunity for local communities and visitors to enjoy the countryside.

Tourist accommodation plays a key role in increasing visitor spend in Angus and the LDP should encourage the development of new tourist accommodation in appropriate locations and also the enhancement of existing facilities. Furthermore the LDP must recognise that appropriate locations for tourist accommodation are not limited to small scale sites, or to sites within settlements. Appropriate sites can be larger in scale and can be located in rural, countryside locations.

Kinpurnie Estate note that Topic Paper 6: Economy rules out the allocation of sites for tourist related proposals. SPP requires Development Plans to be aspirational and to address opportunities for development. At paragraph 17 it states that Scottish Government expects development plans to concentrate on what will happen, where and why and to contain policies and proposals that will achieve predictable outcomes.

Kinpurnie Estate is supportive of the proposed review of the current Local Plan policies SC20 and SC21. The review should ensure that the policy encourages the development of new tourism related facilities including accommodation and attractions. However, Kinpurnie Estate also asks that further consideration is given to the allocation of sites for tourist related proposals. If the purpose of the LDP is to set out ambitious, long term visions for the plan area (SPP paragraph 8) then it is Kinpurnie Estate's view that the Plan must do more than just set locational criteria for tourist related development. It should promote the opportunities within Angus for development and direct this development to locations where there is a likelihood of outcomes being achieved.

The Plan should include provision for tourist related development in appropriate locations where they are demonstrated to be of a suitable scale and design. Furthermore, the Plan should allocate rural development sites for such uses. Kinpurnie Estate submitted four such sites to the Call for Sites consultation. Land at Belmont, by Newtyle (Site Ref. 53S) and Ledyatt

Wood, by Lundie (Site Ref. 54S) are proposed for larger scale tourist development. Land at Pitermo (55S) and Balshando Steading (56S) are proposed for smaller scale holiday accommodation. It is requested that these sites be designated for tourist related development in the Proposed Plan.

Doing so will help to promote and encourage these development opportunities and give confidence to investors that the Council is supportive of this type of economic development.

It may be that further landscape capacity analysis is required before sites can be allocated and Kinpurnie Estate would be pleased to assist with this process.

**Representation:** 876/003

**Representee:** David Milne

**Agents:** Montgomery Forgan Associates

**Comment:**

Angus Council's approach to encourage development in rural areas which supports the population and services of local communities including tourism and leisure proposals and diversification of the rural economy is welcomed and the continuing focus and method of delivery of this approach should continue to be through relevant policies and supplementary guidance. In addition the preferred option which seeks to identify suitable employment sites within villages or open countryside is also supported. In principle, opportunities for strengthening the employment base, tourism opportunities and community facilities within or adjacent to small settlements such as Aberlemno are to the benefit of the rural economy without having a negative impact on the principal settlements.

**Representation:** 798/014

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Table 15, 16 – NO VIEW

Table 18 Preferred option - YES:

Scottish Natural Heritage can appreciate the desire to retain flexibility in the plan, so that the council can respond positively to proposals coming forward in the rural areas. In terms of tourism opportunities, the plan could take a more positive approach and identify the key 'strategic' natural assets (e.g. Angus Glens, Montrose Basin, Country Parks, Walking Networks) that underpin a thriving tourism industry and any key visitor infrastructure improvements required to make full use of those assets.

**Response:**

Comments noted. Policies will encourage and support opportunities for new or improved tourist related facilities and accommodation in order to satisfy visitor aspirations.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Main Issue:** 7

**Question:** 14

**Answer:** Yes

**Representation:** 760/013

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in the TAYplan.



The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

The above approach is justified on the basis of achieving sustainable economic growth, which is supported by NPF2 and SPP, and achieving mixed use communities.

**Representation:** 880/001

**Organisation:** St Francis Group

**Agents:** Colliers International Ltd

**Comment:**

Delivery of new and existing employment sites: Widening the scope of permitted uses within Industrial Estates, under the Use Classes Order The adopted Angus Local Plan establishes that existing allocated employment sites are normally reserved for operations which fall into one of three statutory use classes: Class 4 (business); Class 5 (general industry) or Class 6 (storage and distribution). The current policy approach only allows for the development of other employment-related uses where these are small scale and would form part of a larger proposal involving the traditional Class 4, 5 or 6 uses.

In the case of the SGN site the St Francis Group see no reason why this 'traditional approach' cannot be retained. However we also wish to comment on the potential for re-invigorating the commercial attractiveness of the Suttieside Industrial Estate as we believe the Council is not maximising opportunities to bring forward new business development through the development plan; especially as it may be acceptable to locate other uses on business parks in terms of their access and amenity requirements. St Francis supports the Main Issues Report proposal to increase the range of activities that would be permitted on business parks. This would mean that a more flexible approach to considering development proposals, for example by specifying some uses that would be acceptable or unacceptable, but leaving all other development proposals to be considered against a range of appropriate design or technical criteria, would be included in the Proposed LDP.

In the case of the SGN site this approach could be achieved by allocating the site as a "Mixed Use Development Opportunity" or related to the proposed "Agri Park" business park concept.

**Representation:** 844/015

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

The following response to the above Tables is justified on the basis of achieving sustainable economic growth, which is supported by NPF2 and SPP, and achieving mixed use communities.

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in TAYplan.

The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

**Representation:** 757/010

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in the TAYplan.

The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

**Representation:** 788/030

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

The following response to the above Tables is justified on the basis of achieving sustainable economic growth, which is supported by NPF2 and SPP, and achieving mixed use communities.

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in the TAYplan.

The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

**Representation:** 759/014

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

The following response to the above Tables is justified on the basis of achieving sustainable economic growth, which is supported by NPF2 and SPP, and achieving mixed use communities.

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in the TAYplan.

The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

**Representation:** 840/002

**Organisation:** John Lawrie Group

**Agents:** Ryden LLP

**Comment:**

The John Lawrie Group agree with the preferred option identified in Table 15 to allocate long-term employment land in principle settlements. Flexibility is key in this current economic climate to allow for a range of employment needs. Allocating a range of sites for employment purposes will therefore deliver a key employment opportunities within larger settlements.

Allocating long-term employment sites will also ensure that a choice of development land can be brought forward and that viable sites are being delivered throughout the lifetime of the plan.

The site at the former Montrose Airfield is a prime example of employment land that has come forward due to the increase in demand from the offshore wind energy sector. Promoting this land to service this emerging market will support the existing Montrose Harbour and provide an effective site for the delivery of employment land.

In addition, the John Lawrie Group also agrees with Table 16 to allow an increased range of development activities permitted on employment sites.

**Representation:** 893/013

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

The preferred alternative is supported as identified in Table 15, as this will ensure sustainable mixed use communities within the primary settlements identified for growth in the TAYplan.

The preferred alternative is supported as identified in Table 16, as this approach provides for flexibility in the delivery of land uses, where traditional employment uses prove unviable in this economic climate, but where alternative acceptable and compatible land uses may come forward which also create job provision.

The above approach is justified on the basis of achieving sustainable economic growth, which is supported by NPF2 and SPP, and achieving mixed use communities.

**Representation:** 916/011

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

With regard to Table 16, SEPA support the preferred option to increase the range of activities that would be permitted on employment sites. In order to be consistent with the Zero Waste Plan Annex B paragraph 4.3, SEPA recommend that waste management is included in the permitted range of activities.

**Representation:** 758/013

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

It is important that in considering employment land allocations, regard is had to the related policies on mixed use development. Employment uses may be located in what would otherwise be identified as a housing expansion area. Retail uses and even new schools and community uses will generate employment, aside from traditional business parks.

**Response:**

Comments noted. In order to support economic growth, policies will provide a range of sites capable of meeting the changing needs of businesses throughout the period of the Proposed ALDP. The identification of long-term allocations of employment land will provide sufficient flexibility to cope with any increase in demand which may accompany an upturn in the economy.

In order to provide flexibility throughout the period of the Proposed ALDP and to meet emerging employment needs, policies will recognise that there may be circumstances which would require consideration of other uses on employment allocations or existing employment areas.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

**Main Issue:** 7                      **Question:** 14                      **Answer:** Yes

**Representation:** 781/010

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Homes for Scotland do not have a view providing the Proposed Plan generally accords with the TAYplan strategy.

**Representation:** 916/010

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

With regard to Table 15, SEPA support the preferred option.

**Response:**

Comments and support noted.

**Recommendation:**

No change.

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**Main Issue:** 7                      **Question:** 14                      **Answer:** Yes

**Representation:** 849/016

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Query who has control over commercial and industrial development in Birkhill/Muirhead and Monifieth – is it Angus or Dundee?

**Response:**

Comment noted. Birkhill/Muirhead and Monifieth are situated within the boundary of Angus Council.

**Recommendation:**

Noted.

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**Main Issue:** 7                      **Question:** 14                      **Answer:** Yes

**Representation:** 787/001

**Organisation:** Sainsbury's Supermarkets Ltd

**Agents:** Turley Associates

**Comment:**

Sainsbury's support the preferred options in principle, however believe that an assessment of retail provision should also be undertaken in order to understand any shortfall and to assist in the assessment of any future planning applications for retail development.

**Response:**

Comments and support noted. In Spring 2013, TAYplan commissioned Roderick MacLean Associates Ltd to prepare a Strategic Review of Town Centres and Retailing in the TAYplan area. This research informed the TAYplan Main Issues Report (2014) on key strategic issues associated with town centres in the TAYplan area. An assessment of retail provision in Angus has not been undertaken to support the preparation of the Proposed ALDP, but it is considered that this would not affect the preferred options set out in Tables 15, 16, 17 and 18.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

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**Main Issue:** 7**Question:** 14**Answer:** Yes**Representation:** 794/005**Organisation:** Scottish Enterprise**Representee:** Peter Noad**Comment:**

This is consistent with sustainable economic development objectives.

Table 15, preferred option is supported in terms of providing more flexible response to employment land demand.

Table 16, preferred option is supported as it recognises need for more flexible use of employment land without significant damage to amenity.

Table 17, preferred option is supported given impact of economic change on town centres.

**Representation:** 800/006**Organisation:** TACTRAN**Representee:** Michael Cairns**Comment:**

Tactran supports these preferred options; identifying employment land in the principal settlements will allow the consideration of more sustainable modes of travel for work journeys etc. Similarly allowing a range of uses will reduce travel by encouraging journeys to a single location rather than multiple locations, though it is believed that retail developments should be limited to town centres. The proposal that Town Centre strategies are formulated in support of the LDP are supported to strengthen the role of town centres; these should include accessibility by a full range of travel modes to ensure that town centres are safe and accessible places which have the potential to act as drivers of sustainable behavioural change.

Rural employment should be supported though consideration needs to be given to accessing this employment to reduce over-dependence on the private car.

**Representation:** 907/009**Organisation:** CHAP Homes**Agents:** Halliday Fraser Munro**Comment:**

CHAP Homes agree with the preferred option in Table 15 to maintain and identify long-term land opportunities for employment and allow flexibility. Allocating long-term employment sites will ensure that a choice of development land can be brought forwards and that viable sites are being delivered throughout the lifetime of the plan.

CHAP Homes agree with Table 16 to allow an increased range of development activities permitted on employment sites. This will provide opportunities for a range of alternative developments to be undertaken should certain site be unable to be delivered. Discussions with the Council's development management team should be encouraged prior to applications being submitted in order to provide certainty to developers and the Local Authority as to what is being proposed and if it would be acceptable in principle. This will also reduce the number of allocated sites that remain undeveloped which prevent viable sites from coming forward and allow for development to continue in response to changes in market conditions.

CHAP Homes support the preferred option in Table 17 to formulate town centre strategies with the alternative option only considered where there is certainty of achieving the funding and support for the vision. It is important that Town Centres maintain or regain their character with sympathetic new development. Developers should be supported to refurbish existing character buildings.

CHAP Homes agree with the preferred option in Table 18 to facilitate appropriate rural employment that will allow flexibility.

**Representation:** 902/014

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

The Economic Development Strategy for Angus emphasises the need for 'Sustainable Prosperity'.

The preferred option in Table 15 is to increase land allocation yet the analysis in MIR Topic Paper 6 shows that sufficient land allocation exists in Angus. A sustainable economy will be achieved through the growth of small enterprises rather than relying large businesses that will locate only when conditions are to their advantage and move when not.

City of Brechin & District Community Council agree with the Preferred option in Table 16 in that it should apply to existing sites.

Paragraph 6.11 states 'our seven town centres are diverse in character', as this is an important factor in Angus' appeal a town centre strategy should preferably be developed by local communities and their businesses and help be provided by the community planning processes and by identifying individual actions that support this.

In Table 18 the reasonable alternative would appear to be included within the preferred option in any case, and so is supported.

**Response:**

Comments noted. In order to support economic growth, policies will provide a range of sites capable of meeting the changing needs of businesses throughout the period of the Proposed ALDP. The identification of long-term allocations of employment land will provide sufficient flexibility to cope with any increase in demand which may accompany an upturn in the economy.

In order to provide flexibility throughout the period of the Proposed ALDP and to meet emerging employment needs, policies will recognise that there may be circumstances which would require consideration of other uses on employment allocations or existing employment areas.

Angus Council will support the preparation of town centre strategies which will identify and address the challenges faced by town centres and provide a framework for coordinated action to improve them. Such strategies will be developed in partnership with the local community through the Community Planning Process. The formulation of town centre strategies will be included within the Action Programme for the Proposed ALDP.

Policies within the Proposed ALDP will also recognise that some employment development proposals require being located within the rural area.

**Recommendation:**

No change. These representations will be considered in preparing the proposed Plan

**Main Issue:** 7

**Question:** 14

**Answer:** Yes

**Representation:** 772/001

**Organisation:** Scottish Government

**Representee:** Grainne Lennon

**Comment:**

Scottish Government are content with the preferred option to develop town centre strategies. The plan should identify opportunities for improving the physical quality and sustainability of the town and commercial centres. In order to improve town centres and support their role, Scottish Government would encourage a clear planning policy framework to be developed to focus appropriate new development within town centres in line with the sequential approach.

**Representation:** 857/004

**Organisation:** The Clayholes Partnership

**Agents:** Graham + Sibbald

**Comment:**

The Clayholes Partnership agree with the preferred option relative to sustaining vibrant town centres i.e. the proposal to formulate town centre strategies. The town centres of a number of the Angus towns are an integral part of their character; both in terms of the offering, with a number of independent retailers as opposed to all occupiers being national retailers, and also in terms of their accessibility. A compact high street which is within walking distance of homes, offices and schools is a rare and positive feature, and we support efforts to retain this element. In particular, The Clayholes Partnership consider that land allocations for residential development in and forming extensions to Carnoustie should be selected to be within walking distance of the town centre.

In this respect The Clayholes Partnership consider Alternative Option 1, including our suggested extension to include Clayholes; to form a better option than the Preferred Option due to proximity and accessibility to the town centre.

**Response:**

Comments noted. Angus Council will support the preparation of town centre strategies which will identify and address the challenges faced by town centres and provide a framework for coordinated action to improve them. Such strategies will be developed in partnership with the local community through the Community Planning Process. The formulation of town centre strategies will be included within the Action Programme for the Proposed ALDP.

Comments relating to proposed options in Carnoustie will be addressed in Chapter 10.

**Recommendation:**

No change. Detail to be taken into consideration in the preparation of the Proposed Plan.

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**Representation:** 770/004

**Main Issue:** 7

**Question:** 14

**Answer:** Yes

**Organisation:** ASDA Stores Limited

**Agents:** Jigsaw Planning

**Comment:**

The preferred option relates to town centre strategies being formulated. Whilst ASDA support this option, it is considered that it need to be widened out to acknowledge the role of all forms of retailing in Angus. Topic Paper 6 - Economy recognises the role that retailing plays in the local economy and this is supported.

It is also noted that a hierarchy of centres will be identified. ASDA would point out that there is a role for out of centre developments and development at commercial centres where

there is shown to be a requirement, where they will not have an unacceptable impact on centres and where a sequential approach to site selection has been shown. Scottish Planning Policy supports this approach by confirming that a development plan's network of centres should include town centres, commercial centres and local centres. Therefore ASDA recommend that the shopping network identifies commercial centres within its hierarchy, such as Westway Retail Park.

