

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 31 OCTOBER 2017**

**FORMER STEADING, COLLISTON**

**REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT:**

The Committee is asked to consider an application for a review of Condition 2 of planning permission 17/00212/PPPL – proposed conversion and alterations to Steading to form Dwellinghouse at Former Steading, Colliston.

**1. RECOMMENDATIONS**

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**);
- (iii) consider the further lodged representations (**Appendix 3**); and
- (iv) consider the applicant's response to further representations (**Appendix 4**).

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

This Report contributes to the following local outcomes 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. CURRENT POSITION**

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the appeal.

**4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from the recommendations in the Report.

**5. CONSULTATION**

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

**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: Sarah Forsyth**  
**E-Mail: LEGDEM@angus.gov.uk**

List of Appendices:

Appendix 1 – Submission by Planning Authority

Appendix 2 – Submission by Applicant

Appendix 3 – Further Lodged Representations

Appendix 4 – Applicant's Response to Further Representations

**ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL****APPLICATION NUMBER – 17/00212/PPPL****APPLICANT- MR STEVEN REID****PROPOSAL & ADDRESS – PROPOSED CONVERSION AND ALTERATIONS TO STEADING TO  
FORM DWELLINGHOUSE AT FORMER STEADING COLLISTON ARBROATH****CONTENTS**

<b>AC1</b>	<b>Report of Handling</b>	
<b>AC2</b>	<b>Policy Tests (Angus Local Development Plan 2016)</b>	
	Policy DS1: Development Boundaries and Priorities	
	Policy DS3: Design Quality and Placemaking	
	Policy DS4: Amenity	
	Policy TC2: Residential Development	
	Policy PV5: Protected Species	
	Policy PV8: Built and Cultural Heritage	
	Policy PV12: Managing Flood Risk	
	Policy PV15: Drainage Infrastructure	
	Policy PV21: Pipeline Consultation Zones	
	<b>Consultation Responses</b>	
<b>AC3</b>	Environmental Health – 31.05.17	
<b>AC4</b>	National Grid x 2 – 06.04.17	
<b>AC5</b>	Roads Traffic – 04.04.17	
<b>AC6</b>	Archaeology – 20.04.17	
<b>AC7</b>	Roads Traffic – 18.04.17	
<b>AC8</b>	Roads Flooding – 24.04.17	

	<b>Letters of Representations</b>	
<b>AC9</b>	Mrs Murray – 13.04.17	
	<b>Application Drawings</b>	
<b>AC10</b>	Approved Location Plan	
<b>AC11</b>	Approved Drawings	
	<b>Further Information Relevant to Assessment</b>	
<b>AC12</b>	Site Photographs	
<b>AC13</b>	Decision Notice	
	<b>Supporting information from Applicant</b>	
<b>AC14</b>	Agricultural Questionnaire	
<b>AC15</b>	Bat Report	
<b>AC16</b>	Structural Survey	

**Angus Council**

<b>Application Number:</b>	17/00212/PPPL
<b>Description of Development:</b>	Proposed Conversion and Alterations to Steading to Form Dwellinghouse
<b>Site Address:</b>	Former Steading Colliston Arbroath
<b>Grid Ref:</b>	359683 : 745624
<b>Applicant Name:</b>	Mr Steven Reid

**Report of Handling****Site Description****Proposal**

This is an application for planning permission in principle for the conversion and alteration of an existing steading building to form a two bedroom dwelling house. An indicative layout plan has been provided for the dwelling house, garden ground and driveway.

The application has not been subject of variation.

**Publicity**

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 7 April 2017.

The nature of the proposal did not require a site notice to be posted.

**Planning History**

13/00210/FULL for Proposed Conversion and Alterations to Steading to Form Dwellinghouse (Re-application) was determined as "approved subject to conditions" on 21 May 2013.

12/00668/FULL for Conversion And Alterations To Steading To Form Dwellinghouse was determined as "Application Withdrawn" on 18 September 2012.

**Applicant's Case**

Supporting documentation has been provided to assist in the determination of the application and contains information pertaining to the matters considered relevant in the determination of the application. The documentation consists of:

Structural Survey - was compiled in May 2017 by Rubislaw Engineering Ltd which assessed the structural condition of the existing steading and determined whether or not the building would be suitable for conversion. The findings note the external walls of the building are suitable for proposed conversion/alteration to form a single dwelling.

Bat Survey - A Bat Survey was conducted by Countrywise (Licence No. 101043) in May 2017. The resultant report notes the background, methodology and findings of the survey. The report states no bats were found roosting in the steading in 2017 and no mitigation is required.

Agricultural Questionnaire - The agricultural questionnaire for the redevelopment of agricultural buildings,

steadings and land seeks to identify known contamination risks at the site from, such as the presence of asbestos, fuel or other potentially harmful or pollutant materials at the site. The applicant has indicated the presence of asbestos at the site as the only known risk.

