

ANGUS COUNCIL

18 DECEMBER 2014

SOUTH ANGUS HOUSING MARKET AREA PLANNING APPLICATIONS - CONTEXT

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report provides a context for the consideration of the planning applications for major housing (and employment) development at Carnoustie, Monifieth and Strathmartine. It identifies national and local policy in relation to housing that is relevant to the determination of the applications and provides information on housing issues in the South Angus Housing Market Area. It also provides the development plan policies that are relevant to the determination of the applications.

1. RECOMMENDATION

It is recommended that Council: -

- notes the information in this report and takes it into account in determination of the major planning applications for housing and employment land development in the South Angus Housing Market Area;
- refers to Appendix 5 which contains a list of planning policies of relevance in determining those planning applications.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

3.1 Four planning applications have been submitted for large scale housing development in the South Angus Housing Market Area. One application is located on the site of the former Strathmartine Hospital and includes redevelopment of a number of listed buildings; two applications are located on greenfield land to the north on Monifieth; and the fourth application is located on greenfield land to the northwest of Carnoustie. That application also involves provision of a sizeable area of employment land. A brief description of each application is provided below: -

13/00268/EIAM - FORMER STRATHMARTINE HOSPITAL, STRATHMARTINE

This application proposes the erection of 198 new build dwellings, 24 flatted dwellings from conversion of a Category B listed building and the retention/extension of two cottages that are also listed buildings. The application is for planning permission in principle only but it is also indicated that an area of approximately 50sqm may be used to provide a community hall. The site amounts to approximately 18 hectares in area and is comprised of land and buildings associated with the former Strathmartine Hospital. A substantial number of existing buildings would be demolished to facilitate the development. It is indicated that a primary access would be taken from the existing access on Craigmill Road with a secondary access proposed off the partially adopted Craigmill to Balmydown Road that flanks the eastern boundary of the site. A plan showing the location of the site is provided at Appendix 1.

13/01184/PPPM - FIELD 200M SOUTH EAST VICTORIA STREET, MONIFIETH

This application proposes a residential development comprising 350-400 dwellings. The application is for planning permission in principle only and the final number of dwellings would be informed through further detailed design work. The site amounts to approximately 16.3 hectares in area and is largely comprised of agricultural land. It is indicated that vehicular access would be taken from Victoria Street with one access on each of the northern and eastern parts of the road. A plan showing the location of the site is provided at Appendix 2.

14/00233/PPPM - FIELD 400M NORTH OF ASHLUDIE HOSPITAL VICTORIA STREET, MONIFIETH

This application proposes a residential development comprising 300 dwellings. The application is for planning permission in principle only. It is indicated that park land, associated infrastructure and community facilities would also be provided with the final detail informed through further detailed design work. The site amounts to approximately 24 hectares in area and is largely comprised of agricultural land. It is indicated that vehicular access would be taken from Victoria Street and Broomhill Drive. A plan showing the location of the site is provided at Appendix 3.

14/00573/PPPM - FIELD 250M SOUTH OF PITSKELLY FARM PITSKELLY, CARNOUSTIE

This application proposes a residential development comprising in the region of 250 dwellings and an industrial estate with business, general industrial and storage/distribution uses. The application is for planning permission in principle only. The site amounts to approximately 20 hectares in area (split equally between housing and employment uses) and is largely comprised of agricultural land. It is indicated that vehicular access would be taken from the Upper Victoria Link Road. A plan showing the location of the site is provided at Appendix 4.

3.2 The purpose of this Report is to provide the policies that are relevant to the determination of the planning applications. The development plan policies of particular relevance to the applications are provided as Appendix 5 to this report and should be referred to in conjunction with the Reports on the specific proposals.

3.3 In addition the report provides some general context for consideration of the planning applications and some specific context for consideration of the housing element of each proposal. The report: -

- outlines the strategy, policies and proposals of the development plan framework so far as these relate to housing development in the South Angus area;
- outlines relevant Scottish planning policy;
- outlines the findings of the Angus Housing Land Audit 2014 in so far as they are relevant to the South Angus Housing Market Area (HMA); and,
- outlines the position in relation to the emerging Angus Local Development Plan.

4. PLANNING CONTEXT

Determining Planning Applications

4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 sets out the status of development plans and states that: -

“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

4.2 In this case the development plan framework comprises: -

- TAYplan 2012;
- Angus Local Plan Review 2009.

The relevant Development Plan policies are set out in Appendix 5.

4.3 Scottish Government Circulars provide statements of government policy and contain guidance on policy implementation. Circular 3/2013 deals with the Development Management Procedures. It refers to a House of Lord's judgement which provided the following interpretation in relation to Section 25 of the Act: -

If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.

4.4 That judgement also set out the following approach to deciding an application: -

- identify any provisions of the development plan which are relevant to the decision;
- interpret them carefully, looking at the aims and objectives of the plan as well as the detailed wording of the policies;
- consider whether or not the proposal accords with the development plan;
- identify relevant material considerations, for and against the proposal; and
- assess whether these considerations warrant a departure from the development plan.

4.5 In relation to material considerations, the Circular indicates that there are two main tests in deciding whether a consideration is material and relevant: -

- it should serve or be related to the purpose of planning. It should therefore relate to the development and use of land; and,
- it should relate to the particular application.

4.6 The decision maker will have to decide what considerations are material to the determination of an application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.

The Development Plan

TAYplan 2012

4.7 The TAYplan Strategic Development Plan sets out land use planning policies to guide where development should and should not go over the next 20 years. It also considers the significant, long term issues which affect the whole TAYplan city-region; including climate change, the scale of housing and population change, infrastructure planning and sustainable economic growth. It was approved by Scottish Ministers in June 2012.

4.8 It identifies a number of key objectives including the following: -

- Plan for an effective supply of land for housing and employment;
- Provide for good quality, mixed housing type, size and tenure;
- Strengthen the critical mass of Dundee so that with Perth and other principal settlements they serve as major economic drivers supporting a more competitive, strong and stable economy for the region, to become more vibrant centres for commerce, learning, leisure and living;
- Locate most of the region's development in principal settlements to improve accessibility to jobs and services; reduce resource consumption and reduce the need to travel by car;
- Protect and enhance the quality of the TAYplan area's built and water environments, landscape, biodiversity and natural resources;
- Ensure that new development makes best use of existing networks of infrastructure, movement corridors and ecosystems;
- Support resource security by protecting finite resources such as minerals, soils and prime agricultural land.

4.9 TAYplan seeks to focus the majority of the region's new development within its principal settlements. The Plan advocates that developing land within principal settlements is preferable to developing land outside of them, even where this is brownfield. TAYplan

identifies the principal settlements in three tiers reflecting their present and future roles (Policy 1).

Tier 1 - settlements that have the potential to accommodate the majority of the region's additional development over the plan period and make a major contribution to the region's economy.

