

ANGUS COUNCIL

18 DECEMBER 2014

PLANNING APPLICATION - FORMER STRATHMARTINE HOSPITAL STRATHMARTINE

GRID REF: 338584 : 735176

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report deals with planning application 13/00268/EIAM Redevelopment Of Former Hospital Site To Include New Build And Conversion To Residential And Community Use And Crèche, Associated Access, Landscape And Infrastructure Works at the Former Strathmartine Hospital, Strathmartine for Heathfield Limited. The application is recommended for refusal.

1. RECOMMENDATION

It is recommended that this application be refused for the reasons detailed in Section 10 of this report.

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 Planning Permission in Principle is being sought for the redevelopment of the former Strathmartine Hospital site to include new build and conversion to residential and community use and crèche, associated access, landscape and infrastructure works. The various elements of the proposal can be broken down in further detail.

3.2 The erection of 198 new build dwellinghouses are being sought in order to redevelop the whole site and provide funding to enable the retention and conversion of the main, B listed buildings which served as the main administration building and pavilion ward blocks - known as 'Baldovan, Strathmartine Hospital, Former Baldovan Institute'. It is proposed to restore and change of use of the main hospital building to form 24 flats. The works required to this building to facilitate the change of use include demolition/down takings, a small element of extension and remedial works and alterations. The refurbishment and modest extension to two existing residential cottages is proposed to create two larger properties. Refurbishment of the chapel of rest building is proposed to facilitate a change of use to a community building/crèche. Across the site landscape and infrastructure works are also proposed as are accesses.

3.3 The application site area measures in the region of 18 hectares and is located some 400 metres (m) to the north of the Dundee City administrative boundary and within the development boundary of Strathmartine Hospital. The areas to the north, east and south (between the site and the Dundee boundary) are predominantly in agriculture or forestry use. To the south east of the site

are the existing properties at Ashton Terrace, which were once part of the hospital estate. To the immediate west of the site are the remaining NHS facilities and beyond this, approximately 400m west of the application site, is the Bridgefoot and Strathmartine development boundary. The site sits on a predominantly southern facing slope which rises from 45m Above Ordnance Datum (AOD) at the southern boundary to 130m AOD at the northern boundary. The site presently contains and is characterised by the buildings of the former hospital; with the main complex (centred on the B listed building) to the central east of the site and several other ward and care buildings to the north, south and west of this complex. Much of the site and areas between the buildings comprises of mature planting and open, albeit sloped, green spaces. The primary access to the site is located off Craigmill Road, which leads as a central tree-lined boulevard in to the sites various buildings.

- 3.4 While the application is for Planning Permission in Principle, the applicant has submitted a 'Strathmartine Hospital Masterplan' in support of the application. This document is for indicative purposes only, however, it does provide an overall assessment of the site and presents a masterplan for the redevelopment of the whole site, from which the principle of the site's development can be reconsidered. The masterplan indicates that primary site access will be made 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. Thereafter a general indicative site layout illustrates a series of secondary routes through the site, which lead to the various areas of dwellings and uses which the document splits into a series of 5 construction phases. The areas of housing follow a tiered layout approach that is broadly centered on areas where previous hospital uses and buildings are located. The document also identifies key landscape features and views and the incorporation of these as a basis for the landscape design for tree areas, open space and landscaping throughout the site.
- 3.5 The proposal has been advertised in the press as required by legislation. The application has not been subject of variation.
- 3.6 This application requires to be determined by Angus Council because it is a 'Major' development, as defined in Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, which is significantly contrary to the development plan.
- 3.7 Should Angus Council be minded to approve the proposed development, notification of this intention to the Scottish Ministers would be required given the outstanding objection from a neighbouring planning authority, Dundee City Council.

4. RELEVANT PLANNING HISTORY

- 4.1 The redevelopment of this site was considered at the Public Local Inquiry in relation to the Finalised Angus Local Plan Review. At that time the Reporter was asked to consider whether the site should be allocated as a housing site for 140 units rather than identified as an opportunity site with a limit of 40 units as proposed in the Finalised Plan. The Reporter indicated that the fact the site is brownfield in nature does not mean that it should automatically be considered as a priority housing site, particularly where it is of a scale that it could accommodate such a large amount of housing that would represent a major allocation in the context of South Angus as a whole – even if the housing was phased. He also considered that delivery of affordable housing from development of the site, contributing to the costs of a primary school extension and boosting local bus usage did not individually or cumulatively justify development of the scale proposed (140 units at that time). In addition, he indicated that the fact the site would be environmentally enhanced, with the listed building conserved and the estate in general upgraded, was not sufficient reason to allocate the site for development of that scale. It is also relevant to note that the Reporter did indicate that if housing land requirements were not being met in the South Angus area in the future, there would be merit in the council exploring the scope for the site to make a larger contribution than the 40 units allowed for. The Reporters findings are reflected in ALPR Policy St1 which identifies Strathmartine Hospital as an opportunity for reuse and redevelopment where 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. An extract from the Reporters findings is provided as Appendix 3.

- 4.2 A planning application (ref: 13/00364/FULL) has been submitted for Change of Use of Strathmartine Hospital Administration Building into 24 Flats and Proposed Demolition of Northern Extensions and Erection of New Rear Extensions, Extension to Rear of Cottages to Increase Accommodation to Two Bedrooms, Conversion of Chapel of Rest into Community Building, Demolition of Unlisted Hospital Buildings within Curtilage of Listed Building and Demolition of Listed Laundry Building. That application site lies within the current application site boundary. It is not a major application and will be determined as appropriate having regard to any decision in relation to the planning application for the wider site.
- 4.3 An application for listed building consent (ref: 13/00367/LBC) for alterations to Strathmartine Hospital Administration Building to allow conversion to 24 Flats, including Demolition of Northern Extensions and Erection of New Rear Extensions, Extension to Rear of Cottages to Increase Accommodation to Two Bedrooms, Conversion of Chapel of Rest into Community Building and Demolition of Listed Laundry Building. That application site lies within the current application site boundary. It will be determined as appropriate having regard to any decision in relation to the planning application for the wider site.

5. APPLICANT'S CASE

5.1 The applicant's agent has submitted the following documents in support of the application:

- Environmental Statement (ES);
- A Pre-Application Consultation (PAC) Report;
- Planning Policy Statement;
- Masterplan;
- Transport Assessment;
- Ecology Report;
- Tree Survey;
- Flood Risk Assessment (including Hydrological Assessment);
- Conservation Plan;
- Condition Report; and
- Development Appraisal.

5.2 That information can be viewed on the Council's Public Access website but a summary is provided at Appendix 2.

6. CONSULTATIONS

6.1 **Community Council** - Strathmartine Community Council object to the application on the grounds of the large scale of the development being contrary to the development plan; roads and access suitability; pedestrian safety; school capacity; site layout and design and bat protection.

6.2 **Angus Council - Roads** - The proposal was considered in terms of likely traffic and its impact on the local road network, considering the Transport Assessment submitted. No objection to the planning application is raised, subject to planning conditions relating to visibility, footway provision, car parking, layout and drainage and further transport assessments.

6.3 **Scottish Water** - Raise no objection to the proposal. It is noted that due to the size of the development, Scottish Water will be required to assess the impact this new demand will create through the developer applying via Scottish Water's consenting process.

6.4 **Angus Council Environmental Health** - In respect of contaminated land, no objections are raised subject to planning conditions requiring investigation and mitigation, as appropriate. No concerns or objections are raised for any other matters within their remit. In respect of all other matters, it is confirmed that no objection are raised.