**Response:**

Comments noted. A network of retail centres will be identified in the Proposed ALDP in accordance with SPP (2014). This will include commercial centres where appropriate. Angus Council will support the preparation of town centre strategies which will identify and address the challenges faced by town centres and provide a framework for coordinated action to improve them. Such strategies will be developed in partnership with the local community through the Community Planning Process. The formulation of town centre strategies will be included within the Action Programme for the Proposed ALDP.

**Recommendation:**

No change. This representation will be considered in preparing the Proposed Plan.

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<b>Main Issue:</b> 7	<b>Question:</b> 14	<b>Answer:</b> Yes
<b>Representation:</b> 796/015		
<b>Organisation:</b> Dalhousie Estates		
<b>Agents:</b> Ristol Ltd		

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<b>Main Issue:</b> 7	<b>Question:</b> 14	<b>Answer:</b> No view
<b>Representation:</b> 855/014		
<b>Organisation:</b> Gedhall Ltd		
<b>Agents:</b> Strutt & Parker		

**Representation:** 889/013  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 786/014  
**Organisation:** Guild Homes  
**Representee:** Mark Guild



**Chapter 6 – Question 15 Do you think that it's necessary to have a long-term vision to guide specific improvements in each of the Angus town centres? Please explain your answer.**

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**Main Issue:** 7                      **Question:** 15                      **Answer:** No view  
**Representation:** 889/014  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 844/016  
**Organisation:** D J Laing  
**Agents:** Emac Planning

**Representation:** 880/002  
**Organisation:** St Francis Group  
**Agents:** Colliers International Ltd

**Representation:** 855/015  
**Organisation:** Gedhall Ltd  
**Agents:** Strutt & Parker

**Representation:** 798/015  
**Organisation:** Scottish Natural Heritage  
**Representee:** Carolyn Deasley

**Representation:** 788/031  
**Organisation:** Stewart Milne Homes  
**Representee:** Shelley Thomson  
**Agents:** Emac Planning

**Representation:** 759/015  
**Representee:** Mr C Hay  
**Agents:** Emac Planning

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**Main Issue:** 7                      **Question:** 15                      **Answer:** No  
**Representation:** 902/015  
**Organisation:** City of Brechin & District Community Council  
**Representee:** Mr Paul Wright  
**Comment:**

It would be preferable, at the very least identification of improvements should be undertaken. It should be more important to consider how such a vision can be developed before making it a necessity.

**Main Issue:** 7                      **Question:** 15                      **Answer:** Yes  
**Representation:** 796/003  
**Organisation:** Dalhousie Estates  
**Agents:** Ristol Ltd  
**Comment:**

Dalhousie Estates support the aim to foster improvements in town centres. Within the context of Brechin, the Proposed Plan should provide for:

1. Analysis into the role and function of Brechin town centre aligned to the emerging settlement strategy;
2. Be informed by community consultation; and
3. Promte action aimed at reducing expenditure leakage due to a quantative and qualitative deficiency in retail provision.

In addition, the approach to retail development in the Proposed Plan should be consistent with the Scottish Planning Policy including the application of the Sequential Approach.

**Representation:** 800/007

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

These can play a significant role in transport choice as drivers of behavioural change.

**Representation:** 786/015

**Organisation:** Guild Homes

**Representee:** Mark Guild

**Comment:**

All and any improvements to the fragile town centres should be encouraged.

**Representation:** 758/014

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

The strategies need to have regard to other proposals, such as sustainable, mixed use developments which may include uses which would otherwise be considered to be town centre uses.

**Representation:** 794/006

**Organisation:** Scottish Enterprise

**Representee:** Peter Noad

**Comment:**

This is a logical response to addressing economic change.

**Response:**

Comments noted. Angus Council will support the preparation of town centre strategies which will identify and address the challenges faced by town centres and provide a framework for coordinated action to improve them. Such strategies will be developed in partnership with the local community through the Community Planning Process. The formulation of town centre strategies will be included within the Action Programme for the Proposed ALDP.

**Recommendation:**

No change. These representations will be considered in preparing the Proposed Plan.

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**Representation:** 868/011

**Main Issue:** 7

**Question:** 15

**Answer:** Yes

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

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**Chapter 6 – Question 16 Do you agree with the preferred options that are shown in Tables 19, 20 and 21 for the development of high quality places? Please explain your answer.**

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**Main Issue:** 8

**Question:** 16

**Answer:** Yes

**Representation:** 798/016

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage very much support the intention to produce more detailed supplementary guidance that identifies the places where developers will be asked to produce design statements (and masterplans). Scottish Natural Heritage hope that this guidance also sets out a clear distinctive vision for each of these places that masterplans will be measured against. The reference to 'Designing Streets' and 'Designing Places' is noted. Scottish Natural Heritage would also recommend that the future LDP policy on 'high quality places' (and future design briefs and masterplans) reflect the good practice set out in "Green Infrastructure- Design and Placemaking", which builds on the content of the first two documents to give practical tips on incorporating green-infrastructure into new development at a variety of scales.

**Green networks and green infrastructure:**

Scottish Natural Heritage note the preferred option is to 'create or enhance' green-networks around settlements based on an open space strategy and support the general intention of this option and would appreciate some further discussions about how this might be done in practice. Scottish Natural Heritage now have a variety of experience related to this issue from Central Belt plans and we would be keen to share this experience in terms of how green-networks might be best represented spatially in the LDP.

Given the large number of allocations on green-field sites, a key consideration will be the extent to which new development will be expected to integrate green infrastructure and link with existing green-networks. Scottish Natural Heritage note that the MIR already indicates opportunities to create and enhance green-networks in relation to some preferred options for development sites and would hope that the plan will properly take account of these opportunities by clearly indicating to developers what is required in terms of green-infrastructure for specific sites. Again, Scottish Natural Heritage can provide advice and information that should help identify the key green-networks around settlements and represent this in the plan.

Scottish Natural Heritage's experience from Fife (where SNH facilitated a short set of workshops that included key service providers in the council) is that a hands-on 'map-making' approach produces outputs that stakeholders are signed up to from the start as opposed to the more technical approaches that can sometimes generate proposals that are unrealistic in practice. Fife Council and Scottish Natural Heritage also found this approach to be efficient resource-wise since it cut down on the amount of internal and external consultation needed downstream. If Angus Council are interested in that approach, Scottish Natural Heritage would be keen to advise on how to take it forward. Please also refer to our responses in relation to settlement strategies and green networks under question 22. Scottish Natural Heritage encourage this work to be undertaken in time to inform the Proposed Plan.

While Scottish Natural Heritage support the preferred option as a priority given the proposed allocation options in the MIR, it is also considered that there is merit in exploring potential strategic green networks as part of the spatial strategy (para 6.28 – alternative option).

TAYplan's Action Programme project to "prepare a short and focused strategic green network strategy.." should help set a framework for this.

**Representation:** 916/013

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

In relation to green networks and infrastructure there is an opportunity to link the delivery with the objectives of the Water Framework Directive (WFD) by incorporating the blue network within the green network. The delivery of multi-functional green networks and infrastructure is fundamental to the successful implementation of the River Basin Management Plans and sustainable flood risk management and as such, should be promoted by the policies in the plan. In terms of the preferred approach in table 20, the existing strategies should be reviewed to ensure that complimentary environmental benefits are considered and delivered as part of the network by identifying opportunities for enhancement of the blue network. This could include the enhancement of river, loch and wetland habitats, improvement of water quality, increasing flood storage and areas acting as carbon sinks. Promotion of the green/blue network could therefore help achieve the objective of the WFD to move all surface waters towards good status.

SEPA agree that green infrastructure requirements would be best incorporated as part of the design policy and supplementary guidance. This should encourage the integration of SUDS, flood plains and other aspects of the water environment as part of the green infrastructure on site as the most sustainable design option. There may also be opportunities on some sites for improvements to the water environment to be implemented as part of a wider green infrastructure strategy in line with the River Basin Management Plan (RBMP).

To assist the delivery of green networks and infrastructure SEPA recommend that the alternative option to seek developer contributions (see our comments in relation to the LDP Spatial Strategy – table 3) is included as part of the chosen approach. The delivery of green infrastructure should be considered in the same context as other forms of infrastructure and therefore subject to contributions where appropriate. In terms of enhancements to the water environment, unless an improvement measure proves disproportionately expensive or not technically feasible, not taking action to put a measure in place would be contrary to WFD objectives and your authority's duties as a responsible authority under Water Environment and Water Services (Scotland) Act 2003 (WEWS). Section 2(2) states that responsible authorities "must exercise their designated functions so as to secure compliance with the requirements of the Directive". Including green infrastructure as a part of the developer contributions policy will ensure that Angus Council are able to fulfil this duty if the situation arises. A good example of a developer contributions policy that includes green infrastructure is policy 3.3 in the Stirling Proposed LDP (<http://www.stirling.gov.uk/localdevplan>).

**Representation:** 800/008

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran strongly supports these preferred options. In particular, green networks can play an important role in promoting walking and cycling as an alternative to the private car, and supporting health and transport related initiatives and outcomes. Tactran supports the development of Supplementary Guidance to set out requirements for how these networks should be supported and improved, as described in section 6.27, and would wish to be consulted on this.

**Response:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance.

**Recommendation:**

No Change. Comments will be taken into account in drafting Proposed Plan and Supplementary Guidance.

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**Main Issue:** 8                      **Question:** 16                      **Answer:** Yes

**Representation:** 757/011

**Organisation:** Meadowbank Inn and Silverwells Garden Centre

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 893/014

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 844/017

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

The preferred option in Table 19 is supported on the basis of achieving national policy objectives as referred to in paragraph 6.21.

**Representation:** 760/014

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 760/033

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 844/022

**Organisation:** D J Laing

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 863/012

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 788/032

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

The preferred option in Table 19 is supported on the basis of achieving national policy objectives as referred to in paragraph 6.21.

**Representation:** 871/014

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 759/016

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

The preferred option in Table 19 is supported on the basis of achieving national policy objectives as referred to in paragraph 6.21.

**Representation:** 847/007

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

The preferred options in Table 19 and Table 20 are supported on the basis of achieving the relevant national and strategic planning policy objectives.

**Representation:** 776/007

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

The important thing is to give this aspect of development very high priority. Let us make Angus a high quality place to work in, to live in, and to take leisure in. (the Council's vision)

**Response:**

Support and comments noted.

**Recommendation:**

No Change

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**Main Issue:** 8

**Question:** 16

**Answer:** Yes

**Representation:** 849/017

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Representation:** 758/015

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Representation:** 868/012

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

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**Main Issue:** 8                      **Question:** 16                      **Answer:** No view  
**Representation:** 889/015  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 855/016  
**Organisation:** Gedhall Ltd  
**Agents:** Strutt & Parker

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**Main Issue:** 8                      **Question:** 16                      **Answer:** Yes  
**Representation:** 916/014  
**Organisation:** Scottish Environment Protection Agency  
**Representee:** Alasdair Milne

**Comment:**

SEPA support the preferred approach in table 21 to consolidate the existing policy and guidance on the protection and enhancement of the built and natural environments. However, the application of these policies should be wider than just the rural area. SEPA also support the identification of sites that would be unsuitable for housing, but would caution whether or not unsuitable sites would be appropriate for employment uses. In terms of our interests, we can provide comments on the suitability of sites in relation to flood risk, the water environment and co-location with SEPA regulated landuses. SEPA have assessed the proposed settlement strategies against these themes and provided comments as part of this response (please see Appendix 2 and the associated spreadsheet). SEPA would welcome the opportunity to provide more detailed comments on the proposed development sites as they are finalised. Please note that if SEPA consider a site unsuitable due to flood risk that this would apply to both residential and employment uses.

In terms of the policy framework, SEPA would expect an overarching policy in the plan that covers the protection and enhancement of the water environment. The policy should ensure that the water environment is safeguarded from deterioration and restored to good status. This approach will ensure that the ecological status of the water environment is both restored and maintained in line with the requirements of the Water Framework Directive and Water Environment and Water Services (Scotland) Act 2003. This will help increase the capacity of the environment to cope with and support future developments and adapt to a changing climate. Further details in respect of our expectations in this regard are provided within Appendix 3.

**Representation:** 788/013  
**Organisation:** Stewart Milne Homes  
**Representee:** Shelley Thomson

**Comment:**

The Proposed ALDP will require to, through Designing Places, set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance. The Council will require to set out exact requirements and triggers for when a Development Framework, Masterplan and Planning Brief document will be required. The Proposed Plan should also specify what degree of detail will be required within these documents to enable stakeholders to plan and produce these documents concisely. Angus Council needs to set a Design Quality benchmark and should use Designing Places to enable this.

Angus Council must also set out clearly whether Designing Streets in its fullest capacity is being endorsed and supported across the planning service but also through other Council departments.

Examples of set guidance and experience of using that guidance has proved within other Local Authority Areas to be useful, but at times is clearly not delivering clear enough guidance to stakeholders to deliver documents the Councils will endorse. Discussion and negotiation is an important part of developing quality plans and developments, but the development industry need clear guidance from the outset.

**Representation:** 902/016

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

Agree with the preferred option in table 19, particularly with reference to paragraph 6.22

The City of Brechin & District Community Council would prefer the option in table 20 to be stronger in its determination to create and improve green networks, not enough has been done in the past.

The need to update and consolidate existing policies and avoid duplication is recognised and so support the preferred option in Table 21.

**Response:**

Comments noted and will be taken into account in preparing Proposed Plan and Supplementary Guidance.

**Recommendation:**

No Change. Comments will be taken into account in preparing Proposed Plan and Supplementary Guidance.

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**Representation:** 890/008

**Main Issue:** 8

**Question:** 16

**Answer:** Yes

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The Preferred Option as set in Table 19: Developing Quality Places: The Design of New Buildings is supported. The LDP should seek to include emerging design policy from the Scottish Government.

Development in the right locations which is capable of creating sensitively designed places which are well-integrated into the surrounding road and path networks should be promoted. Land to the north of Cortachy Road, Kirriemuir is wholly suitable for development and would support aspirations of national and proposed local planning and design policy.

The Preferred Option set out in Table 20: Developing Quality Places: Green Networks, Infrastructure and Place Making is supported. Development of the site to the north of Cortachy Road is an ideal location to promote this strategy, where links into the neighbouring countryside and Caddam Wood could be promoted. Development of this site could also link with various Core Paths which run through Caddam Wood (260-263) and support the Council's green network policy.

**Response:**

Support for Preferred Options in relation to Developing Quality Places: The Design of New Buildings and Developing Quality Places: Green Networks, Infrastructure and Place Making are noted. Responses to Kirriemuir Settlement Strategy are discussed under Chapter 12.

**Recommendation:**

No Change

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**Chapter 6 – Question 17 Do you think that more planning advice and guidance is needed on local design requirements? Please explain your answer.**

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**Main Issue:** 8                      **Question:** 17                      **Answer:** Yes

**Representation:** 863/013

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 847/008

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 760/034

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 845/007

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 893/015

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 871/015

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 758/016

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

To ensure higher quality of design and to encourage place-making.

**Representation:** 760/015

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

Guidance on local design objectives and principles which transfer the national policy objectives as referred to in paragraph 6.21 into an Angus context would be supported as a way of providing further certainty and clarity on the design requirements of the Council.

**Representation:** 776/008

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

Does this not stand to reason?

**Response:**

Comments noted.

**Recommendation:**

No Change. Detail will be considered in preparing Proposed Plan and Supplementary Guidance.

---

**Main Issue:** 8

**Question:** 17

**Answer:** Yes

**Representation:** 759/017

**Representee:** Mr C Hay

**Agents:** Emac Planning

**Comment:**

A Local Development Plan must set out the Council's policies on design and the physical form of development. Saying that the Council is committed to good design, or that development should respect that context, is not enough. Designing Places recognises that many local authorities have said that for years, without significant results. Similarly, is Angus Council corporately committed to 'Designing Streets'?