## **Consultations**

**Aberdeenshire Council Archaeology Service** - Offered no objection to the proposal provided that a photographic survey is undertaken prior to demolition or development.

**Angus Council - Flood Prevention** - Offered no objection to the proposal.

**Angus Council Environmental Health** - Offered no objection to the proposal.

**National Grid Plant Protection** - Do not advise, on safety grounds, against the granting of planning permission in this case.

**Community Council** - There was no response from this consultee at the time of report preparation.

**Angus Council - Roads** - Offered no objection to the proposal, provided improvements are undertaken to the verge crossing and access track.

**Scottish Water** - There was no response from this consultee at the time of report preparation.

## **Representations**

1 letter of representation was received. The main points of concern were as follows:

1. The use of heavy vehicles over the existing single lane access track and bridge and possible damage to the bridge structure;
2. States that refuse lorries do not currently use the track as it is not suitable;
3. States the existing steading building has not been maintained.

## **Development Plan Policies**

### **Angus Local Development Plan 2016**

Policy DS1 : Development Boundaries and Priorities  
Policy DS3 : Design Quality and Placemaking  
Policy DS4 : Amenity  
Policy TC2 : Residential Development  
Policy PV5 : Protected Species  
Policy PV8 : Built and Cultural Heritage  
Policy PV12 : Managing Flood Risk  
Policy PV15 : Drainage Infrastructure  
Policy PV21 : Pipeline Consultation Zones

### **TAYplan Strategic Development Plan**

There are no relevant policies.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

## **Assessment**

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.

The application site relates to a proposal to convert a former steading building to form a single dwelling

house in a countryside location that is not specifically allocated for another use and is within a Category 1 Rural Settlement Unit (RSU1). Policy DS1 in the Angus Local Development Plan (ALDP) indicates that outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP. Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site.

Policy TC2 deals with all residential development proposals and requires all proposals for new residential development to be compatible in terms of land use; to provide a satisfactory residential environment; not to result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and to include provision for affordable housing in accordance with Policy TC3 Affordable Housing. In countryside locations Angus Council will support proposals for the development of houses through the conversion of non-residential buildings. The application site is an L-shaped former steading building with stone walls and timber beam roof trusses. The applicant has provided a report that confirms the building is capable of conversion. The site is bound by an access track and dwelling house at the south, fields to the north and west and a horse paddock and stables building at the east. In terms of residential environment to be provided, the proposed plot size is 630sq.m with 190sq.m useable garden ground. The relationship between the proposed development and the only neighbouring property to the south of the application site does not give rise to any significant amenity issues at this stage and detailed matters would be considered in any subsequent application for approval of matters specified in conditions. However, the closest direct window to dwelling distance is around 28 metres onto a blank wall from the proposed dining room/kitchen. The proposal would generally be compatible with the Council's Advice Note 14 and Countryside Housing Supplementary Guidance and, as such, a satisfactory residential environment could be provided for the proposed dwellings and the amenity and privacy of the neighbouring house could be maintained. The development is not required to make provision for affordable housing. Impacts on the built and natural environment; access and infrastructure are discussed below.

In terms of the other criteria of Appendix 3 of the Countryside Housing Supplementary Guidance, the redevelopment of the site would not create a gap or rounding off opportunity for additional greenfield development; and the development would not extend ribbon development or result in the coalescence of building groups. I have no reason to consider that a suitable house design which provided a satisfactory residential environment could not be achieved in this location, but this matter would be considered as part of a detailed application. The proposal is acceptable in relation to the cumulative effect of development on local infrastructure. The site would not take access from or through a working farm court or adversely affect or be adversely affected by farming or rural business activities. Access to the site would be taken from an existing farm track which connects to the public road. The proposal would not require an access road of an urban scale or character.

Policy DS3 gives regard to design quality and placemaking and indicates that proposals should deliver a high design standard taking account of aspects of landscape and townscape that contribute positively to the character and sense of place of the area in which they are located. The proposal is for planning permission in principle only at this stage and it is considered that the dwelling house proposed at this location has the potential to fit with the character and pattern of development in the surrounding area. Proposed elevation, section and floor plan drawings for the dwelling have been submitted but the garage extension is not entirely sympathetic to the character of the building. However, detailed design matters are reserved for further consideration as this is an application for planning permission in principle.

Policy DS4 deals with amenity and indicates that regard will be had to opportunities for maintaining and improving environmental quality. The impacts upon residential amenity in relation to overlooking have been considered above under Policy TC2 and will be subject of further consideration as part of any subsequent application for the approval of the design of the building. However, at this stage there is no reason to consider that the proposal would result in any significant issues in terms of privacy. Vehicular access is proposed by an existing unmade track that leads north from the U497 Road which runs east from the A933 to the north of Colliston. The Roads Service has offered no objection to the proposal subject to conditions as specified below. The Environmental Health Service (Contamination) has offered no objection to the proposal. One public objection has been received in relation to the proposal, regarding

the use of heavy vehicles over the access track and bridge and possible damage to the bridge structure. The objection states that refuse lorries do not currently use the track as the Council has advised it is not suitable. The application, however, has not raised any objection from the Roads Service. The building could be reused for agricultural purpose without the requirement for planning permission and such use would also generate traffic. In addition, the Roads Service has requested conditions to secure some improvement to the existing access. The other point raised in the objection is stating that the existing steading building has not been maintained, however, the maintenance of the building is not a planning matter. The proposal does not give rise to any other issues in terms of Policy DS4.