Tier 2 - settlements that have the potential to make a major contribution to the regional economy but will accommodate a smaller share of the region's additional development.

Tier 3 - settlements that have the potential to play an important but more modest role in the regional economy and will accommodate a small share of the region's additional development which is more about sustaining them.

The focus on principal settlements covers all types of development.

4.10 A sequential approach to the release of land is required by Policy 1 on the basis of: -

1. Land within principal settlements.
2. Land on the edge of principal settlements.
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.

4.11 TAYplan Policy 2 contains various criteria relating to delivering good quality places. These include references to: -

- integrating new development with existing community infrastructure; and
- reducing the need to travel and improving accessibility by sustainable transport modes.

4.12 TAYplan Policy 3 identifies various requirements relating to the management of assets. These include references to: -

- identifying and safeguarding at least 5 years supply of employment land within principal settlements;
- protecting prime agricultural land where the advantages of development do not outweigh the loss of productive land;
- safeguarding landscapes, historic buildings and archaeology and allow development where it does not adversely impact upon or preferably enhances these assets.

4.13 TAYplan Policy 5 deals specifically with housing proposals. It indicates, amongst other things, that: -

- a minimum of 5 years effective housing land supply should be available at all times within each HMA and Local Development Plans should work towards a 7-year supply of effective land by 2015;
- the mix of housing type, size and tenure should meet the needs and aspirations of a range of different households, including the provision of an appropriate level of affordable housing based on defined local needs;
- there should be a presumption against land release in areas surrounding the Dundee Core Area where it would prejudice the delivery of Strategic Development Areas or regeneration within the core areas or conflict with other parts of the Plan.

4.14 In this context it is relevant to note that: -

- Monifieth lies within the Dundee Core Area. This is defined as a Tier 1 settlement.
- Carnoustie is a Tier 3 settlement.
- Strathmartine Hospital is not a principal settlement.
- The four planning application sites lie within the South Angus HMA;
- TAYplan establishes annual average house completion targets for the South Angus HMA of 80 per annum. TAYplan recognises that this is an average figure and that actual completions are likely to vary across the life of the Plan (2012 – 2032). TAYplan

anticipated that house completions in the initial years of the plan are likely to fall below this level and rise in later years as housing market conditions improve.

- 4.15 An assessment of each application against relevant policies of TAYplan is provided in the Report that deals with the respective planning applications.

Angus Local Plan Review (ALPR) 2009

- 4.16 The ALPR provides the detailed policy framework to guide future development, land use and investment in Angus for the period to 2011 and also looks forward to 2016.

- 4.17 The Development Strategy for the plan seeks, amongst other things, to: -

- Draw on the inherent strengths and synergy of the close network of Angus towns and villages, and consolidate the role of the seven towns as locally accessible centres serving a diverse rural hinterland.
- Guide and encourage the majority of development, including local housing and employment opportunities, to locations within the larger settlements that have capacity to accommodate new development well integrated with transport infrastructure.

- 4.18 It is indicated that, amongst other things, an aim of the ALPR is to: -

- Provide for local housing need, and ensure access to affordable housing.

- 4.19 The ALPR states that, in helping to build sustainable communities priority is given, amongst other things, to: -

- Guiding the majority of development such as housing, employment, retail and leisure to locations within the Angus towns and villages which can best accommodate development making use of existing and planned transport and other infrastructure;
- Locating residential, employment, leisure and shopping uses in proximity to one another in order to improve accessibility for all and minimise the need to travel, especially by car;
- Locating new developments, particularly those generating high levels of traffic, to sites where there is a choice of means of transport;
- Providing a mix and range of housing developments to meet the needs and aspirations of all sectors of the community;
- Supporting the maintenance and improvement of the transport network to provide safe and efficient ways to travel, including promoting alternatives to the use of the private car.

- 4.20 In support of this general approach the ALPR provides development boundaries around settlements in order to differentiate between built-up areas and the countryside and to assist with the application of policies (Policy S1). Development boundaries are identified for the towns of Carnoustie, Monifieth and for the settlement of Strathmartine Hospital.

- 4.21 Specifically in relation to housing, the ALPR allocated sufficient housing land to meet the requirements of the Dundee and Angus Structure Plan (now replaced by TAYplan) for the period to 2011. Sites allocated in the ALPR and phased to extend beyond 2011 were anticipated to contribute to meeting the indicative allowances for the 2011 – 2016 period. However, there are no such sites identified in the ALPR for the South Angus HMA (Policy SC1).

- 4.22 Outwith development boundaries, the countryside housing policies of the ALPR provide the basis for determination of planning applications for housing development (Policy SC6). In the South Angus area, these policies allow for individual new houses only on greenfield sites outwith development boundaries.

- 4.23 The planning application sites at Carnoustie and Monifieth are outwith the respective development boundaries for those settlements. Large-scale housing development of the nature proposed at these application sites is not consistent with the housing policies of the ALPR. However, that Plan (Policy S1) does allow development on sites outwith but contiguous with a development boundary where it is in the public interest and where there are no sites within the development boundary. The Monifieth sites are contiguous with the development boundary. The Carnoustie site is not contiguous with the development boundary.

- 4.24 The planning application site at Strathmartine Hospital is located within the development boundary that relates specifically to the former hospital estate. The development strategy for the settlement set out in the ALPR indicates support for proposals that provide for the appropriate reuse and redevelopment of the site for a mix of uses. The policy for that settlement indicates that housing development on the site of the former Strathmartine Hospital estate will be limited to a maximum of 40 residential units comprising the conversion of the existing listed building and any limited new housing development (Policy St1). Large-scale housing development of the nature proposed at this application site is not consistent with the policy of the ALPR that deals specifically with the proposed development site.
- 4.25 In relation to affordable housing, the ALPR indicates that Local Housing Needs Assessment was undertaken to inform the Local Housing Strategy. That Assessment identified significant affordable housing need in the South Angus HMA in comparison to other HMA's across Angus. On that basis the ALPR (Policy SC9) requires housing developments in the South Angus HMA to make a 40% contribution towards the provision of affordable housing.
- 4.26 An assessment of each application against relevant policies of the ALPR is provided in the Report that deals with the respective planning applications.

Scottish Planning Policy (SPP)

- 4.27 Scottish Planning Policy (SPP) is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. The content of the SPP is a material consideration in the determination of planning applications.
- 4.28 SPP contains a presumption in favour of development that contributes to sustainable development. It states that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.
- 4.29 It is stated that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and the SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.
- 4.30 SPP indicates that where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in the SPP. The same principle should be applied where a development plan is more than five years old.
- 4.31 Where a plan is under review, SPP states that it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.
- 4.32 SPP indicates that decisions should be guided by the following policy principles: -
- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
 - using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
 - considering the re-use or re-development of brownfield land before new development takes place on greenfield sites;

- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
 - locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.
- 4.33 Specifically in relation to housing, SPP states that the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times. It is indicated that a site is only considered effective where it can be demonstrated that within five years it will be free of constraints and can be developed for housing. It is further indicated that where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date.
- 4.34 In relation to affordable housing the SPP indicates that Plans should identify any expected developer contributions towards delivery of affordable housing. It goes on to state that planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses.