6.5 **Angus Council - Housing Service** - In terms of the provisions of Policy SC9 in the Angus Local Plan Review, the current affordable housing provision required would be 40%. However, having regard to development viability information (based on an Education contribution of £672,000), has

confirmed the required Affordable Housing contributions in relation to the proposed development would be 25% of the 198 new build element only, which would equate to 50 commuted sums. This equates to a 22.3% overall contribution for the whole site (of 224 units). This contribution could be met by way of payment of a commuted sum per contribution unit. The commuted sum amount is currently £21,600/unit, however, this is subject to bi-annual review by the Valuation Office Agency (VOA) and is subject to change. Payment of any contribution would be phased.

- 6.6 **Angus Council - Flood Prevention** - Confirms no objection to the application. It is noted that the site lies outwith the 1 in 200 year flood envelope for the Dighty Water and the site is therefore not at significant risk from flooding. It is recommended that a full Drainage Impact Assessment and surface water drainage details are secured through planning conditions.
- 6.7 **Angus Council - Education Service** – Has indicated that Strathmartine Primary School would require to be extended to accommodate the anticipated number of children from the development. It has also indicated that, having regard to other planned developments in the area, extension of Forfar Academy would be required in order to accommodate children from this development. On this basis the Education Service has indicated that a contribution of £11,000 per dwelling is now required in order to mitigate the impact of the development on primary and secondary school infrastructure.
- 6.8 **Angus Council - Transport Section** - Has no objection to the planning application. It is highlighted that Angus Council would be seeking the provision of developer contribution in order to sustain existing bus services in the area. Further discussion on how this could be provided would be required should the application be approved. Infrastructure in the form of bus shelters and laybys would be required.
- 6.9 **Angus Council - Parks and Burial Grounds** - Notes that ALPR Policy SC33 standards in relation to open space provision of 2.43 hectares per 1000 head of population would apply. This should be achieved and satisfactorily designed in any subsequent application.
- 6.10 **Scottish Environment Protection Agency** - Does not object to the Environmental Statement and indicates that it is satisfactory to support the planning application. In respect of flood risk again no objection is raised. SEPA would expect Angus Council as Flood Prevention Authority to comment on flood risk and the use of SUDS. In respect of surface water drainage, SEPA encourages the applicant to engage on this matter. General advice and comment is given on air quality.
- 6.11 **Scottish Natural Heritage** - Has indicated that its key interest in relation to this proposal is European Protected Species, notably bats. Having assessed the Environmental Statement and Bat Survey SNH does not object to the application. It has been highlighted however that, if the application is approved, a licence would be required and based on the information available it is likely that the tests would be met in granting this licence.
- 6.12 **Dundee City Council** - Objects to the planning application. It is considered that the proposed development of raises issues of concern for Dundee City Council and that the proposal is not in accordance with the spatial strategy and policies of TAYplan and has the potential to impact on the housing strategy of the Dundee Proposed Local Development Plan (now the Dundee Local Development Plan 2014). It is also considered that the proposal raises issues in respect of the Angus Local Plan Review, being for substantially more numbers than allocated in Proposal St1. It is noted that the applicant predicts in the Transport Assessment that the development will have no significant traffic impact. However, Dundee City Council contends that the development will contribute to a cumulative effect on traffic levels and congestion in Dundee, especially on the access into the A90/Kingsway junctions.
- 6.13 **Aberdeenshire Council Archaeology Service** - Does not object to the application. It is advised that the Condition Report and Conservation Plan, along with the submitted drawings, are sufficient to address the requirement for a Level 1 Standing Survey (as per PAN 2/2011, SPP and SHEP) and therefore no further action in this regard is needed.
- 6.14 **Historic Scotland** - Does not object to the planning application and are satisfied that there will be

no significant effects on the site or setting of any heritage assets within their statutory remit. In summary they concur with the findings of the Environmental Statement. It is relevant to note that in relation to the accompanying Listed Building Consent application Historic Scotland offers no objection, and indeed welcomes it as the scheme will secure the future of the most important parts of the former administration building and original ward blocks. Historic Scotland is satisfied that the parts selected for demolition are of lesser importance and also (due in part to their current condition or location) asking for retention would not be a practical or even a desirable approach.

- 6.15 **Transport Scotland** - Does not object to the planning application. The proposal has been considered in the context of the A90 trunk road and it is considered that the percentage increase in traffic on this road arising from the proposal will not be significant. The development proposal will also have no significant environmental impact on the trunk road network or its adjacent receptors. There are no concerns in respect of construction traffic and the provision of a Construction Environmental Management Plan is welcomed.
- 6.16 **Angus Council - Economic Development Unit** - There was no response from this consultee at the time of report preparation.
- 6.17 **Scottish Government** – Has offered no substantive comments in relation to the application.
- 6.18 **Angus Council - Quantity Surveyor** - Considers the proposals in the context of the submitted Development Appraisal. Following the submission of additional information it was confirmed that the costs predicted are broadly acceptable owing to the nature of site conditions and the likely development costs associated with the proposal.
- 6.19 **Police Scotland - Crime Prevention Officer** - There was no response from this consultee at the time of report preparation.
- 6.20 **Health & Safety Executive** - There was no response from this consultee at the time of report preparation.

7. REPRESENTATIONS

7.1 Twenty-two (22) letters of representation were received. 21 object to the application and one provides general comment. The letters of representation will be circulated to Members of Angus Council and a copy will be available to view in the local library or on the council's Public Access website. The main points of concern were as follows:

- Number of Houses Unacceptable
- Inappropriate Density/ Out of Character
- Undesirable Precedent
- Location of Access Unacceptable
- Lack of Footway
- Insufficient Road/Access Capacity
- Road Traffic/Pedestrian Safety
- Danger to School Children
- Inadequate Sewerage Provision
- Inadequate Water Supply
- Detrimental to Residential Amenity
- Noise Disturbance
- Loss of Open Space
- Detrimentally Affects Protected Species
- Unacceptable Impact on Trees
- Detrimentally Affects Listed Building
- Unacceptable Flood Risk
- School capacity
- Support for Dundee City Council objection

7.2 One of these representations was a petition of 23 signatures from the residents of Ashton

Terrace. The residents recognise a need for some form of development, but cite concerns of the scale of development being too high as well as other general concerns listed above.

- 7.3 The one general comment noted the benefits of some form of development proceeding given the condition of the site.

8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

- 8.2 In this case the development plan comprises:-

- TAYplan (Approved 2012)
- Angus Local Plan Review (Adopted 2009)

- 8.3 The following development plan policies are relevant to the determination of the application and are reproduced at Appendix 5 of Report 507/14: -

TAYplan: Policies 1, 2, 3, 5 and 8

Angus Local Plan Review (ALPR): Policies S1, S2, S3, S4, S6, SC1, SC3, SC6, SC9, SC33, SC37, SC41, ER1, ER2, ER4, ER5, ER7, ER15, ER16, ER17, ER18, ER19, ER22, ER24, ER28, ER38, ER40, St1 and Imp1

- 8.4 Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Draft Proposed Angus Local Development Plan was considered by Angus Council at its meeting on 11 December with a view to it being approved and published as the Proposed ALDP for a statutory period for representations. The Draft Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP(June 2012) and Scottish Planning Policy (SPP) published in June 2014. This Report has been prepared in advance of the Angus Council meeting on 11 December and the outcome of consideration of the Proposed Angus LDP will be updated verbally at Committee. The Proposed ALDP, as approved by Angus Council, will be subject to a 9 week period for representation commencing in February 2015. Any unresolved representations received during this statutory consultation period are likely to be considered at an Examination by an independent Reporter appointed by Scottish Ministers. The Council must accept the conclusions and recommendations of the Reporter before proceeding to adopt the plan. Only in exceptional circumstances can the Council choose not to do this. The Proposed ALDP represents 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. The Proposed ALDP is, however, at a stage in the statutory process of preparation where it may be subject to further modification. Limited weight can therefore currently be attached to its contents. This may change following the period of representation when the level and significance of any objection to policies and proposals of the plan will be known.

- 8.5 Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 requires that in considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be paid to the desirability of preserving the building or its setting.

