

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 10 MAY 2016

**PLANNING APPLICATION – LAND OPPOSITE BARNES OF CRAIG COTTAGES, BARNES OF CRAIG,
MONTROSE**

GRID REF: 370710 : 755912

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report deals with planning application No 16/00168/FULL for planning permission for erection of 4 houses at Land Opposite Barnes of Craig Cottages, Barnes of Craig, Montrose. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reasons and subject to the conditions given 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 The applicant seeks planning permission for the erection of 4 houses at Land Opposite Barnes of Craig Cottages, Barnes of Craig, Montrose.

3.2 The application site, which measures approximately 6500 square metres in area, is located to the south-east of the junction of the classified C45 Craig Road and U478 Ferryden – Usan - Dunninald roadway adjacent to the Barnes of Craig building group. The site is bound by residential dwellings on the opposite side of the U478 roadway to the north, by residential dwellings to the east, by agricultural land to the south and agricultural land on the opposite side of the C45 Roadway to the west. The boundary treatments of the site consist of a mixture of low concrete block walls and post and wire fencing. The application site was formerly in use as a part of a farm complex and was occupied by modern farm buildings. Those modern buildings were removed in association with the implementation of a planning permission for the conversion of a traditional steading on an adjacent site into seven dwellinghouses (application 02/01348/FUL refers). The area is currently occupied by a substantial area of hardstanding that has most recently been used for agricultural storage.

3.3 The proposal seeks planning permission for a housing development of 4 dwellings with the creation of a vehicular access to be taken from C45 Craig Road. The 4 plots would consist of Plot 1 - 1400sqm, Plot 2 - 1470sqm, Plot 3 - 1650sqm and Plot 4 - 1720sqm. The proposed house type is relatively similar on all 4 plots and provides for a 4 bedroom house with a footprint of 283sqm (including garage) and accommodation on 2 levels. The external materials would consist

of curved metal roofs; vertical weatherboard cladding and stonework. The application form indicates that the proposal would be connecting to the public drainage network and that the proposal would make provision for the sustainable drainage of surface water.

- 3.4 The application has been subject to variation. Amended drawings had been submitted to exclude a turning head from the proposed development site.
- 3.5 The application was subject of statutory neighbour notification and advertisement.
- 3.6 The application must be determined by the Development Standards Committee due to the recommendation for approval whilst being subject to more than 5 objections.

4. RELEVANT PLANNING HISTORY

The most relevant application to this proposal is 02/01348/FUL which provided for the conversion of a steading on adjacent land into seven dwellinghouses (Report 239/03 refers). That permission was subject to a number of conditions but specifically condition 4 stated that: -

'That the modern farm buildings to the west of the steading hereby approved for residential use, be removed and the ground returned to agriculture, prior to the occupation of the first residential unit.'

The reason stated for the condition was: -

'In order to secure the proper planning of the area.'

5. APPLICANT'S CASE

- 5.1 An initial planning statement was submitted as part of the application and the content of this can be summarised as follows:-

- It notes the location of the site and the character of the surrounding area;
- Contains a number of photographs of the site in support of the description of the character of the site and area;
- Provides a planning policy context in terms of the ALPR;
- Reviews the design considerations in the creation of the proposals and provides details of house design noting that the houses are designed to replicate agricultural buildings with curved metal roofs, vertical weatherboard cladding and stonework;
- Highlights the following points in summarised form: the proposal will regenerate a redundant brownfield site; the site is ideal for housing development with views to the south; the site is adjoined by housing and fits well in its context; and the site is supported by planning policy.

- 5.2 The applicant's agent also provided comments and an additional supporting statement in response to the matters raised by letters of representation. In summarised form, the additional information:-

- Provides additional information to demonstrate the previous use of the site in the form of text, maps and photographs;
- Notes that fly-tipping and the dumping of building materials has taken place on the site in areas around the hardstanding area;
- Highlights the previous planning history of the site identifying application 02/01348/FUL.

6. CONSULTATIONS

- 6.1 The Roads Service has been consulted and in relation to traffic, parking and road safety have raised no objections subject to conditions.
- 6.2 The Housing Service has been consulted on the proposals and requested the provision of a 25% affordable housing contribution.

- 6.3 Scottish Water has made no comments on the proposals.
- 6.4 The Environmental Health Service raised no objections but requested conditions be attached in relation to contaminated land.