Effectiveness of Housing Sites

- 4.35 Both the development plan framework and SPP make reference to an 'effective' supply of housing land. Planning Advice Note (PAN) 2/2010 indicates that for a site to be considered as effective, it must be demonstrated that within the 5-year period beyond the date of the audit the site can be developed for housing (i.e. residential units can be completed and available for occupation), and will be free of constraints on the following basis:

ownership: the site is in the ownership or control of a party which can be expected to develop it or to release it for development. Where a site is in the ownership of a local authority or other public body, it should be included only where it is part of a programme of land disposal;

physical: the site, or relevant part of it, is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development. Where there is a solid commitment to removing the constraints in time to allow development in the period under consideration, or the market is strong enough to fund the remedial work required, the site should be included in the effective land supply;

contamination: previous use has not resulted in contamination of the site or, if it has, commitments have been made which would allow it to be developed to provide marketable housing;

deficit funding: any public funding required to make residential development economically viable is committed by the public bodies concerned;

marketability: the site, or a relevant part of it, can be developed in the period under consideration;

infrastructure: the site is either free of infrastructure constraints, or any required infrastructure can be provided realistically by the developer or another party to allow development; and

land use: housing is the sole preferred use of the land in planning terms, or if housing is one of a range of possible uses other factors such as ownership and marketability point to housing being a realistic option.

- 4.36 In addition to the criteria from the Scottish Government's PAN 2/2010, and in agreement with Homes for Scotland, sites in the Housing Land Audit have been classed as constrained where they meet two or more of the following criteria:
1. there is no developer associated with a site;
 2. planning permission is within one year of expiring and no renewal has been sought, or where planning permission was granted over two years ago and no effort has been made to obtain a building warrant;
 3. the site characteristics indicate the likelihood of high development costs.

Housing Land Position in South Angus Housing Market Area (HMA)

- 4.37 Angus Council undertakes an annual review of its housing land supply through the Angus Housing Land Audit. The Angus Housing Land Audit 2014 provides a factual statement of land supply within Angus and is a result of a survey undertaken in April 2014. The audit identifies housing sites, estimates potential future annual completions, monitors annual completions and records the remaining capacity for each site. It identifies sites as either effective or constrained having regard to the definitions provided in PAN 2/2010 and the additional criteria set out above that has been agreed with Homes for Scotland. A draft of the housing land audit was subject to consultation with the Scottish Government, Scottish Water, Scottish Environment Protection Agency, Homes for Scotland and developers/landowners/registered social landlords (RSLs) during June 2014.
- 4.38 In relation to the South Angus HMA, the TAYplan requirement to 2019 (5 years from current date) is 560 units (based on 80 units per annum for the seven years – 2012-2019). The 2014 Housing Land Audit identified that there were 32 units completed in the 2 year period from 2012 – 2014. On this basis the minimum number of houses required within the 5 year period from 2014 to 2019 is 528 units (i.e. $560 - 32 = 528$).
- 4.39 The 2014 Housing Land Audit indicates that there is currently an effective housing land supply of 383 units in the South Angus HMA. It further indicates that the effective land supply programmed for development over the 2014-19 period across the South Angus HMA is 243 units.
- 4.40 Taking the above figures into consideration, the shortfall in effective land supply for the period to 2019 amounts to 285 units ($528 - 243 = 285$).

Angus Local Development Plan (ALDP)

- 4.41 The Council is required to produce a Local Development Plan (LDP) to replace the existing adopted Local Plan. A process to raise awareness of commencement of the ALDP process and seek initial views on main issues and potential development sites for consideration during preparation of the Main Issues Report (MIR) was undertaken.
- 4.42 The ALDP MIR was formally published on 2 November 2012. That document sets out what the Council considers to be the most important issues for the future development of land in Angus. These issues include where land should be made available for new homes and businesses; and the infrastructure that will be required to service new development. The MIR contains a number of options for how the LDP could respond to the main issues and identifies options for where new homes and businesses could be built. The MIR is a consultation document: its purpose is to encourage discussion and engagement in relation to land use planning issues. The contents of the MIR and responses to it are used to inform the preparation of a Proposed LDP.
- 4.43 As a consultation document the MIR is considered to have limited weight as a material planning consideration in the determination of planning applications.
- 4.44 A Draft Proposed ALDP has been prepared and is to be considered by Council at its meeting on 11 December 2014. The plan sets out where land is proposed to be allocated to meet development needs and where new development should and should not be located. Once approved by Council, the Draft will become the Proposed ALDP and will be published for interested parties to make representation on its contents.
- 4.45 The Proposed ALDP will have implications for the sites subject of the current planning applications. Sites may or may not be identified as allocations for future development or may be subject of specific policies that guide/control any such development. The implications of the Draft Proposed ALDP in relation to each site are set out in the Reports dealing with the respective planning applications where appropriate. Those Reports may require to be subject of a verbal update at the Council meeting on 18 December, depending on decision taken by Council at its meeting on 11 December.
- 4.46 However, as indicated above, the Proposed ALDP is subject to a statutory period for representation when it is likely that objections will be submitted to the inclusion and/or exclusion of particular areas of land as allocations for future development. The Council may

decide to modify the Proposed Plan in response to representations that are received. In circumstances where there are unresolved objections to the Proposed ALDP, an examination of the Plan will be undertaken by a person appointed by Scottish Ministers.

- 4.47 The Proposed ALDP will represent Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it will be a material consideration in the determination of planning applications. However, it must be recognised that the Plan may be subject of further modification, either by the Council following consideration of formal representations or in response to a report prepared by the appointed person following any examination of the Plan. In these circumstances, limited weight should be attached to the Proposed ALDP as a material consideration at the present time.