The Proposed Plan must set out the Council's distinctive vision for how its area will develop and it should summarise the most important features of the area's character and identity. The Plan should set out key design policies and how the planning process should deal with design such as specifying where urban design frameworks and masterplans are needed and in what circumstances a development brief should be prepared. (Designing Places; page 35).

The Proposed Plan should also specify what degree of detail will be expected in planning and design guidance; what level of detail is required for different stages of the planning application process; and when design statements are needed. Crucially, the Proposed Plan should also specify which areas or sites need guidance with the status of supplementary guidance and how the guidance should be prepared.

In summary, Designing Places (page 35) is clear that to be effective, a Proposed Plan should set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance.

**Representation:** 788/033

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

A Local Development Plan must set out the Council's policies on design and the physical form of development. Saying that the Council is committed to good design, or that development should respect that context, is not enough. Designing Places recognises that many local authorities have said that for years, without significant results. Similarly, is Angus Council corporately committed to 'Designing Streets'?

The Proposed Plan must set out the Council's distinctive vision for how its area will develop and it should summarise the most important features of the area's character and identity. The Plan should set out key design policies and how the planning process should deal with design such as specifying where urban design frameworks and masterplans are needed and in what circumstances a development brief should be prepared. (Designing Places; page 35).

The Proposed Plan should also specify what degree of detail will be expecting in planning and design guidance; what level of detail is required for different stages of the planning application process; and when design statements are needed. Crucially, the Proposed Plan should also specify which areas or sites need guidance with the status of supplementary guidance and how the guidance should be prepared.

In summary, Designing Places (page 35) is clear that to be effective, a Proposed Plan should set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance.

**Representation:** 788/014

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

The Proposed ALDP will require to, through Designing Places, set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance. The Council will require to set out exact requirements and triggers for when a Development Framework, Masterplan and Planning Brief document will be required. The Proposed Plan should also specify what degree of detail will be required within these documents to enable stakeholders to plan and produce these documents concisely. Angus Council needs to set a Design Quality benchmark and should use Designing Places to enable this.

Angus Council must also set out clearly whether Designing Streets in its fullest capacity is being endorsed and supported across the planning service but also through other Council departments.

Examples of set guidance and experience of using that guidance has proved within other Local Authority Areas to be useful, but at times is clearly not delivering clear enough guidance to stakeholders to deliver documents the Councils will endorse. Discussion and negotiation is an important part of developing quality plans and developments, but the development industry need clear guidance from the outset.

**Representation:** 890/009

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

The Preferred Option to amalgamate and update previous policies, deriving from the Government's Designing Streets and Designing Places, into a new policy and associated supplementary guidance is supported. It should however be noted that the Government is considering revising the above policies and new guidance is likely to emerge in line with the publication of the proposed LDP in 2013.

**Representation:** 844/018

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

A Local Development Plan must set out the Council's policies on design and the physical form of development. Saying that the Council is committed to good design, or that development should respect that context, is not enough. Designing Places recognises that many local authorities have said that for years, without significant results. Similarly, is Angus Council corporately committed to 'Designing Streets'?

The Proposed Plan must set out the Council's distinctive vision for how its area will develop and it should summarise the most important features of the area's character and identity. The Plan should set out key design policies and how the planning process should deal with design such as specifying where urban design frameworks and masterplans are needed and in what circumstances a development brief should be prepared. (Designing Places; page 35).

The Proposed Plan should also specify what degree of detail will be expecting in planning and design guidance; what level of detail is required for different stages of the planning application process; and when design statements are needed. Crucially, the Proposed Plan should also specify which areas or sites need guidance with the status of supplementary guidance and how the guidance should be prepared.

In summary, Designing Places (page 35) is clear that to be effective, a Proposed Plan should set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance.

**Representation:** 781/011

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

A Local Development Plan must set out the Council's policies on design and the physical form of development. Saying that the Council is committed to good design, or that development should respect that context, is not enough. Designing Places recognises that many local authorities have said that for years, without significant results. Similarly, is Angus Council corporately committed to 'Designing Streets'?

The Proposed Plan must set out the Council's distinctive vision for how its area will develop and it should summarise the most important features of the area's character and identity. The Plan should set out key design policies and how the planning process should deal with design such as specifying where urban design frameworks and masterplans are needed and in what circumstances a development brief should be prepared and any attempt to prescribe house types and sizes should be avoided. (Designing Places; page 35).

The Proposed Plan should also specify what degree of detail will be expecting in planning and design guidance; what level of detail is required for different stages of the planning application process; and when design statements are needed. Crucially, the Proposed Plan should also specify which areas or sites need guidance with the status of supplementary guidance and how the guidance should be prepared.

In summary, Designing Places (page 35) is clear that to be effective, a Proposed Plan should set out concisely the local authority's priorities in relation to design with the detail to be provided in supplementary guidance.

**Representation:** 902/017

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

In order to maintain the character of the towns and rural areas of Angus it is imperative that developers create designs that are suited to their context. This should not result in historical pastiche but encourage new approaches that fit the existing environment rather than developments that are repeated for ease of construction. Developers must be encouraged to produce design solutions that respond to the location and site characteristics in a positive and thoughtful way.

**Response:**

Comments noted and will be taken into account in preparing Proposed Plan and Supplementary Guidance. The policies in the Proposed ALDP and associated supplementary guidance will be applied to all development proposals.

**Recommendation:**

No Change. Detail will be considered in preparing Proposed Plan and Supplementary Guidance.

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**Representation:** 849/018

**Main Issue:** 8

**Question:** 17

**Answer:** No

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

It is not that we require more guidelines, more that clearer guidance and more pressure is required to follow the current guidelines. More early advice is required.

**Response:**

Comments appear to advocate what is set out as the Preferred Option for Developing Quality Places – The Design of New Buildings.

**Recommendation:**

No Change.

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**Main Issue:** 8

**Question:** 17

**Answer:** Yes

**Representation:** 868/013

**Organisation:** Barratt East Scotland Limited

**Agents:** Ryden LLP

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**Main Issue:** 8

**Question:** 17

**Answer:** No view

**Representation:** 889/016

**Organisation:** Kinnordy Estate

**Agents:** CKD Galbraith

**Representation:** 855/017

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

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**Chapter 6 – Question 18 Do you think that it's necessary to integrate new homes with other uses (such as offices, local shops and new community facilities)? Please explain your answer.**

**Main Issue:** 8                      **Question:** 18                      **Answer:** No

**Representation:** 776/009

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

Short answer perhaps "Not always". There will be instances in development planning when to do this would be inappropriate; such integration cannot therefore always be seen to be necessary, particularly if the development is fairly small scale and located reasonably close to offices, shops and community facilities.

**Representation:** 855/018

**Organisation:** Gedhall Ltd

**Agents:** Strutt & Parker

**Comment:**

Whilst it is perhaps not always necessary (depending on the scale of development) to integrate new homes with other uses, it can in certain circumstances, have benefits to the proposed development, and the area generally. Gedhall Ltd feel that this should be dealt with on a case by case basis dependant on the circumstances. For example, not all locations are suitable (or have market demand) for Offices, or light industrial uses and inclusion of these elements in a proposed allocation could result in development not happening.

**Main Issue:** 8                      **Question:** 18                      **Answer:** No view

**Representation:** 760/035

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller sites, such as this one, it is considered that mixed use development is not appropriate and that new homes will assist in protecting and sustaining existing service provision.

**Representation:** 893/016

**Organisation:** Delson Contracts Ltd

**Agents:** Emac Planning LLP

**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller site new homes may be assisting in protecting existing service provision and may not be of a scale large enough to viably support other mixed land uses. This is a site and location specific issue.

**Representation:** 863/014

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, and it is considered that this site is capable of achieving this objective through a commitment in the LDP to development in the short, medium and long term period, allowing the development to be phased through a masterplanning process for the site.

**Representation:** 845/008

**Representee:** Mr D Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller sites, it is considered that mixed use development is not appropriate and that new homes will assist in protecting and sustaining existing service provision.

**Representation:** 847/009**Representee:** Mrs A Ogilvie**Agents:** Emac Planning LLP**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller sites, such as this one, it is considered that mixed use development is not appropriate and that new homes will assist in protecting and sustaining existing service provision.

**Representation:** 757/012**Organisation:** Meadowbank Inn and Silverwells Garden Centre**Agents:** Emac Planning LLP**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller sites, it is considered that mixed-use development is not appropriate and that new homes will assist in protecting and sustaining existing service provision.

**Representation:** 760/016**Representee:** Mr M Batchelor**Agents:** Emac Planning LLP**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller site new homes may be assisting in protecting existing service provision and may not be of a scale large enough to viably support other mixed land uses. This is a site and location specific issue.

**Representation:** 759/018**Representee:** Mr C Hay**Agents:** Emac Planning**Comment:**

On certain scale of developments mixed use developments can achieve wider sustainability objectives, however, on smaller site new homes may be assisting in protecting existing service provision and may not be of a scale large enough to viably support other mixed land uses. This is a site and location specific issue.

**Representation:** 871/016**Representee:** Mr R Watson**Agents:** Emac Planning LLP**Comment:**

On sites of a reasonable scale mixed-use developments can achieve wider sustainability objectives, however, on smaller sites, such as this one, it is considered that mixed use development is not appropriate and that new homes will assist in protecting and sustaining existing service provision.

**Representation:** 788/034**Organisation:** Stewart Milne Homes**Representee:** Shelley Thomson**Agents:** Emac Planning**Comment:**

On certain scale of developments mixed use developments can achieve wider sustainability objectives, however, on smaller site new homes may be assisting in protecting existing service provision and may not be of a scale large enough to viably support other mixed land uses. This is a site and location specific issue.

**Main Issue:** 8                      **Question:** 18                      **Answer:** Yes

**Representation:** 781/012

**Organisation:** Homes for Scotland

**Agents:** Emac Planning

**Comment:**

Throughout such a large and geographically diverse area as Angus there will be various urban and rural planning circumstances which will require, to varying degrees, the integration of uses. It therefore seems to be a reasonable aspiration to seek integration of housing with various other uses but the opportunity to do so should not be seen as a mainstream planning requirement.

**Representation:** 800/009

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports this policy as it offers the potential to reduce the need to travel.

**Representation:** 844/019

**Organisation:** D J Laing

**Agents:** Emac Planning

**Comment:**

On certain scale of developments mixed use developments can achieve wider sustainability objectives, however, on smaller site new homes may be assisting in protecting existing service provision and may not be of a scale large enough to viably support other mixed land uses. This is a site and location specific issue.

**Representation:** 758/017

**Representee:** Mr & Mrs Lochart Porter

**Agents:** Burness Paull & Williamsons LLP

**Comment:**

Yes

**Representation:** 788/015

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Where an assessed and justified need has been set out by the Council for mixed use development on sites, Stewart Milne Homes would not object to sites being identified for mixed use purposes. The Council will require to take into account development viability and assess planning applications accordingly and ensure there is a genuine need within the community for the uses prescribed.

**Response:**

Comments noted. It is intended that opportunity for mixed use will be considered as appropriate on a site by site basis.

**Recommendation:**

No change.



**Main Issue:** 8                      **Question:** 18                      **Answer:** Yes

**Representation:** 890/010

**Organisation:** Henry Young (Cairn Timber) Ltd

**Agents:** Halliday Fraser Munro

**Comment:**

Integration of housing site with local services, facilities and infrastructure is central to the creation of high-quality, successful places. Sites which can meet these objectives and which are effective should be favoured for release for development. Development of land to the north of Cortachy Road, identified in the MIR as 'Alternative Option 2 for new land allocations' would accord with local and national policy in that it is capable of delivering a quality development in a sustainable location.

At the strategic level TAYplan recognises that "Quality of place will play a major role in the economic success of the region and people's quality of life." Attractive sites, such as Cortachy Road which are capable of being serviced by existing infrastructure should therefore be identified at an early stage in the Council's consideration of additional housing land allocations.

**Response:**

Comments noted. It is intended that opportunity for mixed use will be considered as appropriate on a site by site basis. Responses to specific comments relating to Kirriemuir Settlement are set out in Chapter 12.

**Recommendation:**

No change.

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**Main Issue:** 8                      **Question:** 18                      **Answer:** No

**Representation:** 849/019

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

No

**Response:**

Response noted. It is likely that the proposed plan will identify opportunities for mixed use as appropriate on a site by site basis in the interest of creating more sustainable development and potentially reducing the need to travel.

**Recommendation:**

No Change

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**Representation:** 902/018

**Main Issue:** 8                      **Question:** 18                      **Answer:** Yes

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

This is in accordance with the broad vision that the TAYplan Strategic Development Plan that is supported by the City of Brechin & District Community Council.

**Response:**

Comments noted.

**Recommendation:**

No Change

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**Main Issue:** 8                      **Question:** 18                      **Answer:** No view  
**Representation:** 889/017  
**Organisation:** Kinnordy Estate  
**Agents:** CKD Galbraith

**Representation:** 798/018  
**Organisation:** Scottish Natural Heritage  
**Representee:** Carolyn Deasley

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**Main Issue:** 8                      **Question:** 18                      **Answer:** Yes  
**Representation:** 868/014  
**Organisation:** Barratt East Scotland Limited  
**Agents:** Ryden LLP

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**Chapter 6 – Question 19 If you think that the Proposed ALDP should establish long-distance networks of habitats and/or recreational paths between towns and villages (see alternative option for green networks in Table 20), can you suggest any objectives for creating and maintaining these networks?**

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**Main Issue:** 8                      **Question:** 19                      **Answer:** No answer  
**Representation:** 844/020  
**Organisation:** D J Laing  
**Agents:** Emac Planning

**Representation:** 788/035  
**Organisation:** Stewart Milne Homes  
**Representee:** Shelley Thomson  
**Agents:** Emac Planning

**Representation:** 759/019  
**Representee:** Mr C Hay  
**Agents:** Emac Planning

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**Main Issue:** 8                      **Question:** 19                      **Answer:** Yes  
**Representation:** 916/012  
**Organisation:** Scottish Environment Protection Agency  
**Representee:** Alasdair Milne  
**Comment:**

SEPA support the preferred option in table 19 to consolidate the existing policies in the plan which would be supported by supplementary guidance. Well designed places can contribute to the protection and enhancement of the natural environment. SEPA would therefore expect this concept to be promoted as a key design principle.

SEPA note that Angus Council intend to promote green infrastructure as a key design quality and place making principle in the supplementary guidance. Although we support detailed advice being contained in supplementary guidance, SEPA consider green infrastructure to be an integral component of design that should be considered at the outset and therefore included as a key principle in the overarching policy. This position is advocated by the Scottish Government's Green Infrastructure: Design and Placemaking guidance.

Other design principles that we would expect to be included in the supplementary guidance include:

- \* Minimisation of waste - space for recycling, composting etc as advocated in Annex B of the Zero Waste Plan (para 5.5)
- \* Green infrastructure - protection and enhancement of water environment, SUDS, buffer strips around water features, sustainable flood management (e.g. avoiding development on the functional flood plain) etc
- \* Air - reducing the need to travel and designs to minimise the impact of poor air quality
- \* Energy - opportunities for CHP, design to minimise energy usage etc

SEPA refer Angus Council to the placemaking and design policies and supplementary guidance in the Stirling Proposed LDP as a recent example of good practice. Please refer to Primary Policy 1 and supporting policies 1.1 and 1.2 in the proposed plan (<http://www.stirling.gov.uk/localdevplan>) and supplementary guidance note 1 (<http://www.stirling.gov.uk/documents/temporary-uploads/economy,-planning- and - regulation/supp-guidance-sept-2012/sq01-placemaking.pdf>).

**Representation:** 800/010  
**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports this policy as recreational paths can play an important role in promoting the concept of walking and cycling as an alternative to the private car, principally for recreational journeys but also in some locations for work journeys, etc. This is in line with Tactran's Walking and Cycling Strategy and Action Plan, in particular Action B1: Improved walking and cycling links within the region. It also supports the regional Health & Transport Framework and in the development and implementation of the local Health and Transport Action Plan.

**Representation:** 776/010

**Organisation:** Lunanhead & District Community Council

**Representee:** David Conran-Smith

**Comment:**

It must be worthwhile to establish such links - for peoples health, for enhancement of the countryside, to help encourage tourism and so on. There are in Angus several old links (disused railway tracks) which could very usefully, and perhaps reasonably easily, be reused.