7. REPRESENTATIONS

Twelve representations have been received that raise objection to the proposal. The correspondence will be circulated to Members of the Development Standards Committee and a copy will be available to view in the local library or on the Council's Public Access website. The main issues raised relate to:

- **Concerns regarding compatibility with planning policy** - discussed in Section 8 of this report.
- **Adverse impacts on road traffic and pedestrian safety** - discussed in Section 8 of this report.
- **Previous planning history of the site** - discussed in Section 8 of this report. It is suggested that a previous application on this site was refused planning permission. However, I have checked the planning registers and there is no record of any recent planning applications for housing development on this site. Notwithstanding that, the application must be considered in relation to planning policies that apply at this time.
- **Maintenance of the existing banking** – issues regarding the maintenance of private land is a civil matter.
- **Site levels** – a planning condition is proposed that requires site levels to be approved by the planning authority prior to the commencement of any development.
- **Appropriateness of description of site as 'redundant' or 'brownfield'** – land, or for that matter buildings, which have previously been used for agricultural purposes can appropriately be considered as redundant or brownfield. In this case the site is occupied by a large area of hardstanding; it has previously been developed and is understood to no longer be required for its previous agricultural use.
- **The site is not self-contained** – I will discuss this at Section 8 below but it is relevant to note that the policies of the Angus Local Plan Review do not require rural brownfield sites to be self-contained.
- **Concerns regarding water pressure** - discussed in Section 8 of this report although it is relevant to note that whilst Scottish Water has been consulted it has made no objection to the application.
- **Ownership of a turning head** – whilst land ownership is not a planning issue the application site has been amended to remove the turning head.

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)

The relevant policies of the Development Plan are reproduced at Appendix 2.

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 Proposed Angus Local Development Plan was approved by Angus Council at its meeting on 11 December 2014 and published the Proposed Angus Local Development Plan for a statutory period for representations. The 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. The statutory period for representation has now expired and submitted representations are in the process of being assessed. Any unresolved representations 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 is 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. The policies of the Proposed Plan are only referred to where they would materially alter the recommendation contained in this report.

- 8.3 The application site is not specifically allocated for any purpose and lies outwith any Development Boundary. Policy S1 criterion (b) is therefore relevant and indicates 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.
- 8.4 This proposal falls to be considered against Policy SC6: Countryside Housing - New Houses. In terms of Policy SC6 the proposal will not round off or consolidate a building group and cannot be considered to be a gap site. The application site is located in a Category 1 Rural Settlement Unit. Accordingly criteria (a); (b) and (d) are not applicable. Criterion (c) of Policy SC6 relates to the development of brownfield land in the countryside and states that the redevelopment of redundant rural brownfield sites will be encouraged where they would remove dereliction or result in environmental improvement. The application site is visible from public roads to the north and west and it is located adjacent to existing residential property to the north and east. It is evident that the former agricultural buildings that occupied the site were removed some time ago (as required by the condition attached to permission 02/01348/FUL) and the site has been used for storage related to agricultural. Evidence of the previous use of the site exists through the known planning history, as well as historic maps and aerial photographs. This information demonstrates that the site is previously developed land. It continues to accommodate a large area of hardstanding that covers much of the application site. The Environmental Health Service has suggested the site may be contaminated as a result of previous uses and suggests conditions to ensure that the site is remediated. In these circumstances, and having regard to the extent of the hardstanding area, this is considered to be a brownfield site where redevelopment would remove dereliction. The comments by third parties regarding the condition attached to the previous planning permission for conversion of the adjacent steading are noted. However, the condition required the removal of the buildings and for the site to be returned to agricultural use. It is apparent that the buildings were removed and whilst hardstanding was retained it was used in association with agricultural storage. That approach was not in breach of the requirement of the planning condition and does not alter my conclusion on the brownfield status of the site. Policy SC6 criterion (c) allows up to a maximum of four new houses where relevant criteria identified by Schedule 2 of the Local Plan are met. Accordingly, the principle of a four house development would be in accordance with Policy SC6 subject to consideration of the relevant matters in Schedule 2: Countryside Housing Criteria.
- 8.5 In relation to Schedule 2: Countryside Housing Criteria the site sits between the existing steading conversion and the existing public road that forms the boundary to the west. It is reasonably self-contained (although this is not a specific requirement for rural brownfield sites) and does not open up other areas for further development. The proposed plot sizes range from approximately 1400sqm to 1720sqm in area and are therefore acceptable for a Category 1 Rural Settlement Unit. This is a previously developed site that was occupied by farm buildings and that historically contained buildings. Accordingly its redevelopment would be consistent with the general pattern of development in the area. The layout provides for an adequate level of private useable garden ground and complies with the minimum window distances outlined in Advice Note 14 - Small Housing Sites. Overall the development would provide for an acceptable level of residential amenity for the proposed and existing houses adjacent to the site. The proposal does not give rise to any significant issues in terms of the remaining criteria and affordable housing matters are discussed below.