5. DISCUSSION

- 5.1 The Scottish planning system is plan-led. There is a statutory requirement that decisions on planning applications be made in accordance with the plan unless material considerations indicate otherwise. There is a strong expectation that decisions regarding the long-term future scale and direction of growth should be made through the development plan-making process.
- 5.2 Angus Council is in the process preparing a Local Development Plan to replace the Angus Local Plan Review. The Angus Local Development Plan (ALDP) will set out where land is being allocated to meet development needs and where new development should and should not happen.
- 5.3 SPP indicates that, in circumstances where a plan is under review, it can be appropriate to refuse planning permission where the proposed development is so substantial, or its cumulative impact would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging plan.
- 5.4 There are currently four planning applications in the South Angus HMA that propose, amongst other things, large-scale housing development. The development proposals subject of those applications are significant both individually and cumulatively and are all contrary to aspects of the current development plan framework. Granting planning permission at this stage would have some impact on the plan-making process and such impact could be significant depending upon the application or combination of applications approved. In this respect it is considered that the local development plan process remains the appropriate vehicle for making decisions regarding the long-term scale and distribution of future development in and around our settlements, including in the South Angus area.
- 5.5 However, TAYplan and SPP indicate that the Council should ensure that there is at least a 5-year supply of effective housing land available at all times. SPP indicates that where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date. The Council's Annual Housing Land Audit confirms that there is a significant shortfall in the 5-year effective housing land supply in the South Angus HMA. Whilst the emerging Angus Local Development Plan will seek to address issues in terms of housing land supply, it is unlikely to be adopted until some time in 2016. This is a HMA where there is high demand for affordable housing and accordingly an area where a shortage of effective housing land is particularly undesirable. Having regard to the scale of the housing land shortfall, the characteristics of the HMA and the requirements of SPP and TAYplan, it is considered appropriate to address that shortfall at the present time through determination of the current planning applications.
- 5.6 Members should be aware that any planning permissions granted at the present time would be taken into account during any examination of the Proposed ALDP. If a site is approved, considered effective (in accordance with the criteria set out in PAN 2/2010 and the Council's own Housing Land Audit) and is not included within the Proposed ALDP, it is possible that any Reporter examining the plan will rebalance allocations in other parts of the South Angus Housing Market Area, potentially reducing or deleting proposed allocations to ensure TAYplan's housing requirements are not substantially exceeded.

6. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

7. OTHER IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

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

REPORT AUTHOR: VIVIEN SMITH HEAD OF PLANNING AND PLACE

E-mail: PLANNING@angus.gov.uk

APPENDIX 1 – LOCATION PLAN: FORMER STRATHMARTINE HOSPITAL, STRATHMARTINE

APPENDIX 2 – LOCATION PLAN: FIELD 200M SOUTH EAST VICTORIA STREET, MONIFIETH

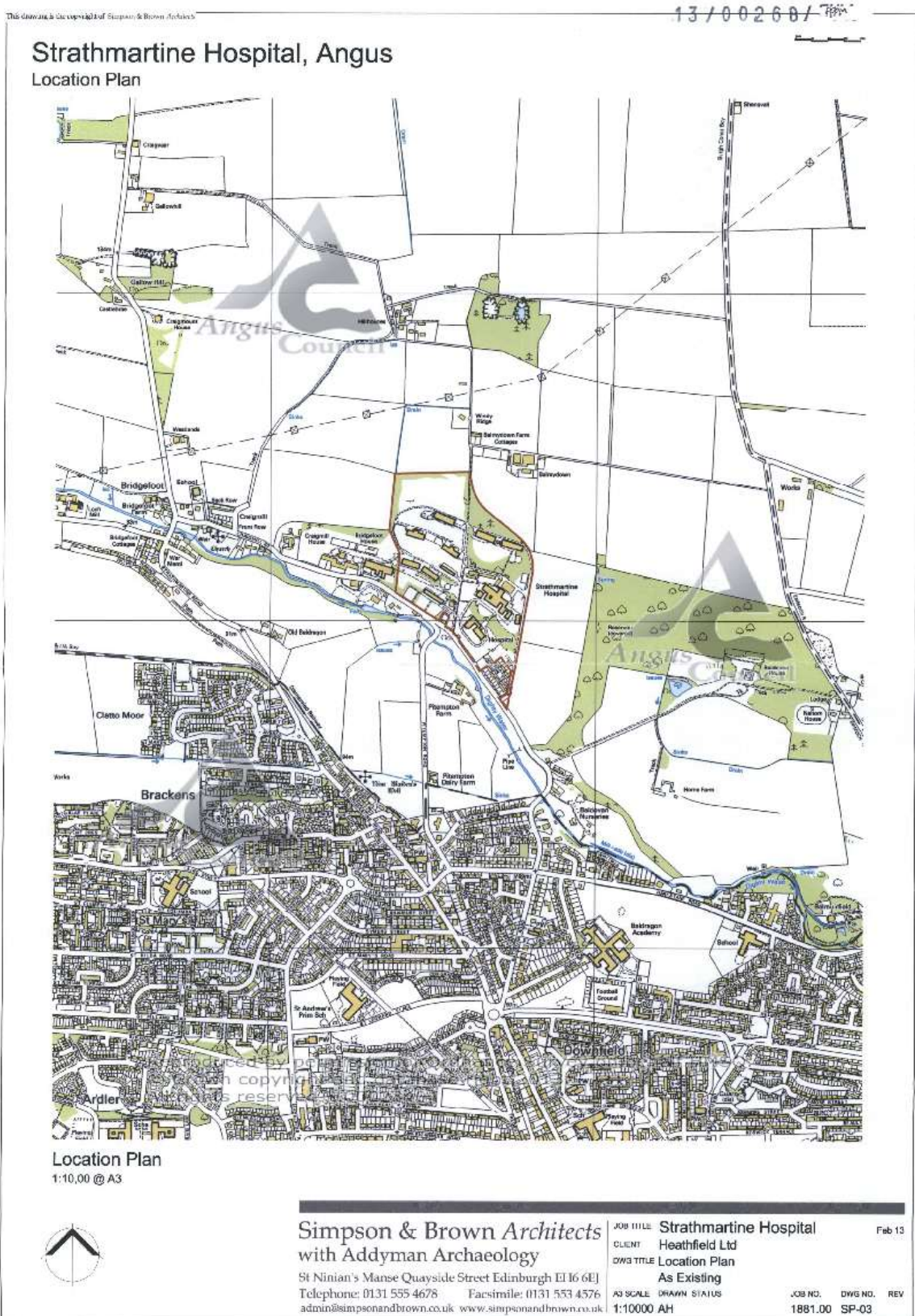
APPENDIX 3 - LOCATION PLAN: FIELD 400M NORTH OF ASHLUDIE HOSPITAL VICTORIA STREET, MONIFIETH