Policy PV5 deals with protected species and indicates development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime. The stone wall and slate roof construction of sections of the building make it a potential candidate building for roosting bats, which are a European Protected Species. A bat survey was undertaken at the site and no bats were found roosting in the steading. The proposal does not give rise to any other significant issues in terms of protected species.

Policy PV8 gives regard to built and cultural heritage and indicates development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. The application site would affect a farmstead dating to the 19th Century. The Archaeology Service requested a condition is applied that requires a photographic survey prior to demolition or development and a condition is attached.

Policy PV12 deals with managing flood risk. To reduce potential risk from flooding there will be a general presumption against built development proposals on the functional floodplain, which involve land raising resulting in the loss of the functional flood plain or which would materially increase the probability of flooding to existing or planned development. The site is close to but outwith an area identified at risk of flooding. The Roads Service (Flooding) was consulted and offered no objection in relation to the proposal.

Policy PV15 relates to drainage infrastructure. The application form indicates that the proposal would connect to the public water supply and make private arrangements for drainage. A SUDS arrangement will be incorporated in the proposal and drainage will be reserved as a matter specified for detailed approval.

Policy PV21 relates to pipeline consultation zones and indicates decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive. The Health and Safety Executive was consulted and did not advise, on safety grounds, against the granting of planning permission in this case.

In terms of other material planning considerations, it is relevant to have regard to the previous grant of planning permission on the site. That development plan framework has been updated in the period since the grant of that permission but the basic support for conversion of non-residential buildings to residential use is retained. In addition, an objection has been lodged in relation to the application. The concerns raised in that representation are addressed above. Nothing in that letter would justify refusal of the application contrary to the provisions of the policies contained in the Angus Local Development Plan.

In conclusion, the proposal complies with the relevant provisions of the development plan subject to the stated conditions. One objection has been received but no matters are raised that justify the refusal of planning permission. The proposal is for planning permission in principle and a further application for consent for the matters identified in condition 1 below will be required. That application will allow all matters to be fully considered. There are no material considerations that justify refusal.

## **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.

## **Decision**

The application is approved subject to conditions

## **Reason(s) for Decision:**

The proposed development complies with relevant policies of the development plan subject to conditions as specified in the decision notice. There are no material considerations that justify refusal.

## **Conditions:**

1. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.
  - i) Precise details of all works required to convert the building to a residential dwelling, including all matters relating to design, external appearance and material finishes. The building subject of this permission for conversion shall be retained to eaves height and there shall be no doughtaking or demolition of the building or any part of the building unless otherwise approved in writing by the planning authority. For the avoidance of doubt, the proposed floor plans, elevations and sections provided in drawings 132 PD01, 132 PD03, and 132 PD04 are not approved;
  - ii) The means of drainage for the development. For the avoidance of doubt the surface water shall be directed to a Sustainable Urban Drainage System;
  - iii) A scheme for the landscaping of the site;
  - iv) Details of existing and proposed ground levels and floor levels relative to a fixed ordnance datum;
  - v) The layout of the site, including car parking, turning space, access and the means of site enclosure.

Reason:

In order that the planning authority may consider the acceptability of the identified matters.

2. That, prior to the commencement of any other development, the access track between the public road U497 Parkconon Road and the application site shall be upgraded in accordance with a scheme of improvements that has been submitted to and approved in writing by the Planning Authority. The scheme of improvement shall include:
  - (i) a drawing showing the widening of the track and/or provision of inter-visible passing places at 150m intervals;
  - (ii) a construction specification in accordance with the council's planning advice note; PAN 17 - Miscellaneous Planning Policies (or infilling of potholes as a minimum requirement);
  - (iii) the provision of surface water drainage; and
  - (iv) the verge crossing at the existing access shall be improved to form a new bellmouth junction in accordance with the National Roads Development Guide (SCOTS).

Reason:

In order to provide a safe and suitable access and an adequate level of residential amenity.

3. No demolition or development shall take place prior to a photographic survey being undertaken

by the developer and approved by the planning authority. All elevations, both external and internal (where it is safe to access the building), together with the setting of the building, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital files (jpeg, tiff, pdf) submitted by email, on CD or via online file sharing services, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited with the Archaeology Service for addition into the local Sites and Monuments Record.

Reason:

In order to ensure a historic record of the building.