**Representation:** 849/020

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Objectives include increasing recreational options for positive health benefits; increasing biodiversity; increasing cycle use for employment as well as leisure.

**Representation:** 902/019

**Organisation:** City of Brechin & District Community Council

**Representee:** Mr Paul Wright

**Comment:**

To enable everyone in Angus to travel without reliance on individually owned forms of transport that emit Carbon Dioxide and other harmful emissions.

To encourage physical and mental health through access to natural rather than built environments.

To provide safe routes for walking and cycling through Angus for both visitors and residents.

To allow people to experience the wide diversity of landscape in Angus and their relationship to each other.

To provide employment and training in various rural skills, such as hedge-laying, dry stone walling, coppicing etc as well as less-skilled maintenance work.

To encourage community strength, through ownership and cooperation between different communities.

An increase in biodiversity and numbers of individual species, partly by providing 'corridors'.

**Representation:** 798/019

**Organisation:** Scottish Natural Heritage

**Representee:** Carolyn Deasley

**Comment:**

Scottish Natural Heritage broadly agree that the focus of the green-network policy should be on networks around settlements since these have the biggest potential to deliver a range of benefits to people and nature.

Scottish Natural Heritage note the view (para. 6.29) that there would be limited benefit in identifying an 'Angus wide' green-network because of what could realistically be achieved on the ground. However, Scottish Natural Heritage do feel that there are benefits for the Plan exploring and setting out the key 'green-network opportunities' in the rural areas, such as a context for decisions about where to focus spend not only by the Council but by other providers. For example, at Monikie and Crombie country parks (and adjacent woodland networks) there appears to be an opportunity (with investment in some key links) to create a much larger network of paths/ cycle paths that could attract significant additional visitors and possibly tourism investment on the back of that.

**Response:**

Comments noted and will be taken into account in preparing Proposed Plan and Supplementary Guidance.

**Recommendation:**

No Change. Detail will be considered in preparing Proposed Plan and Supplementary Guidance.

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**Main Issue:** 8

**Question:** 19

**Answer:** No answer

**Representation:** 788/016

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Comment:**

Green networks and areas of open space enhance quality of living and promote and encourage a healthier lifestyle. Where developments connect with specified areas of green network, then Stewart Milne Homes would be supportive of maintaining green links through sites providing developable land was not sterilised for this purpose. Setting out core paths and green network connections outwith allocated sites would be for the Council to fund and maintain and Stewart Milne Homes would not be supportive of contributions for this purpose.

**Response:**

Comments noted and will be taken into account in preparing Proposed Plan and Planning Advice Notes. See also the responses to comments relating to Implementation of the strategy; the delivery of new development.

**Recommendation:**

No Change. Detail will be considered in preparing Proposed Plan and Supplementary Guidance.

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# Chapter 7

## Chapter 7 - General

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**Representation:** 848/002

**Organisation:** BP North Sea Infrastructure

**Agents:** Archial Group

**Comment:**

Sites have been identified in the MIR as lying within the Forties Pipeline corridor (including land at Dubton Farm). If appropriately designed all of these sites could be developed safely without causing harm to the integrity of the pipeline.

No objection is therefore raised to their allocation. However in the event that they are allocated, it is recommended that in certain cases the presence of the pipeline is highlighted, or the content of the allocation takes into consideration the requirements of the PAHDI regulations.

**Response:**

Comment Noted.

**Recommendation:**

As with the Angus Local Plan Review it is intended to detail pipeline consultation zones on proposals maps contained in the Proposed ALDP. Detailed consultation and consideration of the requirements of the PAHDI regulations will be undertaken as part of the development management process.

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**Representation:** 800/014

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Consideration should be given to accommodation of a strategic Park & Ride facility at Forfar, close to the A90(T), as identified in the approved Regional Park & Ride Strategy.

**Representation:** 800/013

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports the preferred strategy to ensure that the majority of new development occurs within Carnoustie and the Dundee Core area.

In the Settlement Statement for Monifieth, reference should be made to the Tactran Tay Estuary Rail Strategy (TERS), which sets out proposals for increasing the currently limited number of stops at Monifieth Station, as referred to in Section 3, page 93.

The Preferred Option for development at Monifieth to incorporate potential site(s) for Park & Ride to the east of Dundee, as identified in the STPR and Regional Park & Ride Strategy, is strongly supported.

**Representation:** 800/011

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran welcomes and supports the references in section 7.9 to improving accessibility of both Brechin and Montrose by route actions on the A935, which is identified in the Regional Transport Strategy as a strategically significant route. These improvements to the A935 support the RTS Delivery Plan action of improving access to Montrose Port.

Consideration should be given to accommodation of a strategic Park & Ride facility close to the A90(T) at Brechin, as identified within the approved Regional Park & Ride Strategy. The intention to safeguard Montrose Port for port related development, including in support of the emerging renewables sector and in accordance with TAYplan, as set out on pages 102 and 103 is fully supported. The Preferred Option for the development of land in and around Montrose is supported on the grounds of good access from A92. Protection should be given to accommodation for potential future development of rail freight connections/facilities at Montrose.

**Response:**

Comment Noted.

**Recommendation:**

Transport related projects, including strategic transport infrastructure proposals will be detailed in the Proposed ALDP and supporting Action programme. The Proposed ALDP will include a policy supporting proposals for Park & Ride facilities at Brechin, Forfar and Monifieth into the Proposed ALDP.

The Proposed ALDP will include a freight facilities policy and will safeguard railway sidings at Montrose Station and Helen Street Goods Yard, Arbroath for rail related activity.

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**Representation:** 800/012

**Organisation:** TACTRAN

**Representee:** Michael Cairns

**Comment:**

Tactran supports the proposal to make best use of the upgraded A92 between Arbroath – Dundee by directing the majority of development to Arbroath, which also benefits from good rail connectivity owing to its location on the East Coast Main Line.

**Response:**

Support noted.

**Recommendation:**

No change as a result of this representation.

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**Representation:** 797/008

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

It might be useful to show how in the table that these figures relate to the overall TAYplan figure.

**Representation:** 797/007

**Organisation:** Fife Council

**Representee:** David Wardrope

**Comment:**

The important routes of the A92 and the A90(T) also connect Angus with other parts of the TAY plan area such as Perth & Kinross and north Fife.

**Representation:** 899/003

**Organisation:** Aberdeenshire Council

**Representee:** Piers Blaxter

**Comment:**



Promotion of development in Edzell and Montrose (and particularly redevelopment of Sunnyside Hospital) are likely to draw demand for development away from the south Kincardine and Mearns Area, and have an impact on the attractiveness of Edzell Woods (Edzell airbase) as a development location. This is not currently perceived as a serious problem, but may have longer term implications for the support of the expansion of development opportunities at Edzell Woods, as there would be issues of direct competition.

**Response:**

Comment noted.

**Recommendation:**

No change as a result of this representation.

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**Representation:** 764/005

**Organisation:** GlaxoSmithKline

**Agents:** PPCA Ltd

**Comment:**

Paragraphs 7.7-7.9 deal with the North Angus Housing Market Area which includes Montrose. There is no reference in this section of the Local Development Plan to the ability of this area to accommodate renewable energy development and this is considered a flaw. The urban areas and much of the rural area could accommodate renewable energy development, including wind turbine development, and this should be reflected in the Local Development Plan.

**Response:**

The Proposed ALDP, as with the ALPR, will continue to recognise the importance of all forms of renewable energy. Appropriate development in appropriate locations will continue to contribute to the Angus economy, including wind energy development compatible with other economic activities and the environment. Cumulative impacts extend across administrative boundaries and do affect the capacity for wind energy development within Angus and both are valid elements of assessing proposals for wind energy development. Wind turbines are only one form of renewable energy development and their contribution to the local economy must be considered in relation to the full range of activities which may be negatively affected by inappropriate turbine scale and location. Separate guidance for individual Housing Market Areas is not considered appropriate.

**Recommendation:**

Comments noted. These representations will be considered in preparing the Proposed Plan and Supplementary Guidance, which will incorporate a locational framework.

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**Representation:** 901/005

**Organisation:** Scottish Water

**Representee:** Adele Gallagher

**Comment:**

In regards to the settlements within Angus, Scottish Water are aware of issues within the settlements and will continue to work closely with Angus council and developers to work through these issues. Also, they should not be seen as a barrier to development. Scottish Water's policy on infrastructure remains the same in that developers remain responsible for meeting the costs of all 'local' network infrastructure that is required to support development. This extends from items such as on site infrastructure through to water mains, pumping stations and treated water storage tanks. Scottish Water does however make a contribution towards such costs under The Provision of Water and Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006. We are also committed to reducing such costs by working with developers to identify the most practical and efficient scope and

phasing for solutions. This approach will be particularly important in helping enable large strategic developments, however, it is reliant on early and productive dialogue with developers.

**Response:**

Scottish Water is one of the Key Agencies and will be consulted throughout the Plan Preparation process. The availability of drainage and water supply capacity are key components in identifying sites that are free from infrastructure constraint and capable of delivery during the life of the LDP.

**Recommendation:**

Comment noted. The availability of drainage and water supply capacity will be considered as part of the site assessment process to inform the selection of sites allocated for development in the Proposed ALDP. Where appropriate land allocations will specify requirement for Drainage Impact Assessment to be undertaken in support of development proposals.

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**Representation:** 916/016

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

In addition to the sites included in the MIR SEPA understands that Angus Council intend to carry forward some sites from the Angus Local Plan Review. An opportunity now exists to ensure that the development of these sites contributes to achieving the objectives of the River Basin Management Plan. SEPA would welcome the opportunity to review the committed sites to be carried forward prior to the publication of the proposed plan and encourage you to update the site requirements.

**Response:**

Comment noted. Following consultation on the Main Issues Report Angus Council consulted SEPA on all legacy sites contained in the Angus Housing Land Audit and Employment Land Audit. Subsequent comments will be taken into account in preparing the Proposed ALDP. SEPA are now a standard consultee during preparation of the Annual Housing Land Audit.

**Recommendation:**

A Strategic Flood Risk Assessment will be prepared in support of the Proposed ALDP and will incorporate existing sites with planning permission from the Angus Housing Land Audit and proposed land allocations, both new sites and those continued from the previous Angus Local Plan Review.

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# General Responses

## General comments

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**Representation:** 847/010

**Representee:** Mrs A Ogilvie

**Agents:** Emac Planning LLP

**Comment:**

It is considered that land to the west of Saty Dyke, Rossie Braes on the A92 leading into Montrose (which extends to 0.42 hectares) is capable of comfortably accommodating a couple of individual houses, complementing the row of existing houses along this corridor leading into Montrose.

Whilst only a very moderate proposal, this site would extend further choice and flexibility in the housing land supply and North Angus Housing Market Area, in a desirable location.

**Response:**

Comments noted. In line with the preferred strategy for rural Angus: settlements, sites of 5 or more units will be allocated in the larger rural villages of Edzell, Friockheim, Letham and Newtyle. Below this level the preferred strategy for rural Angus: housing in the countryside seeks to support development on infill sites within existing settlement boundaries and on appropriate sites in the open countryside. The MIR Appendix 2: Future Intentions for Angus Local Plan Review Policies confirms that the Proposed ALDP will retain the policy framework for assessing proposals for new housing in the countryside. Given the scale and countryside location of the proposed development, the potential for new housing at Saty Dyke would be considered against the policy framework for new housing in the countryside.

**Recommendation:**

No Change

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**Representation:** 900/001

**Organisation:** Road Haulage Association

**Representee:** David Eaglesham

**Comment:**

Overall the Association feels that more account needs to be taken of the need to move freight efficiently around the area given its importance to the local economy and businesses.

In particular as regards Montrose Harbour, the port is developing its business and is rightly ambitious. There is thus a need to secure safe and easy access for HGVs to and from the port taking account of the needs of the local community

**Response:**

Comments noted. The creation of a new spine road in accordance with the South Montrose Masterplan is likely to be complete within the plan period and will improve accessibility in and around south Montrose and the Port by all transport modes.

**Recommendation:**

No Change

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**Representation:** 773/002

**Organisation:** Transport Scotland

**Representee:** Stewart Turner

**Comment:**

The work undertaken by Angus Council provides an excellent foundation for the Proposed Plan. There is a clear indication of the general proposals for the development sites in the

Angus area, but from a strategic transport perspective, there is a lack of detail, and therefore it is not possible to comment fully on the impact of these developments.

Work on understanding the transportation impacts should be undertaken prior to the Proposed Plan being published. Through continued engagement between Angus Council and Transport Scotland, this will ensure that the transport network will continue to be safe, efficient, cost-effective and sustainable; and therefore meet the needs of all the people who travel to or through Angus. In seeking to reach such a position, Transport Scotland will only consider those land use allocations that will affect the Strategic Transport Network. This will be informed by proportionate Transport Appraisal.

It is expected that the developments proposals will be accessible by walking, cycling and public transport and make best use of existing networks and network enhancements; that significant travel generating developments are supported by the provision of public transport; and that developments contribute to reducing the greenhouse gas emissions in line with national targets. These issues should be considered in advance of the Proposed Plan being published.

If following this work the trunk road and rail network can accommodate the impact of the development plan allocations, including the effects of cumulative impact on the network, then no further work will be required to be undertaken by Angus Council.

**Representation:** 773/003

**Organisation:** Transport Scotland

**Representee:** Stewart Turner

**Comment:**

Transport Scotland notes that a review of school capacities has been undertaken in the Community Infrastructure Topic Paper, and of particular interest are the effects of increased capacities at the primary schools in Forfar and South Angus, and at the secondary school in Monifieth. Having completed this work, it would be appropriate for Angus Council to determine the impact on the strategic transport network.

**Response:**

Comment noted. Following consultation on the Main Issues Report Angus Council consulted Transport Scotland to establish a methodology/approach to undertake Strategic Transport Appraisal of the proposed land allocations during preparation of the Proposed ALDP. Transport Appraisal of the MIR was not undertaken as it contained a range of direction of growth options rather than specific sites with identified capacity.

**Recommendation:**

A Strategic Transport Appraisal will be prepared in support of the Proposed ALDP and will incorporate existing sites with planning permission from the Angus Housing Land Audit and proposed land allocations, both new sites and those continued from the previous Angus Local Plan Review which have the potential to impact on the strategic transport network.

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**Representation:** 791/001

**Organisation:** SSE

**Agents:** Jones Lang LaSalle

**Comment:**

Electricity Transmission and Distribution Infrastructure

With the exception of a reference to electricity transmission infrastructure within the Arbroath Settlement Strategy, the MIR is relatively silent on electricity infrastructure development.

The LDP should recognise the important statutory requirements to provide connections for new generation developments and development with electricity demand to their respective transmission and distribution systems.

**Response:**

Comment noted. Angus Council recognise the important role to be played in the future development of Angus by the generation, transmission and distribution of electricity. Connection to the national grid electricity transmission network is an important consideration in the development of new and renewable sources of electricity.

**Recommendation:**

Incorporate consideration of transmission and distribution infrastructure capacity into policy for renewable and low carbon energy development.

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**Representation:** 791/002

**Organisation:** SSE

**Agents:** Jones Lang LaSalle

**Comment:**

Scotland Gas Networks

Scotland Gas Networks (SGN) own and maintain the local transmission and distribution networks within Scotland. Like the electricity transmission and distribution networks, the gas networks will require to be upgraded, reinforced and extended to provide connections upon request to serve new developments. This is a statutory obligation.

**Response:**

Comment noted. SSE will be consulted on the Proposed ALDP which will detail the scale and location of new development proposed for the 10 year plan period.

**Recommendation:**

No change as a result of this representation.

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**Representation:** 791/003

**Organisation:** SSE

**Agents:** Jones Lang LaSalle

**Comment:**

SSE through Seagreen Wind Energy Limited is promoting the development of the Firth of Forth offshore wind farm zone. The Zone is to provide 3,500 MW of renewable energy and is the largest infrastructure project in Scotland. The Firth of Forth Zone is expected to be a major contributor to the Angus area economy.