APPENDIX 4 - LOCATION PLAN: FIELD 250M SOUTH OF PITSKELLY FARM PITSKELLY, CARNOUSTIE

APPENDIX 5 - DEVELOPMENT PLAN POLICIES

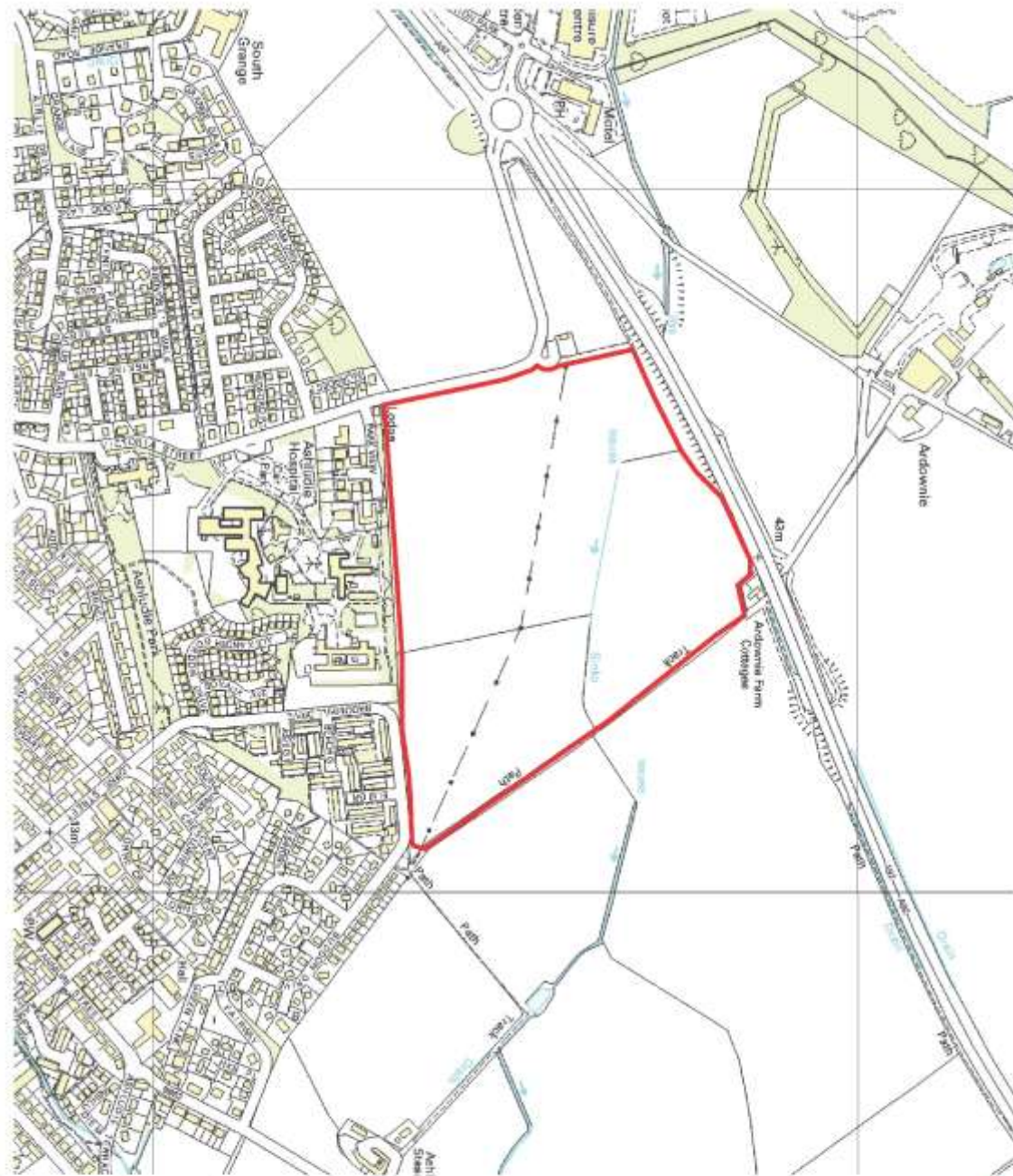
APPENDIX 1

LOCATION PLAN: FORMER STRATHMARTINE HOSPITAL, STRATHMARTINE



APPENDIX 3

LOCATION PLAN: FIELD 400M NORTH OF ASHLUDIE HOSPITAL VICTORIA STREET, MONIFIETH



Date : 14.03.2014	
Project : Land at Monifieth North East	
Application boundary	
Drawing Title : 120413_Monifieth_Asp boundary_140314	
Scale : 1:2,500 @ A1	

APPENDIX 5

DEVELOPMENT PLAN POLICIES

TAYPLAN POLICIES

Policy 1: Location Priorities

Strategies, plans, programmes and development proposals shall:-

A. Focus the majority of development in the region's principal settlements as follows:-

Tier 1 settlements have the potential to accommodate the majority of the region's additional development over the plan period and make a major contribution to the region's economy.

- Dundee Core Area: (Dundee City, Dundee Western Gateway, Invergowrie, Monifieth, Tayport/Newport/Wormit, Birkhill/Muirhead); and,
- Perth Core Area: (Perth, Scone, Almondbank, Bridge of Earn, Ourdenarde, Methven, Stanley, Luncarty, Balbeggie, Perth Airport).

Tier 2 settlements have the potential to make a major contribution to the regional economy but will accommodate a smaller share of the region's additional development.

- Arbroath, Blairgowrie/Ratray, Crieff, Cupar, Forfar, Kinross/Milnathort, Montrose, St. Andrews.

Tier 3 settlements have the potential to play an important but more modest role in the regional economy and will accommodate a small share of the region's additional development which is more about sustaining them.

- Aberfeldy, Alyth, Anstruther, Auchterarder, Brechin, Carnoustie, Coupar Angus, Dunkeld/Birnam, Kirriemuir, Leuchars/Guardbridge, Newburgh, Pitlochry.

- Local Development Plans may also provide for some development in settlements that are not defined as principal settlements where this can be accommodated and supported by the settlement, and in rural areas, if such development genuinely contributes to the objectives of this Plan, and meets specific local needs or supports regeneration of the local economy.

B. Prioritise land release for all principal settlements using the sequential approach in this policy; and prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings):

Sequential approach:

1. Land within principal settlements.
2. Land on the edge of principal settlements.
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.

Policy 2: Shaping better quality places

To deliver better quality development and places which respond to climate change, Local Development Plans, masterplans and development proposals should:

A. Ensure that climate change resilience is built into the natural and built environments through:

- i. a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; including the undeveloped coast. To ensure flood risk is not exacerbated, mitigation and management measures; such as those envisaged by Scottish Planning Policy, should be promoted;
- ii. reducing surface runoff including through use of sustainable drainage systems;
- iii. protecting and utilising the water and carbon storage capacity of soils, such as peatlands, and woodland/other vegetation; and,
- iv. Identifying, retaining and enhancing existing green infrastructure and spaces whilst making the best use of their multiple roles.

B. Integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure to optimise its coverage and capability.

C. Ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/appraisals and travel plans where appropriate, including necessary on and offsite infrastructure.

D. Ensure that waste management solutions are incorporated into development to allow users/occupants to contribute to the aims of the Scottish Government's Zero Waste Plan.

E. Ensure that high resource efficiency is incorporated within development through the orientation and design of buildings, the choice of materials and the use of low/zero carbon energy generation technologies to reduce carbon emissions and energy consumption to meet or exceed Scottish Government's standards.

F. Ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets*, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's *Designing Places and Designing Streets*, and provide additional green infrastructure where necessary.

- **Outside – In:** *Understanding the environmental context of a site, how a site works in its wider location and how that shapes what happens within is essential to integrating new development.*
- **Inside – Out:** *Conversely, considering how the site connects from the inside-out and builds on existing features, networks and infrastructure, enhancing these through new development.*
- **Integrate Networks:** *Making it easy, safe and desirable to walk and cycle within and between neighbourhoods utilising existing green space and water networks and enhance these areas to deliver a better quality of place and life.*
- **Work with the grain of the place:** *Respecting and working with the grain of a place. This approach will help determine the size, shape and form of development and how it can respond to adaptation to help achieve future-proofing our new communities and facilities.*

*Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).

Policy 3: Managing TAYplan's Assets

Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by: -

Employment Land:

- Identifying and safeguarding at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements;
- Safeguarding areas identified for class 4 office type uses in principal settlements; and
- Further assisting in growing the year-round role of the tourism sector.

Greenbelts:

- Continuing to designate green belt boundaries at both St. Andrews and Perth to preserve their settings, views and special character including their historic cores; assist in safeguarding the countryside from encroachment; to manage long term planned growth including infrastructure in this Plan's Proposals Map and Strategic Development Areas in Policy 4; and define appropriate forms of development within the green belt based on Scottish Planning Policy;
- Using Perth green belt to sustain the identity of Scone, and provide sufficient land for planned development around key villages and settlements.

Finite resources:

Using the location priorities set out in Policy 1 of this Plan to:-

- safeguard minerals deposits of economic importance and land for a minimum of 10 years supply of construction aggregates at all times in all market areas; and,
- protect prime agricultural land, new and existing forestry areas, and carbon rich soils (where identified) where the advantages of development do not outweigh the loss of productive land.

Natural and Historic Assets*:

Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:

- ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy;
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and,
- identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate.

Transport:

- Safeguarding land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related uses to support freight, economic growth and tourism; and,
- Safeguarding land for future infrastructure provision (including routes), identified in the Proposal Map of this Plan or other locations or routes, as appropriate, or which is integral to a Strategic Development Area in Policy 4 of this Plan, or which is essential to support a shift from reliance on the car and road-based freight and support resource management objectives.

**Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).*

Policy 4: Strategic Development Areas

Local Development Plans should:-

A. Identify specific sites for the Strategic Development Areas and allocate land for the uses set out in table 1, below and identified in the Proposals Map of this Plan:

Table 1: Strategic Development Areas

Strategic Development Area	Type and indicative scale of development
Orchard Bank Forfar	25ha of employment land.
Forfar Regional Agricultural Service Centre	Employment land for agricultural services.*
Montrose Port	Employment land for port related land uses
Dundee, Linlathen	40ha of employment land.
Dundee Centre and Port	Mixed uses including business, commercial, leisure, retail, residential and port related uses
Dundee Western Gateway	750+ homes and 50ha of employment land.
The James Hutton Institute	5 to 10ha of employment land for food/agricultural research
West/North West Perth	4,000+ homes and 50ha of employment land
Oudenarde	1,200+ homes and 34ha of employment land.
Cupar North	1,400 homes, 10ha of employment land and bulky goods retail.
St. Andrews West and Science Park	1,090 homes, 10ha of employment land and 10ha for a science park.

B. Include (or cover in Supplementary Planning Guidance) Strategic Development Frameworks** for Strategic Development Areas***. These should reflect the overall policy requirements of this Plan and from which master plans will be developed, reflecting in particular the Scottish Government's Planning Advice Note (PAN) 83: *Masterplanning* and Architecture and Design Scotland publication *Design Review: Lessons learnt from Masterplanning* (2010). Frameworks shall set out how new sustainable places (as referred to in PAN 83) are to be implemented.

**The Local Development Plan will consider the need for any new sites, together with existing sites. This Proposal further promotes the role of the agricultural service sector in the area but may not require sites.*

***Strategic Development Frameworks: Wide area proposals of strategic links, accessibility, and land use principles, and how these relate to the masterplan site. They establish key development parameters through a process of consultation with community, stakeholders and the local authority. Strategic Development Frameworks are often used for large masterplan sites, urban extensions and districts.*

****With the exception of West/North West Perth the other Strategic Development Areas already have a framework/masterplan in place or are of a scale/nature where one is not required (Orchardbank, Linlathen, Forfar Regional Agricultural Service Centre and The James Hutton Institute).*

Policy 5: Housing

Local Development Plans shall:-

A. Allocate land which is effective or capable of becoming effective to meet the housing land requirement up to year 10 from the predicted date of adoption, ensuring a minimum of 5 years effective land supply at all times, and work towards the provision of a 7 years supply of effective housing land by 2015, to support economic growth. Land should be allocated within each Housing Market Area (Proposal 2) through Local Development Plans to provide an effective and generous supply of land to assist in the delivery of in the order of 26,000 units up to year 2024 across TAYplan. Average annual build rates are illustrated*. In the period 2024 to 2032 in the order of 17,400 units may be required. To assist the delivery of these build rates, Local Development Plans shall allocate sufficient land to ensure a generous supply of effective housing sites and to provide for flexibility and choice.

- In serious cases of appropriately evidenced environmental or infrastructure capacity constraints, provide for up to 10% of the housing provision for one market area to be shared between one or more neighbouring housing market areas within the same authority taking account of meeting needs in that housing market area.
- Ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. Local Development Plans (where applicable) will need to set affordable housing requirements for or within each housing market area.

B. Have the flexibility to plan for house building rates in Dundee City to exceed the level of annual provision in Proposal 2.

C. Ensure there is a presumption against land releases in areas surrounding the Dundee and Perth Core Areas, including the Carse of Gowrie, where it would prejudice the delivery of Strategic Development Areas or regeneration within the core areas or conflict with other parts of this Plan.

**Average build rates are illustrated annually to assist the understanding of what the scale of housing is for communities. These are only averages and the period in which these build rates should be achieved is over the first 12 years of the Plan, not annually. It is anticipated that within the first 12 year period build rates will be lower than the average in the early period and greater in the later period. These figures include Strategic Development Areas and affordable housing.*

Policy 8: Delivering the Strategic Development Plan

To ensure that quality is designed-in to development and places developer contributions shall be sought for new development:-

To mitigate any adverse impact on infrastructure, services and amenities brought about by development including contributions towards schools, affordable housing, transport infrastructure and facilities (including for road, rail, walking, cycling and public transport), and other community facilities in accordance with the Scottish Government Circular 1/2010.