## **Notes:**

Case Officer: Fraser MacKenzie

Date: 31 May 2017

## **Appendix 1 - Development Plan Policies**

### **Angus Local Development Plan 2016**

Policy DS1 : Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous\* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

\*Sharing an edge or boundary, neighbouring or adjacent

Policy DS3 : Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- o Distinct in Character and Identity: Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- o Safe and Pleasant: Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- o Well Connected: Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- o Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.
- o Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

#### Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

#### Policy TC2 : Residential Development

All proposals for new residential development\*, including the conversion of non-residential buildings must:

- o be compatible with current and proposed land uses in the surrounding area;
- o provide a satisfactory residential environment for the proposed dwelling(s);
- o not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
- o include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.

Within development boundaries Angus Council will support proposals for new residential development

where:

- o the site is not allocated or protected for another use; and
- o the proposal is consistent with the character and pattern of development in the surrounding area.

In countryside locations Angus Council will support proposals for the development of houses which fall into at least one of the following categories:

- o retention, renovation or acceptable replacement of existing houses;
- o conversion of non-residential buildings;
- o regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use;
- o single new houses where development would:
  - o round off an established building group of 3 or more existing dwellings; or
  - o meet an essential worker requirement for the management of land or other rural business.
- o in Rural Settlement Units (RSUs)\*\*, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- o in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites (as defined in the Glossary) may be developed for up to two houses.

Further information and guidance on the detailed application of the policy on new residential development in countryside locations will be provided in supplementary planning guidance, and will address:

- o the types of other buildings which could be considered suitable in identifying appropriate gap sites for the development of single houses in Category 1 Rural Settlement Units, or for the development of up to two houses in Category 2 Rural Settlement Units.
- o the restoration or replacement of traditional buildings.
- o the development of new large country houses.

\*includes houses in multiple occupation, non-mainstream housing for people with particular needs, such as specialist housing for the elderly, people with disabilities, supported housing care and nursing homes.

\*\*Rural Settlement Units are defined in the Glossary and their role is further explained on Page 9.

#### Policy PV5 : Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

#### European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- o there is no satisfactory alternative; and
- o there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- o the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

#### Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

## Policy PV8 : Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

### National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss 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 in order to preserve or enhance the character and setting of the listed building.

### Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.

## Policy PV12 : Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- o on the functional floodplain;
- o which involve land raising resulting in the loss of the functional flood plain; or
- o which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- o that flood risk can be adequately managed both within and outwith the site;
- o that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- o access and egress to the site can be provided that is free of flood risk; and
- o where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In

areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

#### Policy PV15 : Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria\*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

\*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)

#### Policy PV21 : Pipeline Consultation Zones

Decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive.

## THE STRATEGY

To optimise the use of existing resource capacities and to ensure the impact of development on the wider environment and landscape is minimised, development proposals in the countryside should also ensure that they have investigated all possibilities of locating adjacent to existing development or groups of buildings.

### Policy DS1 Development Boundaries and Priorities

**All proposals will be expected to support delivery of the Development Strategy.**

**The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.**

**Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.**

**Proposals for sites outwith but contiguous\* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.**

**Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.**

**In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.**

**Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.**

**Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.**

*\*Sharing an edge or boundary, neighbouring or adjacent*

### Policy DS1 SEA Implications

Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
?	++	+	+/?	?	+	?	?	+/?	?

### Accessibility

A key element in the creation of sustainable communities is how well new development is integrated with the existing form of development and transport networks. The ALDP Development Strategy supports development within the Towns and Rural Service Centres and allocates land for new development in locations that are well related to the existing form and pattern of development and therefore the existing transport network.

## THE STRATEGY

---

In some areas the transport network will require improvement to roads infrastructure, public transport and path networks to support and enable future development. Where appropriate, site allocation policies and development briefs will specify where infrastructure requirements or improvements are known. The exact nature of improvements will be negotiated at the time of application.

National and regional planning policies seek to promote sustainable transport and active travel, giving priority to walking and cycling for local journeys and to public transport in preference to travel by car. The publication of the Scottish Government policy document “Designing Streets” signals the government’s resolve to move away from a standards based approach to street design and to put place and people before the movement of motor vehicles. The ALDP takes account of “Designing Streets” and supports development which is accessible by a choice of transport modes including walking, cycling and public transport.

Development proposals should seek to maintain and improve linkages between residential, employment, recreation and other facilities to help support an integrated sustainable transport network and opportunities for active travel.

Path networks including Core Paths and Rights of Way also form an important recreational resource enabling outdoor access around settlements and to the countryside. Policy PV3 Access and Informal Recreation seeks to protect and enhance public access and paths in this context. They are also important elements of green infrastructure providing linkages to the wider green network. The ALDP seeks to protect and enhance the role of path networks in this respect under Policies PV1 Green Networks and Green Infrastructure and PV2 Open Space Protection and Provision within settlements.

Appendix 2 gives guidance as to when a Transport Assessment may be required. Angus Council agreed to adopt the National Roads Development Circular as the new roads standard document for use on all new development in Angus in August 2014. The new national document was produced as a collaborative project undertaken by Scotland’s local authorities through the Society of Chief Officers of Transportation in Scotland (SCOTS) and embraces current Scottish Government Policy documents, in particular “Designing Streets”.