Suitable port infrastructure is essential to securing the delivery of offshore renewables schemes including the Firth of Forth Zone. Scottish Planning Policy confirms that Development Plans should identify appropriate locations for facilities linked to the manufacture, installation, operation and maintenance of off-shore wind farms and wave and tidal devices.

It is noted that the settlement strategy for Montrose includes the future role of the port in meeting the needs of the offshore energy industry.

**Response:**

Comment noted

**Recommendation:**

No change

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**Representation:** 761/001

**Representee:** Mr Brian Ogilvie

**Comment:**

Land at Bellrock View, Woodville:

Planning permission was refused on this site for a single house in 1980. In recent years other houses have been developed within close proximity. This area of land should be considered for sensible applications for small pieces of land like this where it might be possible to set up a small business.

This area of land should be included in the new draft plan.

**Response:**

The Proposed ALDP will allocate sites of five or more houses which would not apply in this case. Employment and residential plots of this scale would be considered under the appropriate development plan policies are likely to be supported in principle where the proposal accords with policy.

**Recommendation:**

No change.

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**Representation:** 780/003

**Organisation:** Nathro Wind Farm Ltd

**Agents:** Jones Lang LaSalle

**Comment:**

In terms of the Nathro Hill wind farm, the maximum capacity is significant at 61MW. There are few current development proposals within Angus that could contribute as significantly to the Scottish Government's renewables targets as Nathro Hill. The Environmental Statement for the Nathro Hill wind farm identifies that the majority of environmental constraints have been resolved. The site is technically very good. Nathro Wind Farm Ltd (Eurowind) are working with stakeholders to resolve environmental constraints issues arising from consultation on the Section 36 Application.

Providing a suitably supportive policy framework within the LDP for developments such as Nathro Hill would be consistent with the Scottish Government's wider renewables policies. In terms of cumulative landscape capacity, supporting the larger development proposals such as Nathro Hill would also potentially allow landscape capacity within Angus to be managed to the greatest effect. This is in terms of achieving the greatest installed renewables capacity that the landscape has the capacity to absorb. It is recommended that such matters are taken into account when drafting the LDP and its supporting Supplementary Guidance for wind energy development.

**Response:**

Comment noted.

**Recommendation:**

No change.

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**Representation:** 916/049

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne



**Comment:**

Soils and peat

SEPA would highlight that this is an area which is not addressed by the Angus Local Plan Review and would expect it to be covered in the replacement LDP.

This could be addressed by way of a revision to policy ER30 on Agricultural Land.

The plan should also include a policy framework for the protection of carbon rich soils. This could either be included as part of the wind energy policy or included as a separate policy for the protection of soil functionality which includes carbon rich soils (such as peat) along with prime agricultural land (e.g. as part of policy ER30 Agricultural Land). SEPA have recently produced a Soils Position Statement that outlines how that land use planning can address soil related issues. Angus Council may wish to consider the information contained in this document when developing the policy wording.

**Response:**

Comment noted. As a largely rural authority Angus Council recognise that soils are a valuable resource for food production, carbon absorption, biodiversity, flood management, etc.. The impact of the Proposed ALDP on soils, including carbon rich soils and peat deposits has been included into the SEA factors and will be considered through preparation of the Environmental Report which will accompany the Proposed ALDP.

**Recommendation:**

Incorporate a policy covering protection of soils, peat and carbon rich soils into the Proposed ALDP.

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**Representation:** 876/004

**Representee:** David Milne

**Agents:** Montgomery Forgan Associates

**Comment:**

A change to the settlement boundary of Aberlemno and allocation of land for community facilities, tourism and housing is submitted for consideration.

Aberlemno is defined as a settlement within the Adopted Angus Local Plan (2009) but consists of three separate areas set within agricultural land. The village is served by a primary school, village hall and church but has no shop or play facilities other than at the school. The existing cemetery is limited in size and a need for an extension has been identified the Council.

This submission supports a comprehensive, coherent response to the needs of this rural community taking into account landscape sensitivities and the requirement for sustainable development. SPP requires that, in promoting the efficient use of land, planning authorities should to direct development sites within existing settlements where possible "to make effective use of existing infrastructure and service capacity and to reduce energy consumption" (paragraph 80).

With this direction including land "within or adjacent to existing settlements" (paragraph 84), the benefits of this approach including "reducing servicing costs and helping to sustain local schools, shops and services." (paragraph 85).

The proposed settlement boundary change and associated provision of community facilities and residential development is illustrated on the submitted plan (Appendix 1). The community facilities include a playing field adjacent to the school and an extension to the cemetery. Tourism potential is harnessed through the proposed shop and cafe and provision of a seating area for viewing of the Pictish Stones. Significant structural planting to the west is

proposed to improve the landscape setting of the village and to provide a backdrop for two separate areas for residential development.

It is understood that the school has a need for additional play space which has been required since the merger of Aberlemno Primary with Pitkenedy Primary 7 years ago. It is proposed to provide a kick about size pitch adjacent to the school to meet this community need and provide a significant social benefit.

It is also understood a need has been identified for an extension to the cemetery. Land is identified and can be made available within the proposed settlement boundary adjacent to the Church for this purpose. Again, such provision is a social benefit as outlined in Table 1 of the Main Issues Report.

The archeological assets of Aberlemno are protected and maximised in terms of tourism potential through the provision of viewing areas on the north side of the main road through the village.

These areas will be adjacent to a new car park to serve a proposed shop and cafe. Such an allocation and promotion of economic activity is fully in accordance with the aims of the Local Development Plan and Scottish Planning Policy.

It is considered that Aberlemno has several important community hubs i.e. the Church, village hall and school. However the community would be strengthened by the development of a village shop. This can be provided together with a small cafe to serve the tourist trade. Interpretative displays within this building would maximise the visitor experience and encourage tourist visits.

It would be intended that the community and tourism facilities can be cross funded through modest residential development which relates well to the existing settlement pattern. Residential provision would include an appropriate element of affordable housing together with a range of house types to encourage a vibrant mixed community. Additional residents strengthen the social and economic base of the Community in line with the aims of the Local Development Plan spacial strategy set out in the 'reasonable alternative' option in Table 1 of the Main Issues Report and supported in paragraph 2.2 above. Environmental benefits would be derived from extensive landscape planting to the west.

**Representation:** 896/002

**Representee:** Ms Nadine Urquhart

**Agents:** The Charlton Smith Partnership

**Comment:**

Land at Lisdonbank:

The site at Lisdonbank, Kirriemuir has the potential to be developed for Housing to provide around 1 - 7 units in years 1 - 5 of the forthcoming Angus Local Development Plan.

It is located on the south-west side of the village in a residential environment and is flat and protected all around by mature trees. It is well located to local services including the Post Office and shop and bus stops to Kirriemuir with town centre, schools and public leisure facilities available and buses to Alyth in the other direction. Kirriemuir can be accessed by bus, by cycle and on foot. Access and utility services (electricity, gas, water, drainage, telecoms) can be provided from adjacent utilities in Low Road.

The land amounts to around 0.55ha, which could make a small but useful contribution to future housing requirements for the village. The site would assist in supporting the services that already exist in Westmuir and the service function of Kirriemuir with its cultural heritage.

**Response:**

Comments noted. The policy approach towards development within the rural villages will be incorporated into the Proposed ALDP along with any related supplementary guidance.

Detailed policies based on residential development in the countryside and community facilities will also be considered in drafting the Proposed Plan.

**Recommendation:**

Detail to be considered in drafting plan.

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**Representation:** 797/009**Organisation:** Fife Council**Representee:** David Wardrope**Comment:**

Although minerals are not identified as being a key issue in the MIR, presumably they will be addressed in the Proposed Plan, as indicated by the adopted TAYplan?

**Response:**

Comments noted. Detailed policies based on minerals will be considered in drafting the Proposed ALDP.

**Recommendation:**

Detail to be considered in drafting plan.

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**Representation:** 795/002**Organisation:** Strathmore Estates**Agents:** Ristol Ltd**Comment:**

Strathmore Estates submit that the Proposed Plan incorporates the following land use proposals for Glamis village:

1. Allocate land within the centre of Glamis village (site 29W) for residential development;
2. Allocate land at Glamis station (site 48W) for employment land; and
3. Provides a policy reference for long term growth to the east of Glamis (site 28W).

**Response:**

Comments noted. The policy approach towards development within the rural villages, including a review of existing allocations will be incorporated into the Proposed ALDP along with any related supplementary guidance.

Detailed policies based on residential development in the countryside and rural employment will also be considered in drafting the Proposed ALDP.

In relation to the site at Glamis Station, as the site is brownfield with an established commercial user, any proposals for additional employment uses could be progressed through the development management process.

**Recommendation:**

Detail to be considered in drafting plan.

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**Representation:** 909/001**Representee:** Mr Martin Gilbert**Agents:** William Lippe Architects

**Comment:**

Noranside is situated at the foot of the Angus Glens in the West Angus Housing Market Area and is approximately 9 miles to the north of Forfar and 11 miles to the west of Brechin. It is just north of the A92 between Aberdeen and Dundee and is within easy commuting distance of Montrose and Forfar. Noranside is served by Tannadice Primary school and Websters High School, Kirriemuir both of which have pupil capacities. A bus service from Noranside to these local schools as well as to Forfar is already in place and open to the public. The nearby settlements of Forfar and Brechin provide employment, retail, commercial and educational facilities.

Until recently, Noranside was a prison for young and rehabilitating offenders and since its closure in October 2011 has been sitting empty. This rural brownfield site therefore provides a unique opportunity to create a sustainable residential development which will not only utilise the existing structures and utility frameworks already in place but also help meet the Angus Housing Supply Targets and TAYplan housing requirements.

The main focus of the estate is 'B Listed' Noranside House which was constructed and extended in the late 18th century. The estate was further developed in the early 19th century with the introduction of stables, gardener's cottage and walled garden.

The site became a sanatorium in 1914 for the treatment of patients with tuberculosis and several additional buildings were constructed and altered to accommodate this. All alterations and buildings were designed by Dundee architectural practice, Maclaren, Sons and Souter.

The site became Noranside Young Offenders Institute in 1963 where further alterations to existing buildings were made and additional buildings constructed. The prison subsequently closed in October 2011.

**Site Descriptions**

All the proposed sites suggested for inclusion are currently in agricultural use, either uncultivated fields used mainly for grazing or for arable purposes. They are also all bounded by mature woodland and accessible via the existing minor public roads. The sites have been carefully considered to avoid any areas of archaeological importance. We propose Class 9 housing use for all sites.

Site A - designated as a 'permanent grass area' forms an extension of the existing village of Noranside and can be easily accessed off Woodlands Avenue where there is currently a road hammerhead in place. The site being bounded by woodland to the south offers views to the north of the surrounding countryside and has a gradual incline from north – south.

Site B - can be easily accessed off Oliver Avenue where there is also a hammerhead in place. The site offers uninterrupted views to the east and glimpses of the grandeur of Noranside House to the north. The site has a slight incline from north – south.

Site C - is located to the east of the walled garden and gardeners' cottage and is on disused agricultural land. The site is currently accessible via the estate road which runs past the site terminating at the public road to the north. The site has excellent views to the south and has a slope running north – south.

Site D - is a south facing site served by the public road to the north and the estate road to the south. With the site rising upwards towards the public road, great views to the south are provided. The south facing site is ideally located to maximise passive solar gain capture.

Site E - is a relatively flat site is served by the public road and would act as a natural extension to the neighbouring semi-detached cottages to the west. As all the sites are currently in agricultural use there is no relevant planning history to them.

Neighbouring relevant planning proposals include the following:

06/00516/FUL (approved subject to conditions): Outline Erection of a dwellinghouse on land at former social club, Noranside.

The sites can be served by mains supplies of electricity and water, with drainage connecting into a recently upgraded and SEPA approved sewage system currently being adopted by Scottish Water.

As mentioned above there are currently public bus services to and from Noranside. These services whilst in place are not that regular however they have the potential to be improved following the development of a master plan for the area. Given the rural nature of the site, pedestrian linkages and footpaths are of utmost importance allowing the public to appreciate the surrounding countryside. Footpaths will therefore play an important role in these potential sites in order to connect them to the master plan as a whole.

The proposed development bid sites would connect into an overall master plan for the successful redevelopment of Noranside. The eventual design and layout of the sites would require careful attention to ensure that development understood and sensitively related to its rural setting with landscaped backdrops and numerous pedestrian linkages. In particular all the existing woodland would be retained and the views of the surrounding countryside would be capitalised on.

Due to the nature of the site appropriate surveys would be carried out including for example habitat surveys to ensure development does not disrupt any local wildlife. The planting proposed for all development areas would be based on native planting appropriate to the character of the area.

Also, all surface water would be disposed of using sustainable urban drainage systems.

#### Conclusion & Recommendation

The proposed sites are currently offering an exciting prospect for new housing units to be provided in a unique countryside setting within the West Angus Housing Market Area. Its respectfully requested therefore that Sites A-E be considered for allocation to provide residential development to meet the stated Angus Council housing requirements.

#### **Response:**

Comments noted. The policy approach towards development within the rural area, will be incorporated into the Proposed ALDP along with any related supplementary guidance.

Detailed policies based on residential development in the countryside and rural employment will also be considered in drafting the Proposed ALDP.

Planning permission for the conversion of former prison buildings to residential use (7 units) and redevelopment of former prison complex including the erection of new dwellinghouses providing 41 residential units including affordable housing (48 units in total) was approved in August 2014. This planning permission will be considered in the Proposed Plan in order to establish the full housing land requirement which is established by the TAYplan SDP for the West Angus Housing Market Area.

#### **Recommendation:**

Detail to be considered in drafting plan.

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**Representation:** 895/001

**Organisation:** Leasingham Jameson, Rogers & Hynd

**Comment:**

In the current plan, the boundary for Ruthven, shown on page 281 allows for a modest expansion in the size of the settlement, by identifying an area for development in the paddock on the North side of the main road.

Planning permission has now been granted for a new road (REF 11/00212/FULL) to provide a safer access to existing cottages. Some of the base course for this roadway has now been installed and estimates are currently being obtained from contractors for the construction with the new road junction.

As can be seen from the drawing of the Site Plan attached, once completed, this new roadway will provide an identifiable topographical feature which will form a natural settlement boundary containing any future development.

It is therefore suggested that the settlement boundary shown in the 2009 Local Plan, again be included in the new Angus Local Development Plan to be adopted.

**Response:**

Comments noted. A landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP, Action Programme and any related supplementary guidance. This representation will be taken into consideration in developing the proposed plan.

**Recommendation:**

Detail to be considered in drafting plan.

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**Representation:** 775/002

**Organisation:** RSPB Scotland

**Representee:** Claire Smith

**Comment:**

RSPB Scotland supports the existing environmental policies ER1, ER2, ER3 and ER4 which provide a clear statement of nature conservation policy to be applied in consideration of any proposed development.

**Representation:** 767/002

**Organisation:** Shell UK Ltd

**Agents:** John Handley Associates Ltd

**Comment:**

Shell UK Ltd also welcome and support the suggested retention of a 'Pipeline Policy' within the new LDP, and support the proposed policy recognition and protection to be given to the Pipeline Corridor within Angus.

This approach will be consistent with national policy which supports the recognition and protection of the pipelines. Inclusion of such a policy in the new LDP will ensure consistency throughout the planning process.

Shell UK Ltd do however request that the supportive text is amended slightly. This is to ensure that any development proposals located within the Pipeline Consultation Zones are determined in consultation with both the Health and Safety Executive and the facility's operators and owners.

**Representation:** 775/003

**Organisation:** RSPB Scotland

**Representee:** Claire Smith

**Comment:**

Policy ER3 (Regional & 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: .....

This wording suggests that unless it can be shown unequivocally that there will be an adverse effect the development will be consented.

A preferred wording is: 'Development likely to adversely affect sites'

**Representation:** 775/004

**Organisation:** RSPB Scotland

**Representee:** Claire Smith

**Comment:**

Policy ER4 (Protected species and Habitats)

RSPB Scotland agree that planning conditions should not duplicate a requirement to obey the law but in practice they are often the only safeguard which effectively prevents a development having an adverse impact e.g. preventing development (or aspects of a development) taking place and causing disturbance during the bird breeding season.