Angus Local Plan Review 2009

Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Policy S2 : Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:-

- are or can be made accessible to the existing or proposed public transport networks and make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances and allow easy access for the mobility impaired.
- provide and/or enhance paths for walking and cycling which are safe, provide pleasant routes, are suitable for use by the mobility impaired, and link existing and proposed path networks;
- are located where there is adequate local road network capacity or where capacity can be made available.

Policy S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:-

- site location and how the development fits with the local landscape character and pattern of development;
- proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;
- use of materials, textures and colours that are sensitive to the surrounding area; and
- the incorporation of key views into and out of the development.

Innovative and experimental designs will be encouraged in appropriate locations.

Policy S4 : Environmental Protection

Where development proposals raise issues under environmental protection regimes, developers will require to demonstrate that any environmental protection matter relating to the site or the development has been fully evaluated. This will be considered alongside planning matters to ensure the proposal would not unacceptably affect the amenity of the neighbourhood.

Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

- (a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- (b) Proposals should not result in unacceptable visual impact.
- (c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.
- (g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- (o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- (p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).
- (q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)
- (r) Development should minimise waste by design and during construction.

Supporting Information

- (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Policy SC1 : Housing Land Supply

Adequate land has been allocated in the Local Plan to meet the allowances of the Dundee and Angus Structure Plan up to 2011 as illustrated in Table 2.1. Land identified for residential development will be safeguarded from alternative uses, and its effectiveness will be monitored through the annual audit of

housing land. Where sites allocated in the Plan are phased to extend beyond 2011 they will contribute towards meeting the indicative allowances for the 2011-2016 period.

Policy SC3 : Windfall Sites

Angus Council will support proposals for residential development of 5 or more dwellings on windfall sites within development boundaries in addition to the identified supply where they:

- will make a significant contribution towards regeneration and renewal;
- are compatible with established and proposed land uses in the surrounding area;
- include affordable housing in accordance with Policy SC9; and
- take account of the provisions of Policy S6 : Development Principles.

Policy SC4 : Countryside Housing Retention of Existing Houses

In preference to demolition and replacement, Angus Council will encourage the retention and renovation of stone-built houses and other houses of visual, architectural or historic merit which are sound and/or wind and watertight, or which have four walls standing to eaves height and at least 50% of the roof structure and covering in place and are therefore capable of attracting improvement grant. Sensitively designed extensions forming part of the renovation of such houses will also be supported.

Where such a house is demonstrated by a suitably qualified professional to be structurally incapable of renovation or is of minimal visual, architectural or historic interest, demolition and reconstruction or replacement may be acceptable.

The replacement house should represent a substantial improvement on the original property and meet Schedule 2 : Countryside Housing Criteria as appropriate.

Policy SC5 : Countryside Housing Conversion of Non-Residential Buildings

Conversion of stand alone, redundant, stone-built, non-residential buildings and other non-residential buildings of visual, architectural or historic merit will be supported where proposals:-

- retain or enhance the existing architectural style of the building,
- utilise the whole building or demonstrate that a satisfactory residential environment can be created,
- do not provide an excessive number of small housing units, and
- meet Schedule 2 : Countryside Housing Criteria as appropriate.

Proposals for sensitively designed extensions to such buildings will also be supported.

Proposals for conversion of appropriate buildings which sit within a larger site will only be permitted where the whole site is redundant, and the improvement of the environment of the area is provided for. Any additional new build housing within the building group will be considered under Policy SC6.

Where such a building is demonstrated by a suitably qualified professional to be structurally incapable of conversion, demolition and reconstruction of it for residential use may be supported where the new building is in keeping with the scale, form and character of the original.

Policy SC6 : Countryside Housing New Houses

(a) Building Groups – One new house will be permitted within an existing building group where proposals meet Schedule 2 : Countryside Housing Criteria and would round off or consolidate the group.

(b) Gap Sites – In Category 1 RSU's a single new house will be permitted on a gap site with a maximum road frontage of 50 metres; and in Category 2 RSU's up to two new houses will be permitted on a gap site with a maximum road frontage of 75 metres. Proposals must meet Schedule 2 : Countryside Housing Criteria as appropriate.

(c) Rural Brownfield Sites – Redevelopment of redundant rural brownfield sites will be encouraged where they would remove dereliction or result in a significant environmental improvement. A statement of the planning history of the site/building, including the previous use and condition, must be provided to the planning authority. In addition, where a site has been substantially cleared prior to an application being submitted, or is proposed to be cleared, a statement by a suitably qualified

professional justifying demolition must also be provided. Proposals should be small scale, up to a maximum of four new houses and must meet Schedule 2 : Countryside Housing Criteria as appropriate.

Exceptionally this may include new build housing on a nearby site where there is a compelling environmental or safety reason for removing but not redeveloping the brownfield site.

Large scale proposals for more than four new houses on rural brownfield sites will only be permitted exceptionally where the planning authority is satisfied that a marginally larger development can be acceptably accommodated on the site and it can be demonstrated beyond reasonable doubt that there are social, economic or environmental reasons of overriding public interest requiring such a scale of development in a countryside location.

(d) Open Countryside - Category 2 RSU's - Development of a single house will be supported where Schedule 2 : Countryside Housing Criteria is met.

Policy SC9 : Affordable Housing

Angus Council will seek to secure the provision of affordable housing from housing developments on allocated sites, opportunity and windfall sites which will contribute towards meeting identified needs in each Housing Market Area as follows:-

- Arbroath – 20% LCHO housing;
- Brechin/ Montrose – 25% LCHO housing;
- Forfar, Kirriemuir and Glens – 15% LCHO housing;
- South Angus – 40% social rented and/or LCHO housing.

The requirement for affordable housing in each Housing Market Area will be applied to the overall capacity of sites of 10 or more units, or a site size equal to or exceeding 0.5 hectares. Where a site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will still be applied.

Affordable housing developments may be permitted on sites outwith but adjacent to development boundaries provided it can be demonstrated that:-

- there is an identified local need that cannot be met on a suitable site within defined development boundaries;
- the proposal takes account of the provisions of Policy S6: Development Principles; and
- proposals are in accord with other relevant policies of the Local Plan.

In all circumstances, Section 75 or other legal agreements may be used to secure the delivery of affordable housing.

Policy SC16 : Employment Land Supply

Angus Council will maintain a supply of employment land to which proposals for business and industry will be directed as follows:-

- Arbroath, Elliot and Kirkton, (minimum 10 ha);
- Forfar, Orchardbank (minimum 10 ha);
- Montrose, Forties Road and Broomfield (minimum 10 ha);
- Brechin, Business Park (minimum 5 ha);
- Carnoustie (up to 5 ha);
- Kirriemuir (up to 5 ha).

At these locations, and other established employment areas, planning permission will not normally be granted for uses other than Class 4* (business), Class 5* (general industry), and Class 6* (storage and distribution), but may be considered where they are small scale, complementary and ancillary to the existing or proposed use. Development proposals will require to demonstrate there is no detriment to the surrounding amenity.