## THE STRATEGY

### Policy DS3 Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- **Distinct in Character and Identity:** Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- **Safe and Pleasant:** Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- **Well Connected:** Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- **Adaptable:** Where development is designed to support a mix of compatible uses and accommodate changing needs.
- **Resource Efficient:** Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

Policy DS3 SEA Implications									
Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
+	++	+	0	0	+	+	++	+	++

### Amenity

The stewardship of natural resources is key to sustainable development and the ALDP has a role in avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for air quality. There is also a need to safeguard the amenity of future occupiers, or existing properties near to development as well as the wider area. Where it is considered that development has an impact, appropriate mitigation or compensatory measures will be secured through conditions or planning obligations. Specific impacts relating to the water environment, geodiversity and minerals resource are covered by policies elsewhere within the Plan.

## THE STRATEGY

### Policy DS4 Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

### Policy DS4 SEA Implications

Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
0	+	++	0	0	+	0	0	+	0

### Developer Contributions

New development has an important role in funding measures to mitigate any adverse impacts in a way that is consistent with the delivery of wider planning and environmental objectives. Circular 3/2012 sets out that planning obligations can be used to overcome obstacles to the grant of planning permission. This means that development can be permitted and potentially negative impacts on land use, the environment and infrastructure can be reduced, eliminated or compensated for.

Planning obligations will only be sought where they meet the tests set out in Circular 3/2012, including: necessity, planning purpose, being related to the proposed development, scale and kind and reasonableness. It is recognised that developers and landowners would like certainty about the likely scale and nature of developer contributions that will be sought by the Council. The site allocations made in the ALDP identify contributions where they are currently known, but it is important to recognise that additional contributions may be required and in all cases the scale and nature of contributions will be negotiated and agreed as part of the planning application process. In such negotiations, the details of a contribution will be based on the most up to date information at the time in respect of

## THE STRATEGY

---

infrastructure provision and consideration by the Council of any abnormal development costs identified by the developer.

## THE POLICY FRAMEWORK – PART 1

### THRIVING & CONNECTED

#### Policy TC2 Residential Development

All proposals for new residential development\*, including the conversion of non-residential buildings must:

- be compatible with current and proposed land uses in the surrounding area;
- provide a satisfactory residential environment for the proposed dwelling(s);
- not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
- include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.

Within development boundaries Angus Council will support proposals for new residential development where:

- the site is not allocated or protected for another use; and
- the proposal is consistent with the character and pattern of development in the surrounding area.

In countryside locations Angus Council will support proposals for the development of houses which fall into at least one of the following categories:

- retention, renovation or acceptable replacement of existing houses;
- conversion of non-residential buildings;
- regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use;
- single new houses where development would:
  - round off an established building group of 3 or more existing dwellings; or
  - meet an essential worker requirement for the management of land or other rural business.
  - in Rural Settlement Units (RSUs)\*\*, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites (as defined in the Glossary) may be developed for up to two houses.

Further information and guidance on the detailed application of the policy on new residential development in countryside locations will be provided in supplementary planning guidance, and will address:

- the types of other buildings which could be considered suitable in identifying appropriate gap sites for the development of single houses in Category 1 Rural Settlement Units, or for the development of up to two houses in Category 2 Rural Settlement Units.
- the restoration or replacement of traditional buildings.
- the development of new large country houses.

*\*includes houses in multiple occupation, non-mainstream housing for people with particular needs, such as specialist housing for the elderly, people with disabilities, supported housing care and nursing homes.*

*\*\*Rural Settlement Units are defined in the Glossary and their role is further explained on Page 9.*

## THE POLICY FRAMEWORK – PART 1

### THRIVING & CONNECTED

Policy TC2 SEA Implications									
Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
+/?	++	+	+/?	+	+	?	+	+	?/+

#### Affordable Housing

The provision of choice in the housing market is essential to support the delivery of sustainable and mixed communities. The supply of housing land on a variety of well-located and accessible sites allows the market to deliver a range of house sizes, types and tenures to meet the housing needs and aspirations of the people of Angus. However the general housing market does not always meet the housing needs of everyone. There is restricted availability of affordable housing for rent or sale across Angus.

The Scottish Government defines affordable housing as: "*housing of a reasonable quality that is affordable to people on modest incomes. Affordable Housing can be provided in the form of social rented accommodation (Council and Registered Social Landlords), mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for sale) and low cost housing without subsidy*".

The most up-to-date assessment of the requirement for affordable housing across Angus is provided by the TAYplan Housing Need and Demand Assessment (HNDA) (December 2013). This identified a substantial backlog of need for affordable housing across the 4 Angus Housing Market Areas (HMAs). In line with Scottish Planning Policy (SPP) (2014) Angus Council will seek to secure delivery of a maximum of 25% affordable housing across all 4 HMAs, although this will not meet all identified need over the plan period.