RSPB Scotland is not opposed to a revision of natural heritage and landscape policies, or their amalgamation into one comprehensive policy, but will resist any weakening of them. We support preparation of supplementary planning guidance on natural heritage which should assist applicants in bringing forward acceptable proposals.

**Representation:** 848/001

**Organisation:** BP North Sea Infrastructure

**Agents:** Archial Group

**Comment:**

The existing infrastructure constraints policy (as it relates to safeguarding infrastructure such as pipelines) which is contained in the Angus Local Plan Review is generally supported although it could be modified to include reference to the pipeline operators. This wording could be included in the proposed policy, or if this is not favoured, within the associated justification.

**Response:**

Comment noted.

**Recommendation:**

The policy approach to safeguarding essential infrastructure and notifiable installations will be set out in the Proposed ALDP and any related supplementary guidance. This representation will be considered in developing the proposed plan.

**Representation:** 763/001

**Organisation:** Mobile Operators Association

**Representee:** Mr J Cooke

**Agents:** Mono Consultants Limited

**Comment:**

It is recognised that telecommunications play a vital role in both the economic and social fabric of communities. Therefore, within the Local Development Plan it is suggested that a concise and flexible telecommunications policy should be incorporated.

**Response:**

Comment noted.

**Recommendation:**

The policy approach to promoting digital connectivity and assessing proposals for telecommunications infrastructure in line with SPP (2014) will be set out in the Proposed ALDP and any related supplementary guidance. This representation will be considered in developing the proposed plan.

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**Representation:** 762/006

**Organisation:** MBM Planning & Development Consultants Ltd

**Representee:** Mr Mark Myles

**Comment:**

Although not a specific question in the MIR we also provide the following comments in respect of Appendix 2 and a Housing in the Countryside Policy Review.

MBM Planning consider that the new housing in the countryside policy should apply equally to all parts of Angus. The current policy is considered to be restrictive particularly in the currently identified Category 1 RSU areas. The policy wording and definitions should be reviewed to allow easier and more consistent interpretation. For example the rural brownfield sites category should allow for redevelopment of all redundant brownfield sites. The definition of redundant should be extended to include where it can be demonstrated the site/building has not been in use for some time, or is clearly no longer fit for purpose, or where it can be shown that the former site/building is unsuited to the restructuring needs of the farm or rural business.

MBM Planning also do not consider that it's necessary to place plot size requirements on potential redevelopment opportunities as is currently the case with Schedule 2 in the adopted local plan. Brownfield sites come in many shapes and sizes and placing unnecessary restrictions on plot sizes may prevent opportunities for environmental improvements through enhanced landscaping and planting or other remediation work.

**Response:**

Comment noted.

**Recommendation:**

No change as a result of this representation. The policy approach to rural housing development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP, Action Programme and any related supplementary guidance. This representation will be taken into consideration in developing the proposed plan.

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**Representation:** 774/001

**Organisation:** Historic Scotland

**Representee:** Andrew Stevenson



**Comment:**

Historic Scotland notes that the Council intends to summarise and consolidate its existing policy framework in relation to the historic environment. This approach is to be welcomed and Historic Scotland would be happy to offer advice on the drafting of this policy prior to its publication in the Proposed Plan. The emphasis on the value of conservation plans is also to be welcomed.

**Response**

Comment noted. The built and cultural heritage of Angus is rich and varied and contributes to the quality and character of the environment of Angus. Angus Council intend to protect and wherever possible enhance the cultural and historic environment of the area.

**Recommendation:**

The policy approach to protecting and enhancing the cultural and historic environment in Angus will be set out in the Proposed ALDP and any related supplementary guidance. This representation will be considered in developing the proposed plan.

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**Representation:** 916/044

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER22 Public Drainage Systems and ER23 Private Drainage Systems

SEPA note the intention to consolidate policies ER22 and ER23 into a single policy addressing site drainage.

In addition to the revising the current policies in the plan, SEPA would expect the LDP to continue policy provision for waste water drainage infrastructure. In accordance with our Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements we require all new developments within or close to urban areas (including all settlements of greater than 2000 population equivalents and other sewered areas). In a small settlement (population equivalent less than 2000), where there is no, or a limited, collection system, a private system may be permitted where it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the area. Where a private system is acceptable (within small settlements or small-scale development in the countryside) a discharge to land (either full soakaway or raised mound soakaway) compatible with the Scottish Building Standards Agency Technical Handbooks should be explored prior to considering a discharge to surface waters.

Angus Council should also consider the issue of water conservation and adequate water supply. This is particularly relevant when considering climate change adaptation as water infrastructure could be placed under additional strain as a result of predicted changes in the climate, and this could be further exacerbated by new developments.

Additional advice on how SEPA expect development plans to protect and improve the water environment is included in Annex 2, Table 4 of our development plan guidance. This includes the issues that we expect to be covered, the assistance we can provide and links to useful documents and other sources of information.

**Response:**

Comment noted.

**Recommendation:**

The policy approach to the provision of drainage infrastructure to serve all new development in Angus will be set out in the Proposed ALDP. This representation will be considered in developing the proposed plan.

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**Representation:** 916/046

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER25 Water Resource Protection

SEPA understand that the council intend to remove this policy to supplementary guidance. We would not support this. Even if this issue was covered in SPG, there should still be a high level policy within the Plan that covers protection/improvement of the water environment.

Such a policy should ensure that the water environment is safeguarded from deterioration and restored to good status. This approach will ensure that the ecological status of the water environment is both restored and maintained in line with the requirements of the Water Framework Directive and Water Environment and Water Services (Scotland) Act 2003. This will help increase the capacity of the environment to cope with and support future developments and adapt to a changing climate.

SEPA would also refer you at this stage to our comments in respect of the water environment contained in Appendix 3 to our response to the MIR.

**Representation:** 916/047

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER26 Private Water Supplies

SEPA understand from MIR Appendix 1 that the issues addressed by this policy will be incorporated into supplementary guidance.

**Response:**

Comment noted. Angus Council has a duty to ensure that the quality of all water bodies – ponds and lochs, watercourses, groundwater and coastal waters is maintained and where possible enhanced. Development activity should not have adverse effects on water quality (including private water supplies) and can if properly managed provide an opportunity to enhance water quality through natural flood management.

**Recommendation:**

The policy approach to protecting and enhancing the quality of the water environment in Angus will be set out in the Proposed ALDP and any related supplementary guidance. This representation will be considered in developing the proposed plan.

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**Representation:** 916/027

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER36 Municipal Solid Waste Management, ER37 Non Municipal Waste Management, ER38 Recycling and Composting Facilities (Policies to be reviewed together)

SEPA support the requirement for revision of these policies to reflect the Zero Waste Plan and the pilot project in part of the Angus area.

The ALPR document states that the requirement for additional/new infrastructure will be considered at the proposed plan stage – SEPA recommend that full consideration is taken of the guidance contained within the ZWP Annex B for development plans to consider waste as a Main Issue and to consider requirements for additional waste management infrastructure.

It is important that the relationship which the waste management facilities will have with the natural environment and neighbouring land uses is considered when identifying new sites for waste management facilities, or when allocating sites adjacent to waste facilities for non-waste uses. In particular, the potential for residual noise and odour to be detected beyond the boundary of the waste site, even where a waste management facility is operating fully within site license conditions, should be considered and whether compatibility issues may arise. Advice regarding appropriate buffer zones is contained with SPP paragraph 217 and within the ODPM “Planning for Waste Management Facilities” research study.

The review indicates that the approach towards consideration of new waste management infrastructure (based on the ongoing pilot) will be positive and evidence based. SEPA will support policies and site identifications that help implement, and are in accordance with, sustainable waste management objectives contained within the Zero Waste Plan and National Planning Framework. SEPA will support proposed plans that safeguard existing waste management facilities and identify waste management as being appropriate landuses within or immediately adjacent to existing waste management facilities, within general industrial areas and employment sites, or on brownfield or land previously subject to contamination.

The LDP should also identify the existing waste management sites in the development plan area. SEPA prepares waste infrastructure maps annually, showing all licensed and permitted waste facilities accepting waste, with the most up to date maps available on our website: [http://www.sepa.org.uk/waste/waste\\_infrastructure\\_maps.aspx](http://www.sepa.org.uk/waste/waste_infrastructure_maps.aspx)

SEPA encourage the inclusion of policy wording that requires waste to be considered as part of all developments: providing adequate space within site layouts for well designed waste storage, recycling (including kerbside collection and other measures carried out as part of the Angus pilot project) and collection to enable maximum waste reduction and materials to be separated at source. SEPA would support the preparation of detailed supplementary guidance on this topic, provided that preparation of the guidance is referred to by policy contained within the development plan.

Waste management is not a standalone issue – it is linked to climate change, economic, energy and infrastructure issues; SEPA encourage that the links between these topics are clearly made within the Proposed ALDP.

**Response:**

Comment noted.

**Recommendation:**

No change as a result of this representation. In line with Scotland's Zero Waste Plan and the guidance provided by SPP (June 2014), the policy approach to assessing proposals for waste management facilities and ensuring that new development provides for the collection, sustainable recovery and treatment of waste will be incorporated into the Proposed ALDP and any related supplementary guidance. This representation will be taken into consideration in developing the proposed plan.

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**Representation:** 916/038

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

S1 Development Boundaries

SEPA note the intention to retain and update this policy and that it is the preference to continue to advocate the use of development boundaries as an appropriate tool to protect the landscape of settlements in Angus. Furthermore SEPA note the intention is to continue the policy such that proposals contiguous with development boundaries will only be acceptable under certain circumstances. Provided that there is no unacceptable impact on the environment (including air quality, flood risk and loss of soil resource (as per our comments in respect of Policy S6), SEPA have no concerns in this regard.

**Response:**

Comment noted.

**Recommendation:**

No change as a result of this representation. The policy approach to rural development, including a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP and any related supplementary guidance. This representation will be taken into consideration in developing the proposed plan.

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**Representation:** 916/039

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

S2 Accessible Development

SEPA support the retention of this policy in the LDP. As with our comments on the MIR, this will enable the Council to reduce carbon emissions and therefore assisting the Council in working towards their duties under Section 44 of the Climate Change (Scotland) Act 2009 which requires all public bodies to act in the best way calculated to contribute to the delivery of the emission reduction targets and the climate change adaptation framework in exercising their functions.

**Response:**

Comment noted. A key element in the creation of sustainable places and communities is the integration of new development with the existing form of development and its accessibility to existing services and facilities and the local transport network

**Recommendation:**

The policy approach to promoting sustainable and accessible development in Angus will be set out in the Proposed ALDP. This representation will be considered in developing the proposed plan.

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**Representation:** 916/040

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

S4 Environmental Protection

SEPA note the intention is to delete this policy and deal with this issue by way of supplementary guidance. Provided there is a high level policy elsewhere in the Plan which refers to the general protection and enhancement of the environment (for example in policy

S3 or S6), SEPA would have no concern in this regard. Conversely, SEPA would not support the removal of this policy to SPG if there was no policy wording within the plan to link to.

**Response:**

Comment noted.

**Recommendation:**

The policy approach to protecting and enhancing the quality of the environment in Angus will be set out in the Proposed ALDP. This representation will be considered in developing the proposed plan.

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**Representation:** 916/041

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

S6 Development Principles

SEPA support the retention of this policy and note the intention of the council that the overarching principles will be retained as policy with detail provided in SPG. SEPA have provided comment in respect of many of the issues addressed by this policy in Appendix 3 of our comments on the MIR (in respect of the water environment, green infrastructure, flood risk and SUDS – these are issues which should be given more coverage in this policy). SEPA would be happy to discuss the revision of this policy with Angus Council in more detail prior to the publication of the LDP.

**Response:**

Comment noted.

**Recommendation:**

The policy approach setting out development principles and priorities will be set out in the Proposed ALDP, in line with the guidance provided by Scottish Planning Policy (June 2014) and the TAYplan SDP (June 2012). This representation will be considered in developing the proposed plan.

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**Representation:** 916/042

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

SC21 Caravan Sites and Holiday Chalets

SEPA support the retention of this policy and would recommend that the reference to a requirement for suitable waste management and site drainage provision be retained and updated in accordance with previous comments on drainage in Appendix 3 of SEPA's response to the MIR.

**Response:**

Support noted. While it is important that Angus provides a range and quality of tourist accommodation to maintain and extend the tourist season, it is essential that developments are located and designed to ensure that the environmental qualities of the area are not compromised or undermined.

**Recommendation:**

The policy approach for assessing proposals for caravan sites and holiday accommodation in Angus will be set out in the Proposed ALDP.

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**Representation:** 916/048

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER 29 Coastal Development

SEPA welcome the retention and updating of this policy in line with any relevant outcomes from the work associated with the Shoreline Management Plan 2.

SEPA would (in line with our comments within Appendix 3 of our response to the MIR), expect coastal zones to be explicitly addressed within an over arching policy on the protection and improvement of the water environment.

**Response:**

Comment noted

**Recommendation:**

The policy approach to assessing development proposals affecting the varied Angus coastline will be set out in the Proposed ALDP and will take into account the provisions of the Shoreline Management Plan and relevant landscape capacity studies. This representation will be considered in developing the proposed plan.

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**Representation:** 916/045

**Organisation:** Scottish Environment Protection Agency

**Representee:** Alasdair Milne

**Comment:**

ER24 Surface Water Disposal

SEPA support the retention of this policy; however, we recommend that the wording is updated to clarify the types of development proposals to which this policy will apply. The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) includes a requirement that surface water discharges must not result in pollution of the water environment. It also makes SUDS a legal requirement for new development. The only exception to this is a proposal for a single dwelling and direct discharges to coastal waters. Whilst the regulations make SUDS a legal requirement the location, design and type of SUDS are planning issues. The policy should therefore be amended to specify that SUDS will be required for all development proposals, except single dwellings and developments in coastal locations that discharge directly to coastal waters. We also encourage you to consider including details on the level of SUDS treatment required for different types of development, and ensure sufficient space for SUDS is safeguarded within site layouts. This level of detail could alternatively be provided in supplementary guidance.

Furthermore, SEPA welcome the promotion of an ecological approach to SUDS that result in habitat improvement. SEPA recommend that this is strengthened by acknowledging the wider benefits of SUDS. This could be achieved by encouraging developers to integrate SUDS as part of green

infrastructure on site. This approach will ensure connectivity from the green networks/integrated habitats network perspective (see Scottish Governments Green Infrastructure: Design and Placemaking guidance).

**Response:**

Support noted.

**Recommendation:**

The policy approach to managing surface water run-off will be set out in the Proposed ALDP and any related supplementary guidance. This representation will be considered in developing the proposed plan.

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**Representation:** 916/043**Organisation:** Scottish Environment Protection Agency**Representee:** Alasdair Milne**Comment:**

SC 32 Open Space Protection

SEPA support the retention of this policy which sets a presumption against the development of open spaces of sporting, recreational, amenity or nature conservation value. SEPA have offered comments in our response to the MIR on the provision of open space whereby we highlighted that green infrastructure should be an integral component of design that should be considered at the outset and therefore included as a key principle in the overarching policy. This position is advocated by the Scottish Government's Green Infrastructure: Design and Placemaking guidance.

**Response:**

Support noted. Angus Council recognise the value open space within settlements. As part of a wider green network they contribute to the amenity and character of the area and provide an important sporting, recreational and sporting resource. It is intended to continue the broad policy approach contained in the adopted Angus Local Plan Review into the Proposed ALDP.

**Recommendation:**

Comment noted. This representation will be considered in preparing the Proposed Plan. The Proposed ALDP will incorporate policy dealing with the protection and enhancement of existing and provision of new open space within settlements in line with the guidance provided by PAN 65. Implementation of the policy will be informed by the preparation of an Audit of the quantity, quality and accessibility of open space within the Angus towns which will identify existing levels of open space provision and local deficiencies. This will form the basis of an Open Space Strategy which will establish local standards for the provision of open space from new development. The timescale for the audit and strategy will be set out in the Proposed ALDP Action Programme.