* As defined in the *Town and Country Planning (Use Classes) (Scotland) Order 1997*.

Policy SC17 : Industrial And Business Use

Outwith allocated sites employment proposals within Use Class 4* (business), Class 5* (general industry), and Class 6* (storage and distribution) may be permitted in locations within development boundaries where the proposal:

- can be accommodated within existing or planned infrastructure capacity;
- is not detrimental to the surrounding amenity; and
- accords with other relevant policies of the Local Plan.

* As defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997.

Policy SC19 : Rural Employment

Employment opportunities throughout rural Angus will be supported where they make a positive contribution to the rural economy and are of a scale and nature appropriate to the location. Proposals which reuse existing buildings and sites and those which assist diversification of an existing rural business will be encouraged. There may also be scope for mixed use developments incorporating staff accommodation and/or home/work units.

Policy SC33 : Open Space Provision

Development proposals will require to provide open space and make provision for its long term maintenance. Angus Council will seek to ensure that as a minimum the NPFA standard of 2.43 hectares of open space/recreational space per 1000 head of population is met. The specific requirements of any development will be assessed on a site by site basis and this standard exceeded or relaxed as appropriate taking account of the level, quality and location of existing provision.

Policy SC36 : Access Rights

Development proposals, which will result in a significant loss to the public of linear access, area access or access to inland water will be resisted.

Policy SC37 : Healthcare Facilities

Buildings and grounds associated with existing and proposed healthcare facilities throughout Angus will be reserved for healthcare use. Where sites become available for redevelopment, alternative uses, which are in line with the policies of the Local Plan, will be encouraged.

Policy SC40 : Walking and Cycling

Angus Council will pursue a range of measures and initiatives to enhance accessibility for walking and cycling, by:

- providing local walking and cycling routes within and around each town;
- developing the existing cycleway provision north of Montrose in support of the National Cycle Network and North Sea Cycle Route;
- developing the "Safe Routes to School" initiative;
- improving the linkages to and within town centres and other areas with high pedestrian activity such as schools and leisure facilities;
- pursuing the phased implementation of an integrated coastal path and cycleway;
- incorporating a footpath/cycleway as part of upgrading the A92 between Arbroath and Dundee in accordance with Policy SC43.

Policy SC41 : Bus Transport

Angus Council will:

- promote the improvement of passenger waiting infrastructure including the provision of bus lay-bys, bus stops, shelters and interchange facilities conveniently located for access to and from housing, employment, shopping and other main destinations;
- promote the improvement of passenger information facilities by extending Real Time Information facilities across Angus;

- make provision for bus transport as part of the upgrading of the A92 between Arbroath and Dundee including bus laybys, bus stops and shelters at locations which are well related to existing facilities and path networks and allow safe and easy access by the communities along this route.

Policy ER1 : Natura 2000 and Ramsar Sites

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

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

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

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

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

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

Policy ER4 : Wider Natural Heritage and Biodiversity

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

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

Policy ER5 : Conservation of Landscape Character

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

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

Policy ER7 : Trees on Development Sites

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

- provide a full tree survey in order to identify the condition of those trees on site;

(b) where possible retain, protect and incorporate existing trees, hedges, and treelines within the design and layout;

(c) include appropriate new woodland and or tree planting within the development proposals to create diversity and additional screening, including preserving existing treelines, planting hedgerow trees or gapping up/ enhancing existing treelines.

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

Policy ER11 : Noise Pollution

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere.

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

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

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

Policy ER16 : Development Affecting the Setting of a Listed Building

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

Policy ER17 : Demolition of Listed Buildings

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

(a) it has been demonstrated through a detailed structural and feasibility report that the condition of the building makes it impractical to repair, renovate or adapt it to any reasonably beneficial use for which planning permission would be granted; and

(b) there is evidence that all reasonable efforts have been made to sustain the existing use or find a viable and acceptable new use or uses for the building including marketing of the building nationally for at least 6 months; and

(c) detailed planning permission for the reuse of the site, including any replacement building or other structure has been granted.

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

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

Policy ER18 : Archaeological Sites of National Importance

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

(a) the proposed development will not result in damage to the scheduled monument or site of national archaeological interest or the integrity of its setting; or

(b) there is overriding and proven public interest to be gained from the proposed development that outweighs the national significance attached to the preservation of the monument or archaeological importance of the site. In the case of Scheduled Ancient Monuments, the development must be in the national interest in order to outweigh the national importance attached to their preservation; and

- (c) the need for the development cannot reasonably be met in other less archaeologically damaging locations or by reasonable alternative means; and
- (d) the proposal has been sited and designed to minimise damage to the archaeological remains.

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

Policy ER19 : Archaeological Sites of Local Importance

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

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

Policy ER22 : Public Drainage Systems

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

Policy ER24 : Surface Water Disposal

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

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

Policy ER28 : Flood Risk Assessment

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

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

Policy ER30 : Agricultural Land

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

Policy ER38 : Recycling and Composting Facilities

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

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

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

Policy ER40 : Contaminated Land

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

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

Policy Imp1 : Developer Contributions

Developer contributions will be required in appropriate circumstances towards the cost of public services, community facilities and infrastructure and the mitigation of adverse environmental impacts that would not have been necessary but for the development. Such contributions will be consistent with the scale and effect of the development and may relate to both on-site and off-site items that are required to produce an acceptable development in the public interest.

Policy C7 : Working – Land at Carlogie

Approximately 15 ha of land at Carlogie is allocated for Class 4* (business), Class 5* (general industry), and Class 6* (storage and distribution) uses.

Proposals should be in accordance with the development brief which will be prepared for this site and will include details of the following requirements:-

- road access and construction of a realigned Carlogie Road to the standards set by the Director of Infrastructure Services;
- provision of access by pedestrian, cycle and public transport
- foul and surface water drainage;
- site layout and design to accommodate a range of business uses;
- investigate the need for archaeological evaluation and undertake/ implement as necessary; and
- structure planting and landscaping within and around the site. This should take place at an early stage and will require to be to a high standard, particularly given the gateway location of this site.

*As defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997.

St1 : Opp Site - Strathmartine Hospital Estate

The Strathmartine Hospital Estate provides an opportunity for reuse and redevelopment for a range of uses. Proposals for reuse of the site must be in accordance with a comprehensive strategy or master

plan which will be prepared for this site and include details of the following requirements:

- retention of the existing listed building;
- the timing, phasing and location of development;
- public safety and security related to existing structures;
- the retention of existing tree cover and hedgerows, enhancement of the landscape setting and biodiversity of the site;
- provision for public access to the landscaped grounds for informal recreational purposes.

Housing development will be limited to a maximum of 40 residential units comprising the conversion of the existing listed building and any limited new housing development.