Policy TC3 Affordable Housing sets out the requirement for affordable housing which will be applied to all qualifying allocated, housing opportunity and windfall sites. The policy will be supported by an updated and revised Affordable Housing Implementation Guide which will establish a framework and best practice to support delivery of affordable housing.

In rural areas proposals for affordable housing on sites outwith but contiguous with development boundaries will be considered in the context of DS1 Development Boundaries and Priorities.

Effective partnership working between Angus Council, developers, Registered Social Landlords and the Scottish Government will be key to securing the delivery of appropriate and well located affordable housing across Angus.

## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

#### Policy PV5 Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

#### European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- there is no satisfactory alternative; and
- there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range.

#### Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

#### Policy PV5 SEA Implications

Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
++	0	0	0	0	0	0	0	0	0

#### Landscape

Safeguarding and enhancing landscape character is an important planning objective. As well as the protection of designated sites, policy and guidance will seek to retain and enhance the distinctive landscape character of Angus. Development and landscape change should be a positive process – enhancing degraded landscapes; delivering quality design within a local landscape setting and the wider landscape; and identifying and protecting areas where sensitive landscapes have little or no capacity to accommodate development.

The landscape setting of the towns and villages is an important consideration in the location of development sites and is reflected in the identification and application of development boundaries. The integration of new development on the edge of towns and villages into the landscape and creation of new green infrastructure should reflect principles and policies established within the plan.

## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

#### Policy PV8 Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

#### National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss 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 in order to preserve or enhance the character and setting of the listed building.

#### Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.

Policy PV8 SEA Implications									
Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
++	0	0	0	0	0	0	++	++	++

## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

---

#### HEAT AND ENERGY NETWORKS

The Scottish Government is committed to moving towards a low carbon economy and identifies planning as having a key role in delivering this and in meeting its objectives and targets, which include:

- 100% equivalent to Scottish electricity demand generated from renewable sources by 2020
- a largely decarbonised electricity generation sector by 2030; and,
- a largely decarbonised heat sector by 2050 with significant progress by 2030.

There has been major investment in renewable energy generation and the Scottish Government's focus and actions to reduce energy consumption, make better use of energy and heat and to address transport as a user of fossil fuels and producer of emissions. The planning system has an important role in this process: focusing development at sustainable locations which minimise the need to travel by car; guiding energy generation proposals to appropriate locations; identifying and promoting opportunities from heat maps and in site allocations for district heating and combined heat and power installations; and supporting energy efficient design and construction.

Energy generation and use is a dynamic sector and the ALDP policies aim to establish robust locational guidance. Supplementary Guidance will further develop a locational framework for wind energy and detailed locational guidance for other forms of generation, setting out where supporting information will be required and highlighting other relevant policy and sources of guidance.

#### **Renewable and Low Carbon Energy Development**

Opportunities exist across Angus to generate energy from renewable and low carbon sources contributing to a reduction in the output of greenhouse gases; sustainable economic growth; and a largely decarbonised society. This will have long term environmental benefits and help maintain residents' quality of life in the future.

The ALDP can contribute to these aims through policies which promote and facilitate:

- a range sustainable energy development proposals of an appropriate scale and type in the right location;
- energy efficiency measures in all new build including siting, microclimate, accessibility, on-site energy generation which can reduce both greenhouse gas emissions and demand for energy;
- heat exchange between producers and users of heat; and
- sustainable development which focuses on existing centres, reduces the need to travel and promotes all modes of transport.

All renewable energy production, including from wind, water, biomass, waste incineration and sources using emissions from wastewater treatment works and landfill sites will require some processing, generating or transmission infrastructure. Such developments can all contribute to generating renewable energy and reducing emissions and will be assessed in accordance with the following policy.



## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

#### Policy PV12 Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- that flood risk can be adequately managed both within and outwith the site;
- that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- access and egress to the site can be provided that is free of flood risk; and
- where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

#### Policy PV12 SEA Implications

Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
0	++	0	0	0	0	++	0	0	0

**Table 3: Flood Risk Framework**

<b>Little or No Risk</b>	Annual probability of coastal or watercourse flooding is less than 0.1% (1:1000 years)
No constraints due to coastal or watercourse flooding	
<b>Low to Medium Risk Area</b>	Annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1000 to 1:200 years)
Suitable for most development. <ul style="list-style-type: none"> <li>• A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for essential infrastructure and the most vulnerable uses. Water resistant materials and construction may be required.</li> </ul>	

## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

<b>Medium to High Risk</b>	Annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)
<p>May be suitable for:</p> <ul style="list-style-type: none"> <li>• residential, institutional, commercial and industrial development within built up areas provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan;</li> <li>• essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;</li> <li>• some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place; and</li> <li>• job-related accommodation, e.g. for caretakers or operational staff.</li> </ul> <p>Generally not suitable for:</p> <ul style="list-style-type: none"> <li>• civil infrastructure and the most vulnerable uses;</li> <li>• additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available;</li> <li>• new caravan and camping sites; and</li> <li>• where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.</li> </ul> <p>Water-resistant materials and construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.</p>	
<b>Additionally, in areas of Surface Water Flooding</b>	
<ul style="list-style-type: none"> <li>• Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).</li> <li>• Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.</li> </ul>	