- 8.6 TAYplan Policy 1 provides locational priorities in relation to all new development. It states that the majority of new development should be focussed on the region's principal settlements and advocates a sequential approach to land release. In the first instance it promotes development within principal settlements, followed by land on the edge of those settlements, and finally the expansion of non-principal settlements. Strathmartine Hospital is not a principal settlement and it is not located in the Dundee Core Area. Whilst it is located close to the boundary of the Dundee

Core Area it is separated by agricultural land, the Dightly Burn and a distance in the region of 400m.

- 8.7 In terms of the ALPR, Strathmartine Hospital is identified as a settlement and has a development boundary. Policy St1 of the ALPR deals specifically with development within Strathmartine Hospital development boundary and states amongst other things that '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'. On this basis the proposal is contrary to the Policy St1 of the ALPR.
- 8.8 Notwithstanding this, 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 Housing Market Area (HMA). Report 507/14 identifies that there is currently a shortfall in the 5-year effective housing land supply within the South Angus HMA. That shortfall amounts to some 285 units and at that level, is considered significant. The South Angus HMA is an area where the need for affordable housing is high. A shortfall in effective housing land can delay delivery of much needed housing which is undesirable from a social and economic perspective.
- 8.9 The Angus Housing Land Audit 2014 does not identify any effective housing sites in the South Angus HMA where there is scope to increase phasing of output in order to address the 5-year shortfall. A Proposal of Application Notice has been submitted in relation to Ashludie Hospital. It indicates that a planning application is to be submitted for a redevelopment of the hospital estate to provide large-scale housing development. That site is within the development boundary of Monfieith and would attract some support from relevant development plan policy. On the basis of available information, that site would not in itself address the identified shortfall in effective housing land and there is currently insufficient information to assess the effectiveness of that site.
- 8.10 Strathmartine Hospital is identified in the Audit as having potential to accommodate in the region of 200 units (from an urban capacity study). Whilst contrary to development plan policy, large-scale housing development on this site could contribute towards addressing that shortfall in housing land supply if it was considered to be effective (having regard to definitions of effectiveness set out in Report 507/14). Issues regarding the compatibility of the site with other development plan policy, its effectiveness and assessment in relation to other material considerations are provided below.

Access and Transport

- 8.11 Amongst other things, the development plan framework seeks to reduce the need to travel and improve accessibility by sustainable transport modes. In this case the application is supported by a Transport Assessment and transport is also addressed in the Environmental Statement. These documents suggest that the site is well located in relation to public transport and that provision could be made for buses to enter the site. However, the Council's Transport Service has indicated that the current level of public transport service has been found to be commercially unviable and is therefore unlikely to continue beyond mid-2015. A continuation of the current level of service would be appropriate for this scale of development but would only be achieved through a developer contribution. It is indicated that existing public transport infrastructure in the vicinity of the site would require to be upgraded. Upgrade of infrastructure could be secured by planning condition but any developer contribution to secure bus services would require a planning obligation. The site is located in the region of 650m from Strathmartine and its primary school. There are no shops, services or facilities, other than the remaining NHS facility to the west of the site within the Strathmartine Hospital development boundary. The footway on Craigmill Road between the site and Strathmartine is not continuous and in some places is narrow. The applicant has indicated that a new footway would be provided in order to improve this connection although indicative plans suggest that the footway may require pedestrians to cross from one side of the road to the other on a number of occasions. The administrative boundary of Dundee City lies a short distance from the site and pedestrian linkages to that area are reasonable however shops and services are more distant. The applicants Environmental Statement indicates, that given the general location of the site, car is likely to be the principal mode of transport.

- 8.12 In terms of impact on the road network, the applicants assessments indicate that vehicular traffic from the development can be accommodated. As indicated above a footway would be provided on Craigmill Road, to connect the site to the existing footway at Bridgefoot but no other off-site mitigation is identified as necessary. It is recognised that the development would generate additional traffic on the local road network and the concerns raised by third parties are noted. However, the Roads Service has reviewed the submitted information, including the relevant objections, and has offered no objection to the application subject to a number of planning conditions. Dundee City Council has objected to the application on the grounds of traffic impacts on the road network in Dundee, particularly the junctions on the A90(T)/Kingsway. However, Transport Scotland, as the trunk roads authority, has indicated no objection regarding impact on these junctions or on the wider trunk road network.
- 8.13 The site is in an area where there is adequate capacity in the local road network to accommodate the development. However, it is also in an area with limited local services and residents are therefore likely to travel to undertake the vast majority of daily activities. Whilst it is a brownfield site and in that respect its location is fixed, a mixed use development as advocated by the ALPR would provide greater opportunity to establish a sustainable community where residents could access services, facilities or employment opportunities on-site. A development of that nature would be more compatible with TAYplan Policy 2. Notwithstanding, if this application was to be approved the applicant's Transport Assessment indicates that a 'Residential Travel Plan Framework' would be provided in order to influence travel behaviour and increase use of sustainable transport. A travel plan could be secured by planning condition.

Flood Risk/Drainage

- 8.14 The applicant advises in the supporting information that it is proposed to connect the houses to the public sewer for foul drainage and to connect to the public water supply. This is considered to be appropriate in this location, given the proximity to the development boundary and availability of services in this regard. Scottish Water has not offered any objection to this approach but this would be without prejudice for the requirement of the developer to obtain the necessary permissions from them for these connections. In respect of flood risk and surface water drainage, a Flood Risk Assessment (including Hydrological Assessment) is provided and is addressed in the Environmental Statement. It indicates that the site is not at risk from flooding from the Dighty Water and any risk of overland flooding can be accommodated through appropriate drainage design, incorporated in the Sustainable Urban Drainage System (SUDS) strategy. Neither SEPA nor the Council's Roads Service raise any objections. Final design details of the SUDS would require approval as part of any subsequent application for the detail of the development. The proposal does not give rise to any significant issues in terms of water or drainage infrastructure.

Education

- 8.15 Policy 8 in TAYplan seeks to mitigate any adverse impacts on infrastructure, services and amenities brought about by development, including impacts on schools. Policy Imp1 in ALPR has similar objectives. In addition Policy 2 in TAYplan seeks to deliver better quality places by amongst other things, ensuring that new development is integrated with existing community infrastructure. The site is approximately 650m from its boundary to the primary school at Strathmartine. The public road that runs between the site and the school has a rural characteristic and the footway adjacent to the road is intermittent and narrow in places. There is limited natural surveillance of the footway provided by existing buildings. The applicants supporting information identifies opportunity to provide improved pedestrian linkages between the site and Strathmartine itself and such opportunity may exist but the nature of the area is such that it would be unlikely to encourage children to walk to school. The site falls within the catchment for Forfar Academy and is clearly remote from that location. It also lies within the catchment for Baldragon Academy (Dundee Council) which is in the region of 1km from the site boundary. There is a footway between the site and that school but the route lacks natural surveillance and the footway narrows in places. It is unlikely to encourage children to walk to school.
- 8.16 In relation to school capacity, the Education Service has indicated that the primary school would require to be extended to accommodate the anticipated number of children from the development and a figure of £3000 per dwelling was identified as a requirement. However, more recently, the

Education Service has indicated that extension of Forfar Academy would be required in order to accommodate children from this development and other developments planned within the school catchment area. On this basis the Education Service has indicated that a contribution of £11,000 per dwelling is now required in order to mitigate the impact of the development on primary and secondary school infrastructure. Such contribution could be secured by a planning obligation and would be used to increase primary and secondary school capacity in order to accommodate children that can reasonably be expected from the development. On this basis it is considered that impacts on education infrastructure could be mitigated, although as noted, the site is not well located in relation to secondary school provision. In addition, this level of contribution gives rise to issues in terms of the viability of the proposed development and this is discussed below.