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**Representation:** 783/012**Organisation:** Muir Homes Ltd**Agents:** TMS Planning & Development Services Ltd**Comment:**

LAND AT EAST ADAMSTON, MUIRHEAD

In support of the TAYplan strategy related to prioritisation of development within the Tier 1 settlements, it is considered that the subject site at East Adamston, Muirhead would represent an appropriate settlement extension and therefore should be allocated for residential and related development within the Local Development Plan. The site, circa 10 hectares in area, lies on the west side of Birkhill/Muirhead. It is an area of agricultural land defined by the A923 Coupar Angus Road to the south, rural housing to the north, the B954 (Newtyle Road) and fields to the west and by the village and agricultural paddocks to the east. The site is in 2 sections traversed by the B954 on an east-west axis and by rural lanes within the northern section of the site (these running this on a north-south axis).

The site is directly linked to the settlement by the 2 main roads. These roads presently converge to the east of the site within Muirhead at a sub-standard “Y” shaped junction. This junction is particularly challenging for certain movements especially those carried out by commercial vehicles, buses and the like and can be seen to restrict the free flow of traffic through the area. The priority at the junction rests with the B class road.

The development concept for the site remains to be refined in detail. Initial assessment (refer attached plan) has addressed access and landscape/setting issues, the location of a farm shop, and the likely residential development zone. The latter would amount to just over 7.5 hectares which, with requisite public open space provision, SUDs treatment facilities, and assuming a range of property types, including affordable housing, would amount to in the region of 160-180 residential units.

The land owner is also seeking to provide a farm shop/retail facility directly related to his established agricultural business as part of the development. This facility would be located at the western part of the site close to the main access road (refer site plan). In addition to selling local produce, this facility would add additional employment/economic activity within the area. It would represent a truly sustainable form of development.

A significant benefit of the development to the local area, in addition to the wide range of new housing that would be provided, would be the access arrangements from the A923 Coupar Angus Road to the B954 Newtyle Road. As per the details on the indicative plan attached, the development would deliver a new link between these main roads thereby allowing alterations to the existing sub-standard junction within the settlement. In effect, there are options to remove through traffic from the section of Newtyle Road west of its junction with the A923 Coupar Angus Road thereby prioritising movements on the A class road and removing/significantly reducing traffic movements at a sub-standard and potentially dangerous junction. Traffic wishing to travel to/from the B954 in this vicinity would do so via the A923 Coupar Angus Road and the road provided as part of the development. This would represent a much improved position. Pedestrian access would be largely unaffected and all road users would benefit from the related safety improvements.

The final details of any alterations to the existing junction would be agreed with Angus Council and carried out as part of the proposed development.

In terms of the development site, careful consideration would be given to its relationship to existing properties and to forming an attractive settlement edge. Setbacks and landscaping would be employed in order to retain some of the rural character at the site edges while also providing a soft and definable settlement edge. An access strategy for pedestrians and cyclists (in addition to the main site accesses) would be developed and it is anticipated that this will include retention/use of the existing lanes which traverse the site.

The site promoters are keen to secure the required residential land allocation and to work with Angus Council in order to deliver a truly sustainable, accessible and environmentally sympathetic development.

**Representation:** 851/002

**Organisation:** Muir Group

**Agents:** James Lohead Consultancy

**Comment:**

Land at East Adamston:

Land to the west of the village represents an opportunity to enhance the entrance to Muirhead and improve the setting of the village. The Muir Group controls land on both sides of the B954 amounting to some 12.37 hectares. The Company would welcome the opportunity to discuss with the Council the extent of land that could be made available for



housing in association with extensive landscaping. In this way the urban edge of the village could be greatly improved.

**Representation:** 760/036

**Representee:** Mr M Batchelor

**Agents:** Emac Planning LLP

**Comment:**

It is considered that the land at Ballumbie North should be identified for a moderate phase 1 housing allocation in second 5-year period of the LDP for circa. 100 houses.

The site is considered to be deliverable, free from infrastructure constraint and in a location which is well connected with the existing settlement at Ballumbie, which in turn abuts the Dundee Core Area. Moderate growth, guided through a masterplanning process can offer choice and flexibility in local housing provision in this part of the Housing Market Area.

**Representation:** 788/036

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Stewart Milne Homes would respectfully request that the strategic golf and residential development opportunity at Ballumbie be recognised through formal allocation within the emerging Angus Local Development Plan.

In summary:

\* That the opportunity at Ballumbie be recognised as a golf and housing allocation for approximately 115 houses (within Angus) in the Angus Local Development Plan.

\* That the proposed housing be identified for release in the first 5 year period, i.e. 2014 – 2019; or

\* If there is found to be no immediate strategic requirement, the proposed housing allocation be identified for release in the second 5 year period, i.e. 2020-2024; or

\* If not required in either the first or second 5 year period, the proposed allocation is recognised as a preferred direction for growth for further LDP review or as a 'draw down' site should the need arise or the site achieves planning consent as a departure to the Development Plan.

**Representation:** 788/037

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Village H (former compound site), Ballumbie:

The former compound site, a brownfield site, extends to approximately 2.0 ha and is considered appropriate for redevelopment for approximately 15 houses.

The site is located within the Angus Local Plan development boundary for Ballumbie which abuts the Dundee Core Area. Historically planning permission was granted by Angus Council for a mixed residential and golf development set within approximately 95 ha of land and Stewart Milne Homes have successfully developed, and sold off development parcels, for the majority of the consented land. The neighbourhood is now well known locally as the Ballumbie Castle Estate and is a very marketable area within the second hand housing market.

The former compound site lies directly adjacent to one of the development parcels to the east of Ballumbie House and benefits from direct access from Silver Birch Drive.

It is clear that whilst significant greenfield releases will be needed throughout Angus to satisfy the TAYplan strategic requirement, priority should also be given to brownfield land within the existing urban area. Indeed TAYplan (page 8) advocates developing brownfield land within settlement boundaries as preferable to land outside these boundaries. As a former compound site located within a defined settlement boundary, this land clearly complies with the TAYplan strategy for such sites.

As part of the process of preparation of the emerging Local Development Plan, in response to Angus Council's call for sites, a 'bid' was submitted for this land.

Angus Council's analysis refers to the historic consent and the conditioned maximum of 238 units plus the conversion of Ballumbie House (14 units). The site was however not included within the MIR as a preferred or reasonable option for development.

It does however seem odd to limit the potential development of a brownfield site through the continued imposition of a development limit that was set without reference to the opportunity presented on this site. Whilst therefore it may have been considered appropriate to impose the limit when granting the original consent, the context for the limit no longer exists as the golf course and the remainder of the development are now complete.

Whilst accepting that the identification of such a small site may not be a priority within the overall TAYplan strategy, to continue to limit the development at Ballumbie House to an historic figure when there are clear opportunities available to maximise the use of underused land lies contrary to Circular 4/1998.

Regarding deliverability, part of the area lies within a high flood risk area although as with most of the promoted land in and around Angus, any allocation would be subject to suitable technical assessment. With regard to servicing, water, drainage and power supply are available and there are not considered to be any other constraints that would prevent timely development.

Stewart Milne Homes respectfully request that the subject land be identified within the Local Development Plan as an allocation for approximately 15 houses.

**Representation:** 788/038

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Emac Planning

**Comment:**

Village V, Ballumbie:

The site extends to approximately 0.5 ha and is considered appropriate for redevelopment for approximately 5-10 houses.

The site is located within the Angus Local Plan development boundary for Ballumbie which abuts the Dundee Core Area. Historically planning permission was granted by Angus Council for a mixed residential and golf development set within approximately 95 ha of land and Stewart Milne Homes have successfully developed, and sold off development parcels, for the majority of the consented land. The neighbourhood is now well known locally as the Ballumbie Castle Estate and is a very marketable area within the second hand housing market.

The site lies directly adjacent and takes access through one of the previously developed areas of housing off Chestnut Green. The site also abuts existing housing to the south which lies within Dundee City.

Stewart Milne Homes also control a further 2.5 ha of land directly to the west, i.e. within Dundee City and extending across to Ballumbie Road. This land is currently being promoted for housing development within the emerging Dundee City Local Plan and the combination of both sites can provide for additional connectivity in terms of footpath/cycle links thereby improving local links to open space and other local amenities.

It is clear that whilst strategic greenfield releases will be needed throughout Angus to satisfy the TAYplan housing requirement, opportunity should also be given to smaller greenfield releases within the existing urban area. Indeed TAYplan (page 8) advocates developing land within settlement boundaries as preferable to land outside these boundaries even when it is brownfield. As underused scrubland located within the defined settlement boundary, this land clearly complies with the TAYplan strategy for such sites.

As part of the process of preparation of the emerging Local Development Plan, in response to Angus Council's call for sites, a 'bid' was submitted for this land. Angus Council's analysis refers to the historic consent and the conditioned maximum of 238 units plus the conversion of Ballumbie House (14 units). The site was however not included within the MIR as a preferred or reasonable option for development.

It does however seem odd to limit the potential development opportunity at this underused area of scrub land site through the continued imposition of a development limit that was set without reference to the opportunity now presented on this site. Whilst therefore it may have been considered appropriate to impose the limit when granting the original consent, the context for the limit no longer exists as the golf course and the remainder of the development are now complete.

Whilst accepting that the identification of such a small site may not be a priority within the overall TAYplan strategy, to continue to limit the development at Ballumbie House to an historic figure when there are clear opportunities available to maximise the use of underused land lies contrary to Circular 4/1998.

With regard to servicing, water, drainage and power supply are available and there are not considered to be any other constraints that would prevent timeous development.

Stewart Milne Homes respectfully request that the subject land be identified within the Local Development Plan as an allocation for approximately 5-10 houses, the detail of which will be subject to further assessment and application(s).

**Representation:** 863/015

**Organisation:** Inveraldie Properties Ltd

**Agents:** Emac Planning LLP

**Comment:**

LAND TO NORTH AND WEST OF INVERALDIE

The site extends to an area of approximately 23 hectares and is considered capable of accommodating around 70-100 houses, rural employment land, community/village hub and new open space provision over the first period of the LDP, with further phases of residential development (approximately 250 houses) over the longer-term period of the LDP and beyond.

It is considered that the site should be allocated for residential and mixed use development in the Proposed LDP. The approach of the Council to reviewing settlement boundaries,

following a landscape assessment, is supported. This site is capable of comfortably accommodating new development within the local and wider landscape setting whilst also contributing to the effective housing land requirement of the Housing Market Area, together with employment land provision, whilst sustaining local services and facilities in Inveraldie.

South Angus remains a popular area for housing and villages such as Inveraldie where existing facilities exist should be the preferred choice for any potential incremental growth strategy. The site offers the opportunity to extend Inveraldie and offer a choice in village living, in close proximity to the main service provision provided in Dundee.

Inveraldie lies in close proximity to the A90, linking Dundee, approximately 4 miles to the south with Aberdeen to the north. A number of improvements have recently been carried out to the junctions at Tealing and Inveraldie, and this site offers the opportunity for further improvements which are referred to below.

The Proposed LDP strategy should make allowances for growth and appropriate greenfield land release which will provide for local housing needs, contribute to the distribution of housing opportunities across the wider Dundee and South Angus Housing Market Area and assist in supporting local services and facilities. Mixed use developments, of a scale capable of delivering such uses, should be endorsed through the LDP.

**Representation:** 788/045

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Barton Willmore

**Comment:**

Land north of Woodside Road, Liff:

SMH have an option on an area of land of approximately 27.3 Hectares (67 acres) situated to the north of Woodside Road, directly adjacent to the village of Liff. SMH consider this to be an effective site that can provide a new strategic housing development that can deliver growth for the South Angus Housing Market Area. It is in an accessible location close to Dundee that will enable the provision of additional infrastructure and facilities to serve the residents of Liff.

**Representation:** 803/005

**Organisation:** The Church of Scotland General Trustees

**Agents:** John Handley Associates Ltd

**Comment:**

Land at Church Road, Liff:

The General Trustees site extends to approximately 2.7 hectares and is located to the west of Church Road and south of Fowlis Road.

The site is owned by The Church of Scotland General Trustees, and is currently let for farming. The site is a large, rectangular shaped area of farmland. It slopes gently from north to south and has well defined boundaries to the north, south and east. The site is surrounded by existing housing on three sides and forms part of the build-up area of the village. The site lies within the 30mph speed limit and part of the site (southern half) is currently located within the designated settlement boundary.

The site benefits from its location directly adjacent to the Church Road, and there are a number of opportunities for access into the site from this road. Other alternatives include taking access from Gray Den road which abuts the site to the south. Final details would be confirmed at the planning application stage.

Given its location within the current settlement boundary; and the surrounding established housing development to the north, east and south, it is considered that The Church of Scotland General Trustees site at Church Road is an entirely appropriate and suitable candidate for further residential development within this popular, and well located, South Angus village.

The Approved SDP has outlined strategic policy support for further new housing in rural areas, and the SPP recommends meeting housing land requirements by extending existing rural settlements so that servicing costs can be reduced, and local schools and services can be sustained.

The site is not allocated for housing within the currently Adopted Local Plan, but part has been reserved for development. The ALDP Main Issues Report has also recognised its particular merits and advantages, and recommended that its capacity for development is considered through a wider settlement review.

The site represents a natural "infilling" of the existing settlement and would effectively round-off the village to the west. It is well located in terms of access, proximity to bus stops and existing education provision.

The site is not constrained by any environmental or landscape designations. It is generally south-facing and benefits from well-defined boundaries to the north, east, south, and a number of potential access points. Like all land around Liff, the site is classed as prime quality agricultural land. However, the site is not in intensive agricultural use, and its development for housing would not impact on the viability of any farm or land holding, or lead to the loss of land that is in short supply. Its release for development has already been approved by the Adopted Local Plan.

Due to the size of the site, a range of densities and house sizes could be provided with the development phased to provide a short, medium and longer term housing site for Liff. It is anticipated that the scale of development would be in keeping with the scale and character of the adjacent residential areas. The site can be readily absorbed into the local landscape, and there are opportunities to address the weak western boundary through additional landscaping and tree planting.

The site is an effective housing site and its allocation for housing is fully supported by the Trustees.

The site is well-defined and well located on one of the key roads in the village and would provide a natural extension of Liff. It is accessible to existing services, public transport and education facilities and its development for a range of new housing would help to sustain and secure these important local services. The release of the site would also provide choice and variety for house buyers in a popular, well located settlement.

It would also provide the potential for enabling gain or cross funding for a new church centre with community space for the village. This is a key desire of the local community and would help to address the current shortage of local community facilities in Liff. The local church are reviewing opportunities to build a new church centre on part of the Trustees' site, although this will be dependent on funding for the church centre being provided through the allocation and sale of the suggested housing site. The proposals would therefore help to provide new housing, but also address the current shortage of community facilities in the village.

The proposed housing development would round off the existing settlement boundary and could be considered to be a natural and logical expansion of the settlement. The village is well located in relation to Dundee and the range of services, employment opportunities and

activities that the City offers. This form of housing development on the Trustees' site would help to sustain, improve and enhance local facilities and services.

The Church of Scotland General Trustees would therefore recommend that the full extent of the site, as shown on the location plan in Figure 1, is allocated for housing development in the new Local Development Plan.

**Representation:** 803/006

**Organisation:** The Church of Scotland General Trustees

**Agents:** John Handley Associates Ltd

**Comment:**

Land adjacent to the Manse, Lundie:

The General Trustees' site extends to approximately 0.71 hectares and is located to the south of the Church and the main road running east/west through the village.

The site is owned by The Church of Scotland General Trustees, and is currently let on a short term basis for seasonal grazing. The site and its relationship to the existing housing in the village are shown in the aerial photographs (Figures 2 and 3).

It is a small field which slopes gently from south to north towards the main village area. The site is bordered by traditional houses to the south and the north. Existing roads bordered by mature trees form the site's boundaries to the west and north. The eastern boundary comprises a row of mature trees with an open field beyond.

The site has well defined boundaries and is well-contained by existing mature trees and landscaping. The site is not currently located within the designated settlement boundary (as shown in the Adopted Local Plan), but does fall within the Conservation Area boundary and lies directly adjacent to the main "built-up" area of the village. In physical terms, the site falls within the village envelope and its development would effectively round-off the existing settlement and complete this part of the village.