- 8.6 In terms of Policy S6 and amenity considerations, the proposed houses would have an acceptable level of residential amenity; they have large plots, are well spaced, and would not be unacceptably impacted by any nearby land uses. The proposed houses are separated from existing houses to the east by a reasonable distance and from existing properties to the north by the public road and garden areas. The private garden areas of those existing houses would not be readily visible from the proposed houses. The Environmental Health Service has indicated that remediation of any potential ground contamination can be secured by planning condition. In these circumstances the proposed properties are considered to provide an acceptable residential environment and do not unacceptably impact on the amenity of occupants of existing housing.
- 8.7 The Roads Service has indicated that it finds the proposed access arrangements acceptable subject to a number of planning conditions and I am satisfied that the development would not compromise road traffic or pedestrian safety. Again the concerns raised by third parties in relation to access matters are noted but these are not considered to raise matters that cannot be addressed by planning condition or that would otherwise justify refusal of planning permission. There is likely to be some additional traffic associated with the provision of four new houses (and with their construction) however such increase is not a concern to the Roads Service and any amenity impact associated with additional traffic of the anticipated nature and scale would be minimal on or adjacent to a public road.
- 8.8 The size of the application site allows for appropriate landscaping to be incorporated which would assist in integrating the development into the landscape. The site is not considered to have any special biodiversity value or to give rise to any significant biodiversity impacts. A condition of the permission would require the provision of suitable boundary enclosures and planting in order to assist with the integration of the development with its landscape setting.
- 8.9 The proposal does not give rise to any significant or unacceptable issues in terms of drainage or flood risk. The applicant has indicated that foul drainage will be taken to the public sewer and surface water will be directed to a sustainable urban drainage system. Third parties have raised concern that the development may impact on water pressure although Scottish Water has been consulted and has not raised concerns in this respect.
- 8.10 Policy S3 of the ALPR deals with design related matters. The criteria of Policy S3 require development proposals to take account of factors such as 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. The form of the proposed dwellinghouses although containing contemporary elements is based on agricultural buildings and the layout uses a simple basic courtyard layout. Contemporary design features such as curved pitched roofs, large glazing openings are incorporated into the design solution and a mixture of traditional and modern external materials are proposed which contribute to the dwellings having an individual character whilst relating to neighbouring buildings and its landscaped setting. The proposal is consistent with Policy S3 which seeks to encourage innovative and experimental designs in appropriate locations. The proposed development is similar in scale to the residential buildings adjacent to the application site and is of a high design standard and as such I do not consider that it will have a significant adverse landscape or visual impact.
- 8.11 Policy SC9 of the ALPR addresses affordable housing and sets out the requirements for a 25% contribution in the Brechin/Montrose Housing Market Area where the area of the site is 0.5 hectares or greater. The Housing Service has indicated that a payment of a commuted sum would be appropriate in this instance and this matter can be addressed by a planning condition requiring conclusion of a planning obligation.
- 8.12 The issues raised in the letters of representation are noted and relevant planning considerations addressed above. The concerns expressed by third parties do not raise matters that cannot be appropriately addressed by planning condition and they do not raise issues that justify refusal of the application.

- 8.13 The application proposes the redevelopment a brownfield site in a manner that is of a scale/nature appropriate to the location and generally consistent with development plan policy. The concerns raised by third parties are noted but there are no material considerations that justify refusal of the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

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 approved for the following reason(s) and subject to the following condition(s).

Reason(s) for Approval:

The application would provide for a new housing development on a rural brownfield site in a manner that does not give rise to any significant issues in terms of the relevant policies of the development plan, subject to conditions. There are no material considerations that justify refusal of the application.

Conditions:

1. That prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the planning authority:
 - a. a hard and soft landscaping scheme for each plot and for any communal areas within the development, including boundary treatments for each plot. The scheme shall include provision for planting on the southern boundary and details for a scheme for the subsequent maintenance of any communal areas in perpetuity. Thereafter the landscaping of any communal areas shall be implemented, along with the approved maintenance scheme, prior to the occupation of the first house and the approved landscaping scheme for each plot shall be implemented prior to the occupation of the dwellinghouse on that plot;
 - b. details of the external materials to be used on each dwellinghouse. Thereafter the development shall be undertaken in accordance with the approved details;
 - c. precise details of the proposed surface water drainage arrangements for the site. The details should include information to demonstrate that the development will not have an adverse impact on existing drainage and water supply infrastructure serving existing houses. Thereafter, the approved scheme shall be implemented in accordance with the approved detail;
 - d. precise details of existing and proposed ground levels and finished floor levels relative to existing dwellings and a fixed ordnance datum. Thereafter the development shall be undertaken in accordance with the approved finished ground and floor levels.

Reason: In order to provide satisfactory landscaping, to ensure adequate drainage provision and in the interests of the amenity of the area.

2. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide that:
 - a. A sum of £26,000 (subject to review) will be paid to the planning authority as a contribution towards affordable housing provision within the local housing market area.

Reason: To ensure provision of a contribution towards the provision of affordable housing in accordance with council policy.

3. That prior to the commencement of development, visibility splays shall be provided at the junction of the proposed access with the C45 Newton – Lunan - Montrose road giving a minimum sight distance of 215 metres in each direction at a point 2.4 metres from the nearside channel line of the C45 Newton – Lunan - Montrose road.

Reason: To ensure a safe and suitable access, in the interests of road safety.

4. That prior to the commencement of development, a visibility splay shall be provided at the junction the U478 Ferryden – Usan – Dunninald road with the C45 Newton – Lunan - Montrose road giving a minimum sight distance of 215 metres in a south-westerly direction at a point 2.4 metres from the nearside channel line of the C45 Newton – Lunan - Montrose road.

Reason: To ensure a safe and suitable access, in the interests of road safety.

5. That prior to the commencement of development, a visibility splay shall be provided at the junction of the existing adjacent access to Barns of Craig Steading with the U478 Ferryden – Usan – Dunninald road in a south westerly direction insofar as it affects Plot 01 and Plot 02.

Reason: To ensure a safe and suitable access, in the interests of road safety.

6. That within the above visibility splays nothing shall be erected, or planting permitted to grow to a height in excess of 1050mm above the adjacent road channel level.

Reason: To provide and maintain adequate sightlines, in the interests of road safety.

7. That a grass verge at least 2.0 metres wide shall be provided on the south-east side of the U478 Ferryden – Usan - Dunninald road over the length of the entire site frontage. The grass treatment to the verge shall be carried out prior to the occupation of the first house in accordance with a scheme to be agreed in writing with the planning authority.

Reason: For the convenience of road users and in the interest of road safety.

8. That prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "the investigation of Potentially Contaminated Sites – Code of Practice" (BS 10175: 2001). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33.

Reason: In order to ensure that any potential land contamination is appropriately identified and addressed in the interests of residential amenity.

9. That where the approved contaminated land investigation report identifies any unacceptable risk or risks as identified under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted to and approved in writing by the planning authority.

Reason: In order to ensure that any contaminated land remediation measures required to make the site suitable for the proposed use are implemented.

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
EMAIL DETAILS: PLANNING@angus.gov.uk

Date: 26 April 2016

Appendix 1 : Location Plan
Appendix 2 : Relevant Development Plan Policies

Appendix 1: Location Plan

Appendix 2 : Relevant Development Plan Policies

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 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 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 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.

Schedule 2 : Countryside Housing Criteria

In addition to taking account of the provisions of the General Policies including Policy S6 : Development Principles, and the associated Schedule 1, all countryside housing proposals should meet the following criteria as applicable (except where specific exclusions are set out). Development proposals should :

- a) be on self-contained sites and should not set a precedent or open up further areas for similar applications; (does not apply to proposals for conversion under Policy SC5, rural brownfield sites under Policy SC6(c) or essential worker houses under Policy SC7)
- b) meet the plot size requirements; (does not apply to proposals for conversion under Policy SC5, or new country house proposals under Policy SC8)
- c) not extend ribbon development;
- d) not result in the coalescence of building groups or of a building group with a nearby settlement;
- e) have regard to the rural character of the surrounding area and not be urban in form and/or appearance;
- f) provide a good residential environment, including useable amenity space/private garden ground, and adequate space between dwellings whilst retaining the privacy of adjacent properties. Angus Council's Advice Note 14 - Small Housing Sites provides guidance on minimum standards in relation to private amenity space and distance between dwellings which will be acceptable for proposals involving between one and four dwellings on sites within existing built up areas. In countryside areas it will commonly be expected that these standards should be greater than the minimum having regard to the nature of the location. The extension of property curtilage in relation to proposals for renovation or conversion of existing buildings may be permitted in line with Angus Council's Advice Note 25 – Agricultural Land to Garden Ground.
- g) be acceptable in relation to the cumulative effect of development on local community infrastructure including education provision;
- h) not adversely affect or be affected by farming or other rural business activities(may not apply to proposals for essential worker houses related to the farm or business under Policy SC7);
- i) not take access through a farm court (may not apply to proposals for essential worker houses for farm workers under Policy SC7);
- j) not require an access road of an urban scale or character. The standard of an access required to serve a development will give an indication of the acceptability of the scale of the development in a rural location, e.g. where the roads standards require a fully adoptable standard of road construction with street lighting and is urban in appearance it is likely that the development proposals will be too large; and
- k) make provision for affordable housing in line with Policy SC9 : Affordable Housing.

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 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 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.