Built Heritage and Archaeology

- 8.17 The development plan framework seeks to safeguard built heritage interests, including archaeological sites. Scottish Planning Policy (SPP) represents a statement of government policy on land use planning. In relation to the historic environment and listed buildings, it confirms special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. It further indicates that listed buildings should be protected from demolition or other work that would adversely affect it or its setting. SPP states that enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.
- 8.18 The Scottish Historic Environment Policy (SHEP) (December 2011) establishes a number of key principles to consider when assessing proposals affecting historic assets. It indicates that the protection of the historic environment is not about preventing change but suggests that change should be managed intelligently and with understanding to achieve the best outcome for the historic environment and for the people of Scotland. It indicates decisions often have to recognise economic realities. SHEP indicates that where the application proposes the demolition of listed buildings applicants will be expected to provide evidence to show that the building is not of special interest; or, the building is incapable of repair; or, the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.
- 8.19 The building known as the Former Baldovan Institute at Strathmartine Hospital which has more recently been known as the main administration building is listed as being of special architectural or historic interest. It is listed as a Category B building which indicates that it is of regional, or more than local importance, or a major example of some particular period, style or building type – which may have been altered. Other buildings that lie within the curtilage of the building may also be protected by that listing and in this case it is considered that the listed status extends to a pair of semi-detached cottages and a small chapel to the northwest, and a laundry building located to the northeast of the main administration building. There are a number of other buildings in the vicinity of the main administration building and a significant number of other buildings within the wider Hospital policies but those are not listed.
- 8.20 The planning application seeks to redevelop the former hospital buildings by restoring and converting the main administration building into 24 flats, which would involve the removal/demolition of outbuildings/additions to the rear (north) of the main building. It is proposed to restore and enlarge the two existing cottages and also to restore and convert the chapel of rest into a community building/crèche. The listed laundry building and all other buildings within the site are proposed to be demolished.
- 8.21 The Environmental Statement (ES) and the detailed supporting information submitted in support of the application provide assessment of the condition and significance of the buildings on the site. The principal or south elevation of the main building (and its associated former ward wings) and its entrance and principal staircases are assessed to be of considerable significance. Those sections of the main building that are to be removed are considered to be of lesser value or such

that they detract from the special interest of the building. The pair of cottages are considered to be of moderate significance whilst other buildings are generally considered to be of neutral or negative significance. The listed laundry building that is proposed for demolition is not considered to be of notable character. It has been subject of unsympathetic extension in the past and has been badly damaged by fire in 2010. Some other buildings within the wider site are considered to be of some local conservation interest but these are not listed. A number of landscaped areas within the site, including an area to the south of the main administration building are considered to be of some conservation value and of importance to the setting of the listed buildings. Other areas within the site are considered to detract from the setting of the buildings.

- 8.22 The acceptability of the proposed works to the listed buildings will be considered in the determination of the separate listed building consent application. However, Historic Scotland has indicated that it does not object to this planning application or the listed building consent application.
- 8.23 At this stage, the broad principle of the alterations and change of use of the listed buildings is considered acceptable. The demolition of buildings within the wider site is considered to have generally positive impacts in terms of the setting of the listed buildings, but their replacement with 198 new build dwellings is unlikely to significantly enhance the setting of the retained listed buildings. However, the applicant has submitted detailed information to demonstrate that redevelopment of the site and retention of the important listed buildings would not be financially viable without new development to cross-fund the required conservation and site clearance works. In this respect, it is considered that the proposed development would have overall beneficial impacts in terms of the historic environment. Potential adverse impacts on the setting of the listed buildings could be mitigated by the layout of the site and the detailed design of buildings and landscaped areas and the information submitted by the applicant provides a framework to mitigate impacts. These matters would require the submission of an application for further approval and this would allow issues to be considered with appropriate detail.
- 8.24 In respect of archaeological matters, the Archaeology Service does not object to the proposal and advise that the Condition Report and Conservation Plan, along with the submitted drawings, are sufficient to address the requirement for a Level 1 Standing Survey and therefore no further action, or planning condition, in this regard is needed.
- 8.25 Overall, the proposed development would provide opportunity to help secure a new use and a long-term future for an important listed building which has fallen into a state of serious disrepair. Adverse impacts on the setting of the listed building associated with the erection of a large number of new houses would be unfortunate but justified in order to secure the retention of that building and could be mitigated by appropriate layout and design.

Natural Heritage

- 8.26 Policies of the development plan framework seek to safeguard the natural environment and protect habitats of importance. The applicant's Environmental Statement addresses ecology, and a Bat Survey has also been provided. The Environmental Statement identifies that there is no anticipated impact on the conservation interests of the Firth of Tay and Eden Estuary SPA / SAC. It further reports, there will be no direct habitat loss, a negligible biodiversity impact, a slight positive impact on water based habitat, no evidence of badgers or red squirrels, a potential severe impact on birds (as a result of nesting potential in buildings being reduced) and potential for a significant impact on bats as a result of lost roost potential. The Bat Survey identifies the site supports a small number of bats, with Pipistrelles foraging across land and around buildings with a bat roost on the site, in the main building. The survey concludes that there will be negligible impacts on bats subject to mitigation measures and that overall there will be no adverse impact on the conservation status of bats as a consequence of development and indeed opportunities for enhancement of habitat is possible.
- 8.27 Scottish Natural Heritage (SNH) has advised that it would require to issue a licence before development could proceed due to potential impacts on bats. However, based on the information submitted, SNH considers it is likely that the tests for granting a licence would be met in relation to the proposed works. SNH offers no objection in relation to impact on bats or indeed other

natural heritage interests but does confirm that a licence would be required if trees containing bat roosts were to be felled.

- 8.28 In terms of wider ecology and biodiversity matters, the findings of the Environmental Assessment are generally accepted. There would be opportunity to provide enhancement to existing key features that have been neglected, such as treed avenues, woodland, and other garden and planted areas. These features could, with an appropriate layout and design, be enhanced within the new landscape to create biodiversity areas. There are no significant concerns in relation to natural heritage interests that could not be addressed by planning condition.

Contaminated Land

- 8.29 ALPR Policy ER40 indicates that development of 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. In this case, given the former hospital use of the site, coupled with the fuel stores known to be housed within the site, there is potential for land contamination and that is addressed in the applicants Environmental Statement. This has been reviewed by the Environmental Health Service and no objection is raised to the proposal subject to planning conditions being attached to any permission requiring further investigation and mitigation measures, where appropriate.

Design Quality and Amenity

- 8.30 This application is for planning permission in principle only and detailed matters regarding the layout of the site and the position and design of buildings, open spaces and roads etc would require the submission of a further application for approval of those matters. However, this is a large site and at this stage there is no reason to consider that a housing development could not be provided in a manner that would not result in unacceptable impacts on the amenity of occupants of nearby property. Similarly there is no reason to consider that the site could not be developed in a manner that would provide a good quality development and again detail regarding this matter could be addressed in a subsequent application for approval of detailed matters. The site also has potential to provide a good quality residential environment for occupants of new homes although appropriate screening and separation would be required between new houses and open space areas and the remaining NHS facility located to the west of the site.
- 8.31 Policy SC33 of the ALPR requires development proposals to provide open space and make provision for its long term maintenance in accordance with the National Playing Field Association standard of 2.43 hectares of open space per 1000 head of population. This equates to an area of approximately 13,608 square metres (1.36 hectares) for this development, on the basis of a maximum number of 224 dwellings. Whilst the submitted masterplan layouts are indicative only at this stage, it appears that this level of provision could be provided within the application site. The overall layout of the site, including the amount and distribution of open space could be considered in a subsequent application for approval of detailed matters. Similarly it is considered that the indicative landscaping strategy and design is generally appropriate for the site.