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria\*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

*\*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)*

## THE POLICY FRAMEWORK – PART 2

### PROTECTED AND VALUED

---

Policy PV15 SEA Implications									
Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
0	+	0	0	++	0	++	0	0	++

#### The Coast

The Angus Coast is an important part of the character of the area as well as accommodating the main transport links (rail, shipping and to a lesser extent road) and the main centres of population. Leisure, recreation, tourism and fishing are important to the local economy with the coast contributing significantly to them all. The cliffs, beaches and coastal waters are a major natural heritage asset – particularly for migratory birds and marine life. The variety of coastal features makes classification difficult – the water’s edge defines the sea, but inland is less clear. Cliffs, raised beaches, wave cut platforms and sand create a mosaic of interlocking zones. The Shoreline Management Plan, Tayside Landscape Character Assessment and TAYplan SDP all have different interpretations of the coast.

Rising sea levels and extreme weather events can result in increasing incidence of erosion and inundation and the ALDP takes a precautionary approach to coastal flooding and ground instability.

## Policy PV21 Pipeline Consultation Zones

# AC2

Decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive.

### Policy PV21 SEA Implications

Biodiversity Flora and Fauna	Population	Human Health	Soil	Water	Air	Climatic Factors	Cultural Heritage	Material Assets	Landscape
0	+	0	0	0	0	0	0	0	0

**From:** MilneAJ  
**Sent:** 31 May 2017 15:39:40 +0100  
**To:** MacKenzieF  
**Subject:** RE: Planning app 17/00212/PPPL

Thanks Fraser,

I am satisfied that I do not need any further information regarding land contamination for the above application.

Regards

Alan

Alan Milne, Environmental Protection Officer (EP Unit), Angus Council, Communities Department (Regulatory, Protective & Prevention Services), County Buildings, Market Street, Forfar DD8 3WE  
Telephone: 01307 473317

**From:** MacKenzieF  
**Sent:** 31 May 2017 15:01  
**To:** MilneAJ  
**Subject:** RE: Planning app 17/00212/PPPL

Afternoon Alan,

I'm writing up the report and just realised I had not notified you the applicant had returned the attached form. Sorry about that!

Can you please advise if you object to the proposal or if any mitigation questions are required on this basis?

Thanks,

Fraser

**Fraser MacKenzie : Planning Officer (Development Standards) : Angus Council : Communities  
Directorate : Planning & Place : County Buildings : Market Street : Forfar : DD8 3LG : Telephone 01307  
473351 : Direct Dial 3351**

**From:** MilneAJ  
**Sent:** 04 April 2017 14:29  
**To:** MacKenzieF  
**Subject:** Planning app 17/00212/PPPL

Fraser,

In order to help decide whether the above planning application requires any conditions please could you ask the applicant to return the attached questionnaire completed.

Regards

Alan

Alan Milne, Environmental Protection Officer (EP Unit), Angus Council, Communities Department (Regulatory, Protective & Prevention Services), County Buildings, Market Street, Forfar DD8 3WE  
Telephone: 01307 473317

