

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 6 OCTOBER 2015**

**PROPOSAL OF APPLICATION NOTICE - LAND 150M SOUTH EAST OF 31 ELM RISE BALDOVIE**

**GRID REF: 344977 : 734355**

**REPORT BY HEAD OF PLANNING AND PLACE**

**Abstract:** This report advises Committee that a Proposal of Application Notice (ref. 15/00880/PAN) has been submitted in respect of a residential development and associated works on a site to the north and east of Elm Rise and to the east of Silver Birch Drive and to the north west of Hawthorn Grove, Baldovie by Dundee. Committee is invited to identify issues which it would like to see addressed in the planning application.

**1. RECOMMENDATION**

It is recommended that Committee notes the key issues identified at this stage and advises of any other issues it considers should be addressed in any planning application that is subsequently submitted.

**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 At its meeting on 19 June 2014, Council approved a guidance note on the role of Councillors in pre-application procedures in respect of national and major planning applications (Report 275/14 refers). A key element of that guidance requires officers to present a report to Committee when a Proposal of Application Notice (PAN) is submitted. Such a report will set out what are considered to be the key considerations in the determination of any subsequent planning application and allow Members opportunity to identify any additional issues that they consider should be addressed when a planning application is submitted.

3.2 A PAN (ref. 15/00880/PAN) has been received. It indicates that an application for planning permission is to be submitted for a residential development and associated works at land to the north and east of Elm Rise and to the east of Silver Birch Drive and to the north west of Hawthorn Grove, Baldovie by Dundee. The proposed development site measures 2.1ha (approx.) and currently consists of an area of policy woodland with a clearing within that has been used as a construction compound. A plan showing the outline of the site on which the development is proposed has been submitted. No further details relating to the proposed application have been provided at this stage.

3.3 The submitted PAN sets out the proposed consultation that the applicant intends to undertake with local communities and the applicant has indicated that a copy of the PAN has been served

on Murroes and Wellbank Community Council. It is indicated that a public consultation event is to be held at Ballumbie Castle Golf Club on 01 October 2015 between the hours of 1330 and 1900.

- 3.4 The results of the community consultation will be submitted with the subsequent planning application in the form of a pre-application consultation report (PAC Report) as required in regulations.
- 3.5 Members are also advised that in addition to the community consultation identified by the applicant the Planning Service has recommended to the applicant's agent that the pre-application consultation (PAC) proposed within the PAN should be extended to include specific invitations to the consultation event for residents in Elm Rise, Silver Birch Drive and Hawthorn Grove. At this time confirmation was also given that a planning application could not be submitted prior to 14 December 2015 (the date 12 weeks' from the submission of the PAN).

#### **4. BACKGROUND**

- 4.1 The site that is subject of the PAN lies within the Ballumbie development boundary although it is not specifically allocated for housing in the extant local plan or in the emerging local development plan. Both plans preclude the further development of housing within the Ballumbie Development Boundary outwith the housing areas defined in the extant local plan and the emerging LDP states outright that additional residential development at Ballumbie will not be supported.
- 4.2 The treed north boundary of the 2.1 ha site is bound by agricultural land. The same agricultural land lies to the east of the site. Hawthorn Drive lies to the south east and Silver Birch Drive Lies to the south west as does amenity space on Silver Birch Drive. The north west of the site bounds Elm Rise. In terms of notable features around the site other than the stand of mature policy woodland that defines its perimeters, the Fithie Burn which skirts the north and east of the boundary. The site is configured to show a potential access direct from Silver Birch Drive. The site extents do not appear to show a potential access from any other point.

#### **5. DISCUSSION**

- 5.1 In this case the land subject of the Proposal of Application Notice (PAN) is not allocated in the adopted Angus Local Plan Review for residential development and is not identified for housing use in the emerging Angus Local Development Plan.
- 5.2 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. Ballumbie is not a principal settlement and it is not located in the Dundee Core Area.
- 5.3 TAYplan Policy 5 deals specifically with housing proposals. It indicates, amongst other things, that there should be a presumption against land release in areas surrounding the Dundee Core Area where it would prejudice the delivery of Strategic Development Areas or regeneration within the core areas or conflict with other parts of the Plan.
- 5.4 The appropriate policy relating to development within the Ballumbie Development Boundary in the Angus Local Plan Review is Policy Ba1 which states: -

Ba1 : Ballumbie House

*Private housing at Ballumbie House and grounds will be limited to the approved development layout of dispersed groups of houses to a maximum of 238 units and the conversion of Ballumbie House to provide 14 units.*

- 5.5 As the PAN relates to the proposed undertaking of a major housing development on land that is not specifically allocated for housing, Policy SC1 would be relevant. The policy states:

## Policy SC1 : Housing Land Supply

*Adequate land has been allocated in the Local Plan to meet the allowances of the Dundee and Angus Structure Plan up to 2011 as illustrated in Table 2.1. Land identified for residential development will be safeguarded from alternative uses, and its effectiveness will be monitored through the annual audit of housing land. Where sites allocated in the Plan are phased to extend beyond 2011 they will contribute towards meeting the indicative allowances for the 2011-2016 period.*

5.6 In these circumstances it is considered that the key determining issues in relation to the determination of a subsequent planning application are likely to be: -

- Whether there is justification to allow additional housing development outwith a principal settlement and adjacent to the Dundee Core Area contrary to the provisions of TAYplan;
- Acceptability of the proposal to develop housing on unallocated land within the Ballumbie Development boundary having regard to the Ballumbie Development Strategy;
- Acceptability of the number of residential units proposed having regard to development plan policy in respect of housing land supply;
- Impact of development on existing infrastructure, in particular impacts on the roads and drainage networks and the education estate;
- The identification and mitigation of flood risk from known fluvial and surface water extents;
- The impact of the development on natural habitats and ecology;
- Landscape impact including potential impacts on important landscape features such as mature trees;
- Impact on local archaeology;
- Acceptability of the proposed access arrangements for pedestrians, cyclists, public transport and other motor vehicles and the suitability of access and transportation provision in the area generally;
- Acceptability of open space provision and landscaping, including subsequent maintenance;
- Suitability of the proposed site layout and design of buildings, having regard to matters such as the acceptability of the residential environment that would be created and the impact of the development on neighbouring land uses and properties.
- Provision of affordable housing in accordance with relevant policy requirements;
- The potential for the development to be prejudicial to the plan making process having regard to factors such as the Proposed Angus Local Development Plan and its stage in the plan making process.

5.7 Whilst other issues may emerge through the publicity and consultation process associated with any planning application, the above matters are considered to represent the main issues that should be considered at the pre-application stage that are likely to be determining factors for any subsequent planning application. However, Committee is invited to identify any additional matters that it would wish to see addressed.

## 6. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

## 7. OTHER IMPLICATIONS

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

**VIVIEN SMITH  
HEAD OF PLANNING AND PLACE**

**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 a material extent in preparing the above report.

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APPENDIX 1 : LOCATION PLAN