Affordable Housing

- 8.32 Policy SC9 of the ALPR addresses affordable housing and sets out the requirements for a 40% contribution in South Angus to be provided on site in the form of social rented and/or Low Cost Home Ownership housing. TAYplan Policies 5 and 8 and Policy Imp1 in ALPR are also of relevance. Notwithstanding the 40% requirement identified in the ALPR, it is relevant to note that Scottish Planning Policy states that 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. It is also relevant to note that Policy TC3 of the Proposed Angus Local Development Plan indicates that a 25% contribution towards affordable housing will be applied to all housing market areas. In these circumstances it is considered that a 25% contribution in respect of affordable housing is now the appropriate standard for development in this area. In this case, the issue of affordable housing contribution has been subject of some discussion between the applicant and the Council's Housing Service. Having regard to information on development viability associated with this proposal, a 25% contribution for the new build element only (198 units) has been suggested.

This would result in a total contribution of 22.3% (equating to 50 units). This contribution would be sought by way of commuted sums for the entire contribution. The applicant has indicated that this level of contribution, while in excess of the figure tolerated by the development viability calculations, would be acceptable in order to take matters forward although it must be noted that this was on the basis of a £3,000/unit contribution to address education capacity issues. A financial contribution could be secured through a Planning Obligation although other matters in relation to development viability are discussed below.

Landscape and Visual Impact

- 8.33 The development plan framework seeks to minimise adverse landscape impacts and to locate development where it is capable of being absorbed in the landscape. In that respect the application relates to a previously developed site. The existing pattern of development on the site is characteristic of institutional development with large building blocks set within sizeable landscaped policies. The proposal would see the majority of those large building blocks removed and replaced with a housing development of greater density. The site is fairly prominent as it is located on a south facing slope and elements of it are elevated in comparison to the surrounding area. The proposal would add to the urbanisation of the area. However, such impacts would be balanced against the generally positive benefits that would be delivered through restoration of a listed building and redevelopment of an otherwise redundant site. Landscape and visual impacts associated with the development could be mitigated by appropriate layout, design and landscaping and these matters would require the submission of a further application for consideration of those details.

Other Material Considerations

- 8.34 In relation to Strathmartine Hospital the Draft Proposed ALDP continues to identify a development boundary and it is subject to a specific policy for the site; Policy St1 refers. That policy states that the estate provides an opportunity for the reuse and redevelopment for a range of uses, including housing. In this respect the site remains included as an 'opportunity site' and is not included as a specific land allocation. 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, it is considered that the weight that should be attached to the Proposed ALDP as a material consideration at the present time should be limited.
- 8.35 This is a large brownfield site and it contains a number of listed buildings. Development plan policy attaches some importance to the redevelopment of brownfield sites and seeks to safeguard built heritage interests, although it does not make specific provision for enabling development to cross-fund redevelopment or restoration projects. SPP does however indicate that enabling development may be appropriate where listed buildings are involved. In this case the applicant has indicated that there are significant costs associated with the redevelopment of the site. The buildings on the site are falling into disrepair, the listed buildings are deteriorating and there are ongoing safety issues associated with the condition of the buildings. It is indicated that the level of development proposed is the minimum necessary in order to make the development financially viable. The submitted viability information provides projected development costs and an indication of the developments value upon completion. It identifies a developer profit in the region of 15% although it is also indicated that many funding institutions will require a 20% profit from a development proposal before being willing to invest. However, the applicants calculations have been based upon a total developer contribution towards affordable housing and education provision of £1.75m. The revised information provided by the Education Service indicates that a contribution in excess of £2.46m would be required to address primary and secondary school capacity issues. On the basis of information submitted by the applicant this would appear to have potentially significant implications for the viability of the development. Consideration could be given to further reducing or even waiving affordable housing contributions but that would give rise to other implications in an area where there is already high demand for affordable housing. Whilst there is a strong case to allow enabling development to assist delivery of this proposal, there are tensions with other aspects of planning policy. Those policies that support enabling development do not suggest that this should be at any cost and regard must still be had to other planning policies and objectives.

- 8.36 The objection from Dundee City Council in relation to land supply matters and conformity with development plan policy is noted. However, TAYplan makes specific allowance for housing land provision in the South Angus HMA and requires that a minimum 5-years effective supply of land is available at all times. The Council's Housing Land Audit 2014 identifies that there is clear evidence of a shortfall in effective housing land within the South Angus HMA having regard to the average annual housing market build rates established by TAYplan. There are no sites within principal settlements in the South Angus HMA that can adequately address that shortfall. In these circumstances it is considered appropriate for Angus Council to seek to address that shortfall in the South Angus HMA. Notwithstanding, it is accepted that this proposal gives rise to some conflict with TAYplan and ALPR policies for reasons discussed elsewhere in this report.

Conclusion

- 8.37 Planning legislation requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. In this case the proposal is to redevelop a brownfield site within the development boundary of a small settlement for 224 dwellings. Council policy indicates that 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.
- 8.38 The site is within the development boundary of a village and it is identified as an opportunity site by a specific policy that limits residential development to a maximum number of 40 units. Accordingly, a proposal for 224 dwellings at this location is contrary to development plan policy. Whilst there is currently a shortage of effective housing land within the South Angus HMA, there is an alternative site on the edge of Monifieth that has capacity to address that shortfall. That site is on the edge of the settlement, provides reasonably good accessibility and does not give rise to significant landscape or visual impacts. As it is reasonably well contained by existing landscape features it does not open up other areas where there could be pressure for further development. That site is considered more suitable to address the current shortfall in effective housing land supply and is generally compatible with development plan policy. It would be considered effective and does not have the same level of constraint as the Strathmartine site. On that basis it is more likely to deliver numbers to meet the immediate shortfall in effective housing land supply.
- 8.39 SPP confirms 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. This is a brownfield site and it contains a number of listed buildings that are falling into disrepair. There is planning policy support for a development that would allow those issues to be addressed but the number of housing units proposed is contrary to specific policy dealing with the site. Information submitted by the applicant suggests that a significant number of houses are required in order to make the development viable. The viability of the development could be significantly affected by virtue of contributions required in order to address issues with school capacity alone. Other contributions in respect of affordable housing and public transport would further compromise viability. Significant relaxation or waiver of public transport or affordable housing requirements might be an option to offset required contributions towards education provision whilst having regard to overall development viability. However, that would give rise to other issues in an area where there is high demand for affordable housing and accessibility is poor. If the site is considered effective, approving houses in this area could reduce scope for allocating housing land elsewhere through the ALDP and securing affordable housing on other sites. In that respect approval of this application could undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging plan. Notwithstanding possible issues in terms of development viability, the site is not within or on the edge of a principal settlement and is separated from the Dundee Core Area by open agricultural land. Its location, in an area where there are no services or facilities, is such that residents would need to travel in order to meet most of their daily needs and most of those journeys would likely be made by car. New housing on this site would not be well located in relation to existing community infrastructure, in particular the secondary school serving the area and the proposal does not comply with TAYplan or ALPR policy.

- 8.40 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.
- 8.41 This is a large brownfield site and it would be desirable to see it redeveloped in order to safeguard and sustain the listed buildings. The ALPR advocates a development comprising a mix of uses and it is accepted that this may include housing. That type of development would provide opportunity for the formation of a sustainable community providing scope for residents to live, work and socialise within the site thus reducing the need to travel. However, this application is for large-scale housing and is contrary to development plan policy. There are no material considerations that justify approval of the application contrary to the provisions of the development plan.
- 8.42 Should Angus Council be minded to approve the application, notification of this intention to the Scottish Ministers would be required given the outstanding objection from a neighbouring planning authority, Dundee City Council.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

EQUALITIES IMPLICATIONS

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

10. CONCLUSION

It is recommended that the application be refused for the following reasons:

- 1. Reason: That the number of dwellings proposed is in excess of the maximum number of residential units allowed by Policy St1 of the Angus Local Plan Review and are not required to provide for an effective 5-year housing land supply in the South Angus Housing Market Area.*
- 2. Reason: That the proposal would provide for large-scale housing development outwith a principal settlement as defined by TAYplan and there is an alternative site to provide for an effective 5-year housing land supply in the South Angus Housing Market Area that is sequentially preferable in terms of Policy 1 of TAYplan and that is better located in relation to community infrastructure and provides better accessibility by sustainable transport modes in terms of Policy 2 of TAYplan.*
- 3. Reason: That the application is contrary to Policy 5 of TAYplan as the residential development is proposed outwith the Dundee Core Area, the scale of development is not currently required in order to provide a minimum of 5-years effective housing land supply and*

development of the site could prejudice the delivery of a Strategic Development Area.