The site benefits from its location directly adjacent to the main road, and there are a number of opportunities for access into the site.

Given its location directly adjacent to the current settlement boundary; and the surrounding established housing to the north and south, we consider that our Client's site at Lundie is an appropriate and suitable candidate for further small scale residential development within this attractive and popular south Angus village.

The Approved SDP has outlined strategic policy support for further new housing in rural areas, and the SPP recommends meeting housing land requirements by extending existing rural settlements.

The site is a small infill opportunity and is considered suitable for the development of around 3 or 4 large detached houses set in large plots. This would be in keeping with the existing scale, character and density of the village.

The design, layout and style of housing would be carefully controlled to reflect the particular characteristics of the local environment and respect and enhance the setting of the Conservation Area. The proposed housing would be high quality and traditional in nature. The development would add visual interest in the immediate area, continuing the established pattern of buildings within a heavily landscaped setting.

The development of the site would represent a natural "infilling" of the existing settlement and would effectively mirror existing development to the north of the main road.

The site is not in intensive agricultural use, and its development for housing would not impact on the viability of any farm or land holding, or lead to the loss of land that is in short supply.

The Trustees site would allow small scale development in a location that is extremely desirable, whilst ensuring that there is no adverse impact on the existing residential amenity. The approach being considered would be in line with the recommendations of the SPP (paragraph 94) which advises that new development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups, extensions to existing clusters and groups, replacement housing, and plots on which to build individually designed houses.

The Church of Scotland General Trustees would therefore recommend that the site is allocated for small scale housing development in the new LDP.

**Representation:** 871/017

**Representee:** Mr R Watson

**Agents:** Emac Planning LLP

**Comment:**

LAND TO EAST OF PITARLIE ROAD, NEWBIGGING

The site to the east of Pitarlie Road, Newbigging extends to an area of approximately 7.5 hectares and is considered capable of accommodating around 70-100 houses and improved recreational facilities over the initial and longer-term period of the LDP.

It is considered that the site should be allocated for residential development in the Proposed LDP. The approach of the Council to reviewing settlement boundaries, following a landscape assessment, is supported. This site is capable of comfortably accommodating new development within the local and wider landscape setting whilst also contributing to the effective housing land requirement of the Housing Market Area and sustaining local services and facilities in Newbigging.

South Angus remains a popular area for housing and villages such as Newbigging where existing facilities exist should be the preferred choice for any potential incremental growth strategy.

Newbigging lies in close proximity and with easy access to the upgraded A92, Monifieth and Dundee. The Proposed LDP strategy should therefore make allowances for growth and appropriate greenfield land release which will provide for local housing needs, contribute to the distribution of housing opportunities across the wider Dundee and south Angus Housing Market Area and assist in supporting local services and facilities, including the local primary school.

It is material that the 1998 consultation draft Local Plan identified the site as suitable for development for up to 40 housing units. It remains that this site can now be allocated again and developed in a sensitive manner that relates well to the village form.

The site should therefore be identified for residential development within the Proposed Angus Local Development Plan.

**Representation:** 783/001

**Organisation:** Muir Homes Ltd

**Agents:** Muir Smith Evans

**Comment:**

Land at East Adamston, Muirhead:

\* Muirhead is within the Dundee Core Area, as identified by TAYplan and confirmed in the Proposed ALDP MIR.

\* This Core Area has Tier 1 status.

\* However, the MIR states a preference for new sites to be allocated in Tier 2 and Tier 3 locations within the south Angus Housing Market Area, with no allocations in the Tier 1 location.

\* Sites within or adjacent to Muirhead are within the core area and should not be dismissed as TAYplan does not define settlements or site boundaries.

\* Angus Council's assessment states that the site 'abuts' the Dundee Core Area. This is a value-loaded statement. It clearly assumes that the inclusion of Muirhead within the Dundee Core Area is not a designation which extends beyond the boundaries of the existing settlement of Muirhead. Such an approach is untenable. If the same approach were taken in relation to the other settlements identified in TAYplan, then no sites outwith the existing settlement boundaries would ever be available for consideration. That is clearly not the case, as the MIR clearly demonstrates by allocating such sites elsewhere.

\* In dismissing the East Adamston, Muirhead site, Angus Council is failing to apply consistent criteria for the assessment of sites.

**Representation:** 788/046

**Organisation:** Stewart Milne Homes

**Representee:** Shelley Thomson

**Agents:** Barton Willmore

**Comment:**

Land south of Woodside Road, Liff:

SMH has an option on an area of land of approximately 8 hectares (19 acres) situated to the south of Woodside Road, directly adjacent to the village of Liff. SMH consider this to be an effective site that can provide a new strategic housing development that can deliver growth for the South Angus Housing Market Area. It is in an accessible location close to Dundee that will enable the provision of additional infrastructure and facilities to serve the residents of Liff.

**Representation:** 906/001

**Organisation:** Angus Ogilvy Trust and Lt Cmdr J.A. Ogilvy Grandchildren's Trust

**Agents:** Savills

**Comment:**

Land at Baldovan, Pitempton & Balmuir:

This land was subject to representations submitted separately by Taylor Wimpey (Site reference 51S) and DG Coutts Associates (Site reference 50S) to the call for sites consultation. The initial site assessment for this site (Site reference 50S) which accompanied the preparation of the Main Issues Report is attached.

The allocation of the site for long term strategic housing would provide an alternative option should development at Dundee Western Gateway be constrained in the current economic conditions.

The Tayplan Strategic Development Plan identifies an average annual housing market build rate for the first 12 years of 80 houses in South Angus and 610 in Dundee City. Therefore, there is a requirement for the Angus Local Development Plan to allocate sufficient land for 732 houses. The proposed site can contribute to this requirement, and as a long term site provide



an effective alternative to other sites which may prove ineffective during the Local Development Plan period.

This site is intended as a long term strategic housing site which will deliver a wide range of community uses over a series of phases which may extend beyond the operational period of the Local Development Plan.

The land is characterised by farmland areas interspersed with mature woodland. The character of the site allows for a masterplan to be created which would deliver significant long term strategic housing opportunities in a way which would sit sensitively in the wider countryside and provide a natural extension to Dundee as well as offering housing provision to the rural Angus area to the north. The site is considered to be effective given the lack of ownership or access issues which may inhibit similarly sized schemes.

Angus Ogilvy Trust and Lt Cmdr J.A. Ogilvy Grandchildren's Trust believe that the site at Baldovan, Pitempton and Balmydown can provide an effective long term strategic housing site, with associated community uses, in an appropriate location. The allocation would help satisfy the housing requirement, including affordable housing, for the South Angus Housing Market Area, as well as the adjacent Dundee City Core Area. We request that this site is considered for a strategic allocation in the forthcoming Angus Local Development Plan.

**Representation:** 850/004

**Organisation:** A&J Stephen and Bett Homes Ltd

**Agents:** James Lohead Consultancy

**Comment:**

Liff Hospital North is located within the Strategic Development Area known as the Dundee Western Gateway and represents an ideal opportunity to consolidate and enhance the redevelopment of the former hospital and adjoining development sites that have already been identified. The northern boundary of the site respects the Reporter's recommendation into the Dundee Local Plan in the early 1990's.

The site is in control of recognised house builders with a proven track record of delivering high quality residential developments and therefore this site should be included in the forthcoming Proposed Development Plan for Angus.

**Representation:** 850/002

**Organisation:** A&J Stephen and Bett Homes Ltd

**Agents:** James Lohead Consultancy

**Comment:**

Birkhill South represents a logical extension to the village. Numerous facilities already exist on the south side of the settlement and the proposed development would consolidate and enhance these assets. The site is well contained and offers an obvious opportunity for approximately 360 houses on some 14 hectares. Visually the site is also well contained on its eastern and western boundaries by mature woodland and to the south by rising ground. The northern boundary is characterised by the residential southern edge of the village.

The site is in control of recognised house builders with a proven track record of delivering high quality residential developments and therefore this site should be included in the forthcoming Proposed Development Plan for Angus.

**Representation:** 910/001

**Organisation:** I & H Brown Limited

**Representee:** Allan Miller

**Comment:**

Land at Shank of Omachie, Wellbank:

The site extends to approximately 8.5 acres and is ideally placed to contribute to the delivery of new homes in Angus. The site enjoys a serviced site access with all mains infrastructure to the edge of the site.

**Representation:** 849/002

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

The Community Council submitted a proposal for 20 houses and a car park for the local school adjacent to the existing village development boundary during the Initial Awareness Raising & Consultation Exercise. The Community Council presume that acceptance of this proposal would involve a change to this development boundary to the west of the village to include the proposed site.

**Representation:** 870/001

**Organisation:** McCrae & McCrae

**Representee:** Rod McCrae

**Comment:**

Two residential sites are submitted for consideration:

Site 1:

Infill site currently within the Craigton of Monikie development boundary as identified in the Angus Local Plan Review (2009). Has potential for approximately 15 houses.

Site 2:

Extending to approximately 3 hectares to the north east of Craigton of Monikie, with boundaries on three sides providing a natural extension of the development boundary.

**Response:**

Comments noted. In accordance with TAYplan (2012), the Proposed Local Development Plan will focus on directing the majority of new development to the principal settlements of Angus. This means that the seven main towns will continue to be the preferred location for the majority of new housing and employment-related development, together with the majority of associated new infrastructure.

Although parts of Angus are included within the highest category for promoting new development (Tier 1 Settlements – the Dundee Core Area), the Dundee Core Area is almost entirely located within Dundee. It is not therefore Angus Council's responsibility for ensuring that the largest quantity of the region's development occurs in Tier 1 settlements. This means that the development of sites within the existing boundaries of Monifieth and Birkhill/Muirhead will be prioritised and that there ought to be limited greenfield releases in and around the Dundee Core Area.

For the remainder of the land which adjoins the Dundee Core Area (outwith or very close to the current development boundaries), the strategy will be to avoid conflicts with the strategy of the Dundee Local Development Plan (2014) and TAYplan (2012) by making no new land allocations in this area.

Some of these sites were submitted during the initial awareness raising consultation (refs: 17S, 18S, 19S, 20S, 23S, 30S, 33S, 34S, 35S,36S, 40S, 50S, 51S, 63S) but were not considered as a preferred or alternative options for the future development of Angus in the Main Issues Report. Development of these sites (or development in excess of the approved development layout at Ballumbie) would not accord with the TAYplan strategy of prioritising development within the principal settlements and could prejudice the delivery of the Western Gateway Strategic Development Area.

Within the Main Issues Report (2012) the preferred option (as identified within Table 1) is to allocated small scale development sites (for housing, mixed use or employment) within Edzell, Friockheim, Letham and Newtyle. With reference to TAYplan (2012), there is some discretion for the Proposed Local Development Plan to determine where development should take place outwith the principal settlements. The preferred option is based upon meeting the development needs of our rural communities by focussing on supporting the larger rural service centres of Edzell, Friockheim, Letham and Newtyle. The preferred option would concentrate the modest levels of development that are planned outwith the principal settlements, within the villages that have the most significant number and range of services, and which already have a relatively large resident population.

Therefore, relevant detailed policies within the policy framework section and within site allocations regarding the policy approach towards development within the rural villages, including a review of existing allocations, will be taken into consideration in the preparation of the Proposed ALDP along with any related Supplementary Guidance. Furthermore, relevant detailed policies within the policy framework section and within site allocations regarding residential development in the countryside and rural employment will also be taken into consideration in the preparation of the Proposed ALDP along with any related Supplementary Guidance.

**Recommendation:**

Noted. Detail to be taken into consideration in the preparation of the Proposed Plan.

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**Representation:** 849/001

**Organisation:** Auchterhouse Community Council

**Representee:** Linda Cockram

**Comment:**

Auchterhouse Community Council are seeking a correction to the Kirkton of Auchterhouse Village Development Boundary for the forthcoming Local Plan. The details in the current Local Plan are in the village directory, on page 241. The Community Council have noticed that the boundary line incorporates a piece of field to the east whereas it follows the existing garden boundaries everywhere else. The Community Council think this must be a mistake as there is no access to this piece of field other than over fields or through the private property to the west.

**Response:**

Comments noted. The policy approach to a landscape capacity based review of settlement boundaries will be incorporated into the Proposed ALDP Proposed Plan, its Action Programme and any related supplementary guidance..

**Recommendation:**

Noted. Detail to be taken into consideration in the preparation of the Proposed Plan.

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**Representation:** 912/002

**Organisation:** Muirhead, Birkhill & Liff Community Council

**Representee:** Colin Hunter

**Comment:**

Decline of Rural Services:

In the Main Issues Topic Paper 5 – Community Infrastructure paras. 3.89-3.91 concern is noted regarding the decline in rural services and facilities and a desire to halt this is expressed. However, Topic Paper 1 – Spatial Strategy para 4.8 states ‘Monifieth has the greatest range of facilities and services of the Angus part of the Dundee Core Area (including schools, health care facilities and town centre shops). Any new development should be directed to

locations in and around this part of the Core Area in preference to other parts to provide a sustainable development strategy across Angus'. This is at odds with the intention of doing something 'to halt the decline in rural services and facilities' as stated in para 3.91 of the Community Infrastructure Paper.

Muirhead, Birkhill & Liff Community Council do not wish to see Monifieth deprived of necessary development but in a part of Angus which has few Local Authority facilities compared to the Burghs, Muirhead, Birkhill & Liff Community Council do not agree with this approach.

**Park and Ride Facilities:**

Another example of our area being affected by a TAYplan proposal, which is not in Angus, is the Park and Ride to the west of Dundee. This is of much more interest to our residents than the ones planned for the north and east of Dundee.

**Roads – A90 (T):**

there is some mention (within the Community Infrastructure Topic Paper) of an upgrade to the A90 (T), either through or around Dundee, with 2 options, neither of which has been investigated.

This is now incorrect. In Annex 2 of Transport Scotland's Strategic Transport Project Review, Report 3, Item D2 is the Dundee Northern Relief Road – either Northern Peripheral Bypass or A90 Kingsway Upgrade.

The outcome of this review seems to favour the Bypass but there has been correspondence recently which indicates that Dundee, at present, favours a Kingsway Upgrade. It will be important for the Proposed ALDP to make the Angus position on this issue clear.

**Response:**

Comments noted. In accordance with TAYplan (2012), the Proposed Local Development Plan will focus on directing the majority of new development to the principal settlements of Angus. This means that the seven main towns will continue to be the preferred location for the majority of new housing and employment-related development, together with the majority of associated new infrastructure.

Relevant detailed policies within the policy framework section regarding rural community facilities and services will be taken into consideration in the preparation of the Proposed ALDP. Relevant detailed policies will seek to retain and enhance the sustainability and viability of all Angus communities by protecting existing public community facilities and important rural services.

Within the Regional Transport Strategy 2008 – 2023 The Tayside and Central Scotland Transport Partnership identified a number of projects with direct reference to Angus, including park and ride/multi-modal interchange facilities at Brechin, Forfar and Monifieth. Whilst no specific sites have been identified within the Regional Transport Strategy 2008 – 2023 and operator demand is unknown, the identification of a park and ride/multi-modal interchange facility at Brechin, Forfar and Monifieth will be taken into consideration in the preparation of the Proposed Local Development Plan. Relevant detailed policies within the policy framework section regarding park and ride facilities will be taken into consideration in the preparation of the Proposed Local Development Plan.

The Strategic Transport Projects Review identifies two major road projects in the TAYplan region which aim to improve journey times between the north of Scotland and the central belt. The main project within the Angus context is the proposed A90(T) upgrade through or around Dundee.

The A90(T) upgrade is the only proposal with two options but as yet, neither have been investigated as they are regarded as more long-term aspirations of the Scottish Government which are not likely to be delivered within the period of the Proposed Local Development Plan. Additionally, funding from the Scottish Government is not yet committed. Furthermore and in response to the Main Issues Report (2012), Transport Scotland have not referred to the above.

**Recommendation:**

Noted. Detail to be taken into consideration in the preparation of the Proposed Local Development Plan.

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