4. *Reason: Approval of this application would prejudice the emerging Angus Local Development Plan as the proposed development is substantial and its cumulative effect is considered to be significant. It would predetermine decisions about the scale, location or phasing of new development that are central to the emerging plan.*

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.

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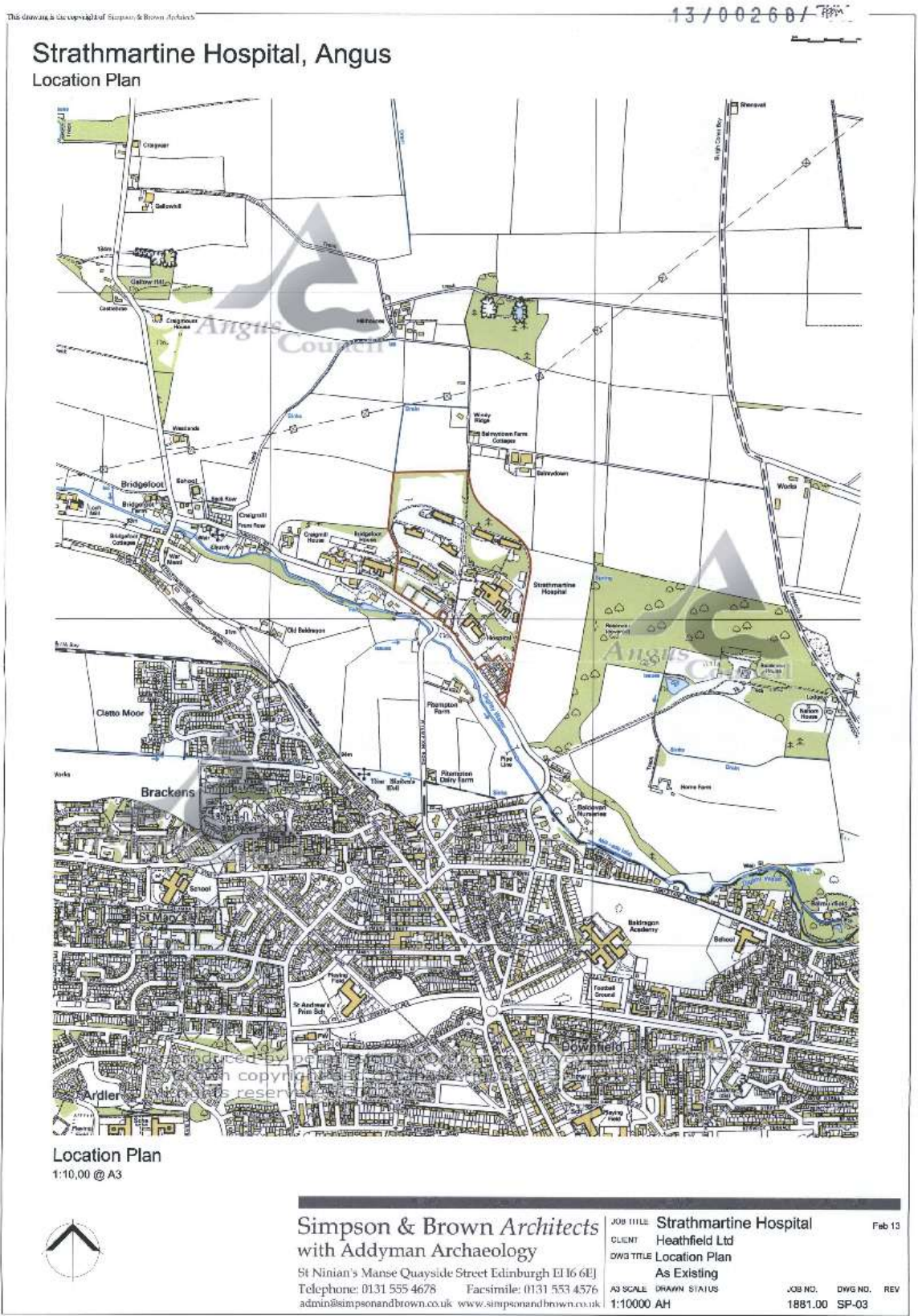
APPENDIX 1 - LOCATION PLAN

APPENDIX 2 - SUMMARY OF THE APPLICANTS SUPPORTING INFORMATION

**APPENDIX 3 - EXTRACT - REPORT NO 1342/06 FIANLISED ANGUS LOCAL PLAN REVIEW –
REPORT OF PUBLIC LOCAL INQUIRY (PAGES 122 – 124)**

APPENDIX 1

LOCATION PLAN



APPENDIX 2

SUMMARY OF THE APPLICANTS SUPPORTING INFORMATION: -

Environmental Statement (ES): The purpose of this document is to set out the likely environmental effects of the proposed development and to identify and assess the significance of these impacts and identify mitigation measures to address or reduce this impact. The ES is structured as follows:

Part A: Provides an introduction to the project and background and introduces the proposed development.

Part B: Set out the scoping methodology agreed, that is to define the environmental factors that must be considered and how these should be assessed. An appraisal of the planning policy context is also given.

Part C: Is the Environmental Impact Assessment (EIA) of the project development. This section provides a detailed examination of the environmental impacts - both positive and negative - associated with the development. The topics considered are: Landscape & Visual; Ecology; Water; Heritage; Contamination; Noise & Air Quality; Education; Transportation and a Summary. The concluding summary section sets out the key findings in respect of all of these matters. The ES contains a number of appendices of studies, information and plans to support this assessment.

The ES is also accompanied by a Non-Technical Summary (NTS) which sets out the key aspects of the proposal and the environmental impacts that would arise from the proposed development.

- Pre-Application Report (PAC): Describes the consultation process undertaken by the applicant prior to submitting the application. The report explains that a community engagement event was held over the afternoon/evening of two dates in mid-June 2011 which was held at Strathmartine Primary School. It details that this event was attended by a total of 126 people over the two day exhibition. The report lists the feedback provided by respondents, detailing that overall there were split views within the community about the proposal and that the attendees could be broadly categorised as those who wished something to happen and supported the level of development proposed and those who did not support a significant level of development but still wished something to happen. The report provides responses to these issues and advises that the comments have been fed in to the application and design process.
- Planning Policy Statement: Seeks to assess the proposal against relevant development plan policy and other material considerations. This includes an analysis the previous local plan enquiry, existing policy, as well as emerging policy within the Angus Local Development Plan Main Issues Report 2012. In terms of TAYplan and the Angus Local Plan Review, the statement notes that the application would be a departure on precise terms but it is submitted that the objective of policy is met and the breach can be justified. The statement highlights that providing and understanding the economic justification for the development is central to the determination of the application.
- Masterplan: As advised above, this document provides an assessment of the site's context, identifies constraints and opportunities and indicatively identifies a potential design solution. Matters assessed include listed buildings; character areas; access & connectivity; environment - flora & fauna, landscape features & views; drainage, hydrology & flood risk; ground condition & potential contamination; services & utilities. The masterplan concludes with a comprehensive masterplan approach for the redevelopment of the site, explaining the approach and suggesting concepts for taking the design forward. The concluding content provides commentary on development viability and delivery and phasing; in summary a gross development value (developer profit) is set out as being between 15-20%. Five phases of development are identified:
 - Phase 1: Includes 63 new build properties in total. This number comprises the 24 flats in the renovated administration block, the retained and expanded 2 cottages and the remainder (37 units) being new builds to the north of the listed buildings (in the area vacated by demolished building) and in the south as an effective extension to Ashton Terrace.
 - Phase 2: Includes 54 new build properties. These dwellings would be in the area vacated by the demolition of pavilions 7-12 and the former nursing home.

- Phase 3: Includes 33 new build properties, located in the area created as a result of pavilions 14 and 15 being demolished.
- Phase 4: Includes 20 new build properties, located in the area created through the demolition of pavilion 13.
- Phase 5: Totals 28 new build properties. This area of land was previously undeveloped open and amenity space.

The basic principle behind the phasing is to deal with overall site preparation, including infrastructure and servicing, restoring the key significant buildings (as part of Phase 1) and developing from the main frontages (Phase 2) to ensure that maximum environmental benefits are realised and to maintain cash-flow for the overall development (carried through to Phases 3-5).

- **Transport Assessment:** Provides an assessment of transport based up to 240 houses (in excess of the proposed 224) to provide a robust assessment. It does not include reference to the community/crèche uses proposed. The assessment firstly considers the existing conditions of the site having regard to location, access, pedestrian facilities, cycle facilities, local facilities, public transport, road network and accident data analysis. The impacts and opportunities as part of the proposed development are also detailed. It summarises that given the semi-rural context that the existing public transport provision is acceptable, with a bus stop within approximately 400m of the entire site and is regularly serviced. The assessment identifies discussion about routing bus services through the site could take place. The proposed development would facilitate a new footway being provided on Craigmill Road to connect the site to existing footways at Bridgefoot. A Residential Travel Pack (RTP) would be provided to all new residents to encourage sustainable travel habits using public transport and non-vehicular travel. In terms of vehicular travel movements it concludes that the proposed development would generate traffic within the capacity of the local road network and junctions and it would have no material impact on the operation of the junctions in the study area.
- **Ecology Report:** This report sets out the survey methods, survey findings and the impact of the proposed development on ecological interests. It finds that there will be a loss of habitat as a consequence of the development but also there would be new habitat created and a maintenance and management of the habitat resource as a result of the proposal which would enhance biodiversity opportunity. It is anticipated that the impact will not be negative overall on local bat populations and the introduction of public and private gardens will increase foraging opportunity for bats. This will also provide for improved opportunities for birds. It is advised that badgers and red squirrels will not be compromised by the proposals. Overall it is predicted that there will be a slight positive impact of the site's biodiversity as a result of the development.
- **Tree Survey:** Surveyed the entire site for trees to record the nature, extent and condition of the existing trees, woodland, hedge and shrub cover within the survey area. It was found that the site supports a total of 206 individual trees and 22 obvious tree groups, woodland areas or hedges. The findings have been presented in a Tree Survey Plan. The majority of individual trees are located in the south west of the site. An avenue of lime trees forms a distinct feature along the main entrance drive from Craigmill Road, with a smaller avenue to the former nursing home and other linear tree patterns in this area. These trees have a wide species variety and some are ornamental in nature with a good to fair condition in the majority of individual trees. These trees have not been actively managed for some time. Nine of these trees are recommended for removal on health grounds. Four substantial areas of woodland have been identified, which are prominent features. Two of these areas are of relatively high retention value given their character, condition and historical context. The two other areas are of a low retention value. Four distinct tree groups were recorded. The two most prominent groups are to the front of the former administration building and comprise of western red cedar, cypress and are some 80-100 years old. Several areas of mature hedgerows and large areas of shrub planting have also been identified. A schedule of condition of these trees is provided and the Tree Survey Plan represents retention and removal details.
- **Flood Risk Assessment (including Hydrological Assessment):** Assesses the risk of flooding from the Dighty Water and from surface water runoff which could possibly enter the site from adjacent land in

accordance with Scottish Planning Policy (SPP) and relevant guidance. The assessment utilised information from sites visits, liaison with the local authority, hydrological analysis, estimated flood levels being calculated and assessment of overland flow pathways. The assessment concludes that the site does not lie within the 200-year floodplain of the Dighty Water and that there is a relatively small risk of surface water flooding, and accordingly care should be taken in the detailed design to avoid and mitigate against this risk. The existing surface water drainage system is likely to drain to the Dighty Water - further assessment of this required - but in any case Sustainable Urban Drainage Systems (SUDS) should be designed to accommodate this on site. No open water courses were identified.

- **Conservation Plan:** Details the setting and history of the site and dates from 2011. The Plan assesses and sets out the significant features of the former Strathmartine Hospital. The assessment breaks down the site into 8 Character Areas, where the main complex and the listed buildings are included in Character Area 1. The character areas were graded on their significance, ranging from 'considerable' to 'negative'. Following the assessment of each character area an evaluation of the historical; architectural and aesthetic; social and archaeological connotations of the site were made. Both the historical and architectural and aesthetic significances of the site were considered 'good' based on the former use and design quality of the listed building. The social and archaeological significances were both deemed 'moderate'. The condition of each of the character areas was also assessed and ranged from 'poor' to 'moderate'. The condition of the listed buildings is considered in more detail in the Condition Report. Following the above assessments the risks and opportunities for each area were highlighted with regards to; conservation and the existing fabric; maintenance; use; statutory & non-statutory constraints; safety, vandalism & security; public & disabled access; management; workmanship & advice; new work & alterations; setting & boundaries; effects on the environment & climate change; interpretation & understanding; and management of information. The results from the Risk and Opportunities assessment were then used to determine a policy approach and to form recommendations for each of the 8 Character Areas. The main recommendations proposed include; repairs to significant buildings in Character Area 1; to demolish/consider demolition of buildings considered to be less significant, much altered or in poor condition (for Character Area 6 a detailed record of Pavilions 11 and 12 would be made and some masonry elements from Pavilion 7 would be salvaged for re-use elsewhere if these were to be demolished); to convert/consider conversion of the admin and three ward buildings, the two cottages and the Chapel of Rest; to restore, maintain and manage planting and landscaping; retain certain open areas; resurface certain existing roads and to regain views of main listed building.
- **Condition Report:** Provides a detailed inspection of the fabric of the listed Strathmartine Hospital and the attached buildings and structures to the west and north. This report dates from July 2010. In summary the roofs are deemed to be in very poor condition, largely due to theft of lead rather than decay. Most of the cast iron rainwater goods are in good condition. The walls were generally in good condition however many of the later brick and cement harled walls are saturated. The condition of the windows has not been determined as most of the windows are boarded over. A few of the original doors have survived but the central door on the south side should be overhauled and repainted. All external joinery, including the timber brackets under the gutters should be repainted in the original colours. The interiors are almost universally in poor condition. A 6 Phase Schedule of Repair Works was proposed, with two phases of urgent works to attend to the main causes of water penetration and to subsequently start protection and drying of the buildings. The third phase would begin the drying phase in order to restrict timber decay. Two phases of exterior repair and restoration are proposed; a necessary phase, to repair exterior to watertight condition, and desirable phase to repair and restore the exterior to its original appearance. The final phase, Phase 6, would complete interior ready for new use.
- **Development Appraisal:** The purpose of this document is to ascertain if the proposed development is financially viable. The document provides cost estimates on the whole proposal, based on survey and proposal drawings but based on an outline specification of the dwellings proposed. Other information considered include drafts of the Conservation Statement, Condition Report and indicative budget costs for demolition and asbestos removal works. Housing specifications and additional costs information was subsequently submitted in support of the original Development Appraisal document. A number of assumptions on the undertaking of the demolition/construction works have been made in assessing development viability. Updated information provided in May 2014 indicates the total income from sales (of completed dwellings) and total development costs. On the basis of total anticipated

developer contributions of £1,134,000 towards affordable housing and education, a development profit which equates to 15% of development value is projected.

The applicant has subsequently indicated that the overall developer contributions would be increased to a total of £1,705,000 with £672,000 towards Education and £1,080,000 for Affordable Housing.

APPENDIX 3

EXTRACT - REPORT NO 1342/06 FINALISED ANGUS LOCAL PLAN REVIEW – REPORT OF PUBLIC LOCAL INQUIRY (PAGES 122 – 124)

Strathmartine Hospital: St1, Opportunity Site Strathmartine Hospital Estate

Objector Reference

Heathfield Ltd 814/1/1
(per John Duff Planning & Gary Bryce - Heathfield)

Procedure Reporter

Hearing Richard Bowden

Written submissions objections received on the same topic:

Strathmartine Community Council 182/1/1
Strathmartine Nature Action Group 241/1/1

BACKGROUND

The former Strathmartine Hospital and its associated premises and grounds form an estate on the northern edge of Dundee. Whilst a small part, on the western side, is still used for healthcare services the majority of the 17.5ha estate has been declared surplus to operational requirements. The Strathmartine Hospital estate is identified in the finalised local plan review (Policy St1) as an Opportunity Site for re-use and redevelopment, inviting proposals for a range of uses within a comprehensive development strategy which retains the listed main hospital building. Policy St1 also states that housing development here will be limited to a maximum of 40 residential units, comprising “the conversion of the existing listed building and any limited new housing development.” There is widespread development pressure for housing sites in the South Angus part of the Dundee and South Angus Housing Market Area (HMA) – as defined in the approved structure plan. A key consideration is whether there is a shortfall in the effective housing land supply in the South Angus part of this HMA, sufficient to warrant the allocation of additional greenfield sites for housing development to meet the full structure plan requirement for the plan period.

The Basis of the Objection and the Council’s Response is set out in Volume 3 in the Report on Objections to the Finalised Angus Local Plan Review, August 2006.

REPORTER’S CONCLUSIONS

There is no dispute that the local plan, on adoption, must conform to the provisions of the structure plan. In particular, the adopted local plan must make appropriate housing land allocations for the period up to 2011 as set out in structure plan Schedule 1 requirements for each of the HMAs, including for the South Angus (Monifieth, Sidlaw and Carnoustie) area which has a specified requirement within the wider Dundee and South Angus HMA. For the reasons given earlier in this report (in the conclusions section relating to Policy SC1: Housing Land Supply) I conclude that the allowances set out in Schedule 1 of the structure plan, including those specified for South Angus, should be reflected in the local plan review.

Whilst South Angus is a popular area for housing, it forms part of the wider Dundee and South Angus Housing Market Area which also contains parts of Fife and Perth and Kinross. Despite pressures for the release of additional housing land here, South Angus should not be regarded as an automatic choice to make up any perceived shortfall within the wider HMA. This would be contrary to the structure plan strategy, having regard to the regeneration of Dundee, and would not be in accord with the guidance set out in PAN 38 regarding housing land allocations.

I conclude that in terms of structure plan Housing Policy 1, the allocation of land made in FALPR Table 2.1 relating to South Angus exceed the allowances for that area set out in Schedule 1 of the structure plan for the period up to 2011, and provide scope for development well beyond 2011. This takes into account the results of the annual housing land audits for 2004 and 2005 (provisional findings).

Accordingly, I conclude that there is no need to modify the local plan to provide additional housing land allocations in South Angus in order to maintain a continuing minimum 5 year housing land supply in the HMA, in accordance with the requirements of both SPP3 and PAN38.

In this context, I now turn to consider whether making a further housing land allocation at Strathmartine Hospital, in addition to the 40 units set out in Policy St1 of the finalised local plan review, should be accepted on an exceptional basis. I note that the case put forward by the objectors includes reference to strategic and local factors, with the former being based largely on the perceived shortcomings of the Dundee Western Gateway allocation - and the fact that Strathmartine Estate is brownfield and hence should be given priority status, in accordance with the principles of the structure plan and local plan. In the context of the strategic issues I have already dealt with above, I am persuaded by the argument put forward by the council that it is premature and hence inappropriate at this time to consider possible alternatives to the DWG. In any event, if there was a failure to deliver in full or in part on that site, I endorse the council's view that any resulting shortfall in the Dundee part of the HMA would need to be rectified in Dundee City's administrative area, not in the South Angus part of the HMA. The fact that the Strathmartine Hospital site is brownfield in nature does not mean that it should automatically be considered as a priority housing site, particularly when it is of a scale that it could accommodate such a large amount of housing that would represent a major allocation in the context of South Angus as a whole - even if the housing development was phased, as proposed by the objectors. Nevertheless, if in due course it became clear that the structure plan's housing land requirements were not being addressed in full in the South Angus HMA area, I would see merit in the council exploring the scope for the Strathmartine Hospital site to make a larger contribution than the 40 units currently set out in the FALPR.

I now turn to consider the other strategic argument put forward on behalf of the objectors, in particular with reference to the scope to deliver some 20 affordable housing units if there was an overall allocation of at least 140 units on the site as a whole. Whilst in principle this would make a welcome contribution to the overall provision of affordable housing in the area, I do not consider that this in itself is sufficient reason to justify a larger overall allocation on the hospital site than the 40 units currently set out in the FALPR. Similarly, I find that the locally based arguments put forward on behalf of the objectors - including reference to the scope for contributing to the costs of a primary school extension and boosting local bus usage, as well as utilising existing water and drainage services - do not individually or cumulatively justify the large-scale allocation of housing being sought for the site concerned.

Furthermore, in my view, the fact that the site could be environmentally enhanced, with the listed building conserved and the estate in general upgraded, if there was a large-scale housing development allocated on the hospital land is not sufficient reason to make such an allocation. I reach this conclusion even in the context of the disturbing increasing issues of vandalism and related problems evident at Strathmartine whilst its future remains uncertain. I am of the view that, in any event, there is an urgent need for a development/planning brief for this brownfield site to be drawn up, ideally by the council working in close consultation with the objectors, as the owners, so that full advantage and cognisance can be taken of its scale, strategic location and its scope for a wide range of commercial and community uses, in addition to a housing component. I conclude that the overall package of land uses and developments on the estate, in the short and longer terms, needs to be conceived, planned, marketed and implemented in a co-ordinated manner, such that it is sustainable for the longer term and in line with national planning policy and guidance. I note that whilst this type of approach is already set out in Policy St1 it has not yet resulted in a comprehensive strategy or Masterplan being agreed to date. I consider that, in perpetuating the uncertainty over the future of the estate as a whole, this has probably exacerbated the problems associated with the disuse and dereliction of the property concerned. Nevertheless, based on all of these considerations, I conclude that there are no exceptional circumstances to warrant a further allocation of housing at Strathmartine Hospital at present, beyond the 40 units set out in the finalised plan review.

Finally, I note the points of clarification provided by the council in response to the written submissions objections. I consider that these are helpful in making clear the council's intentions with regard to Policy St1. I also endorse the minor amendment to the phrasing of Policy St1, to include reference to hedgerows, all as put forward by the council as Proposed Modifications to the finalised local plan review for the Strathmartine Estate. Accordingly, I conclude that, apart from the small amendments set out in the Proposed Modification of September 2005, there should be no further modifications to the finalised local plan review.

REPORTER'S RECOMMENDATION

I recommend that the local plan review is not modified in this case except as put forward by the council in its Proposed Modifications of September 2005 (page 122).

HEAD OF PLANNING AND TRANSPORT COMMENT

Support for the Council's position is noted.

ANGUS COUNCIL DECISION

ACCEPT the Reporter's Recommendation and modify the Local Plan Review to incorporate the first round pre inquiry modification put forward by the Council in September 2005 as follows:

Amend bullet point 4, Policy St1 by adding "and hedgerows" after "existing tree cover".