Angus  
County Buildings Market Street  
Forfar  
Angus  
DD8 3LG



## Advice : HSL-170405170632-269 Crosses Consultation Zone

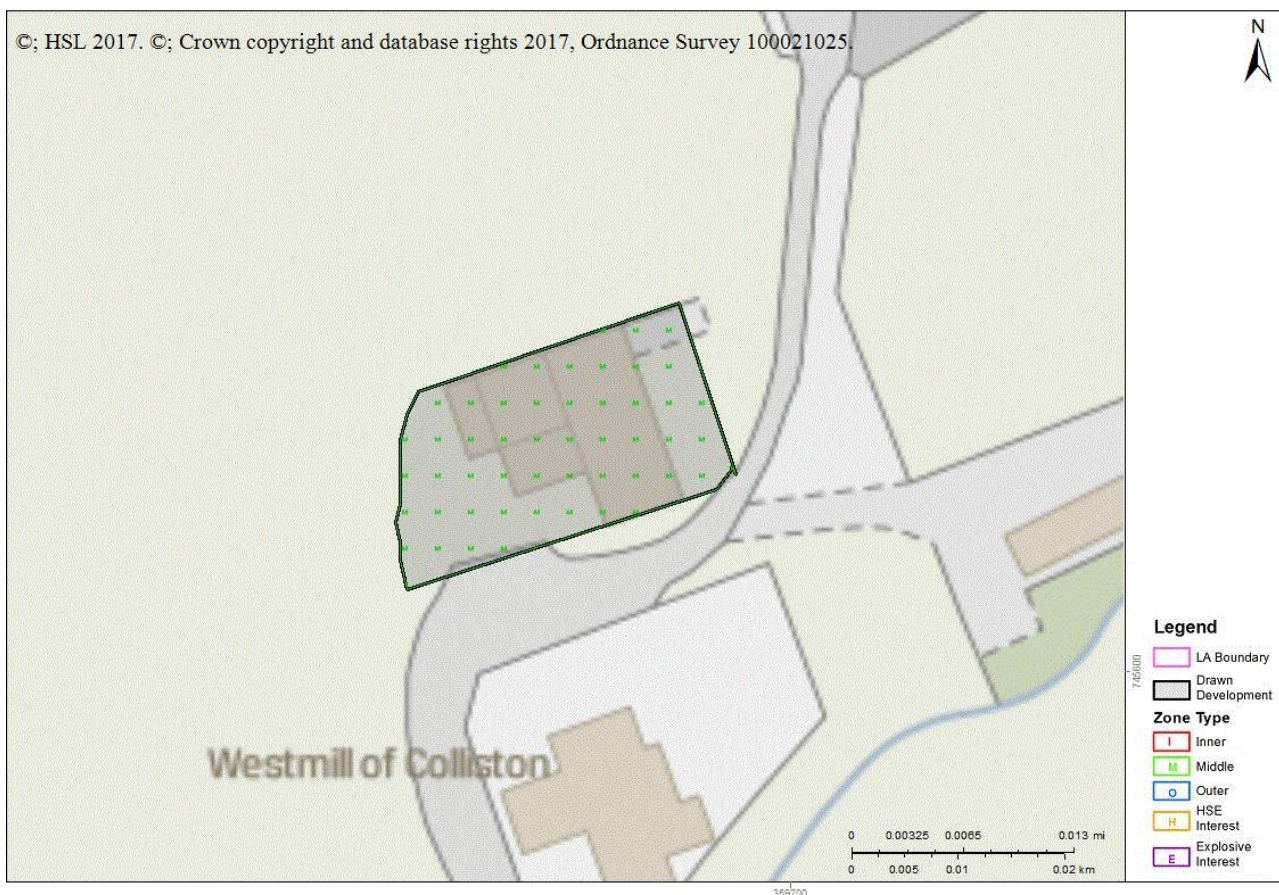
Please enter further details about the proposed development by continuing with the enquiry on the HSE's Planning Advice Web App from the Previous Enquiries tab either now or at a later time, unless the Web App has stopped the process and notified you to contact HSE.

**Your Ref:** 17/00212/PPPL

**Development Name:** Proposed Conversion and Alterations to Steading to Form Dwellinghouse

**Local Authority Reference:** 17/00212/PPPL

**Comments:** Former Steading Colliston Arbroath



The proposed development site which you have identified currently lies within the consultation distance (CD) of at least one major hazard site and/or major accident hazard pipeline; HSE needs to be consulted on any developments on this site.

This advice report has been generated using information supplied by Damian Brennan at Angus on 05 April 2017.

You will also need to contact the pipeline operator as they may have additional constraints on development near their pipeline.



- 8369\_2646 National Grid Gas PLC

HSL/HSE accepts no liability for the accuracy of the pipeline routing data received from a 3rd party. HSE/HSL also accepts no liability if you do not consult with the pipeline operator.

## Unidentified Pipelines

There is at least one unidentified pipeline in this Local Authority Area. You may wish to check with the pipeline operator where known or the Local Authority before proceeding. The details HSE have on record for these pipelines is as follows:

- 1027984\_ Gas Networks Ireland [GNI] (UK) Ltd Beattock CS to Cluden BV pipeline
- 1031296\_ Gas Networks Ireland [GNI] (UK) Ltd Bord Gais Eireann Scotland to Ireland Second Interconnector, Brighthouse Compressor Station to Ross Bay
- 1033019\_ Gas Networks Ireland [GNI] (UK) Ltd Beattock CS to Brighthouse CS
- 1033251\_ BP Amoco PLC Grangemouth Local Pipelines
- 1036017\_ Gas Networks Ireland [GNI] (UK) Ltd Moffat CS to Beattock CS pipeline
- 4405017\_ Scotland Gas Network Ltd East Kilbride Inlet to East Kilbride PRS (E90)
- 4406691\_ Gas Networks Ireland [GNI] (UK) Ltd Cluden to Brighthouse Bay Pipeline
- 7313\_ Gas Networks Ireland [GNI] (UK) Ltd Bord Gais Eireann CS Brighthouse to Brighthouse Bay

You may wish to contact HSE's Planning Advice team to discuss the above enquiry result on 01298 218159 or by email at [lupenquiries@hsl.gsi.gov.uk](mailto:lupenquiries@hsl.gsi.gov.uk).

Angus  
County Buildings Market Street  
Forfar  
Angus  
DD8 3LG



## Advice : HSL-170405170632-269 DO NOT ADVISE AGAINST

**Your Ref:** 17/00212/PPPL

**Development Name:** Proposed Conversion and Alterations to Steading to Form Dwellinghouse

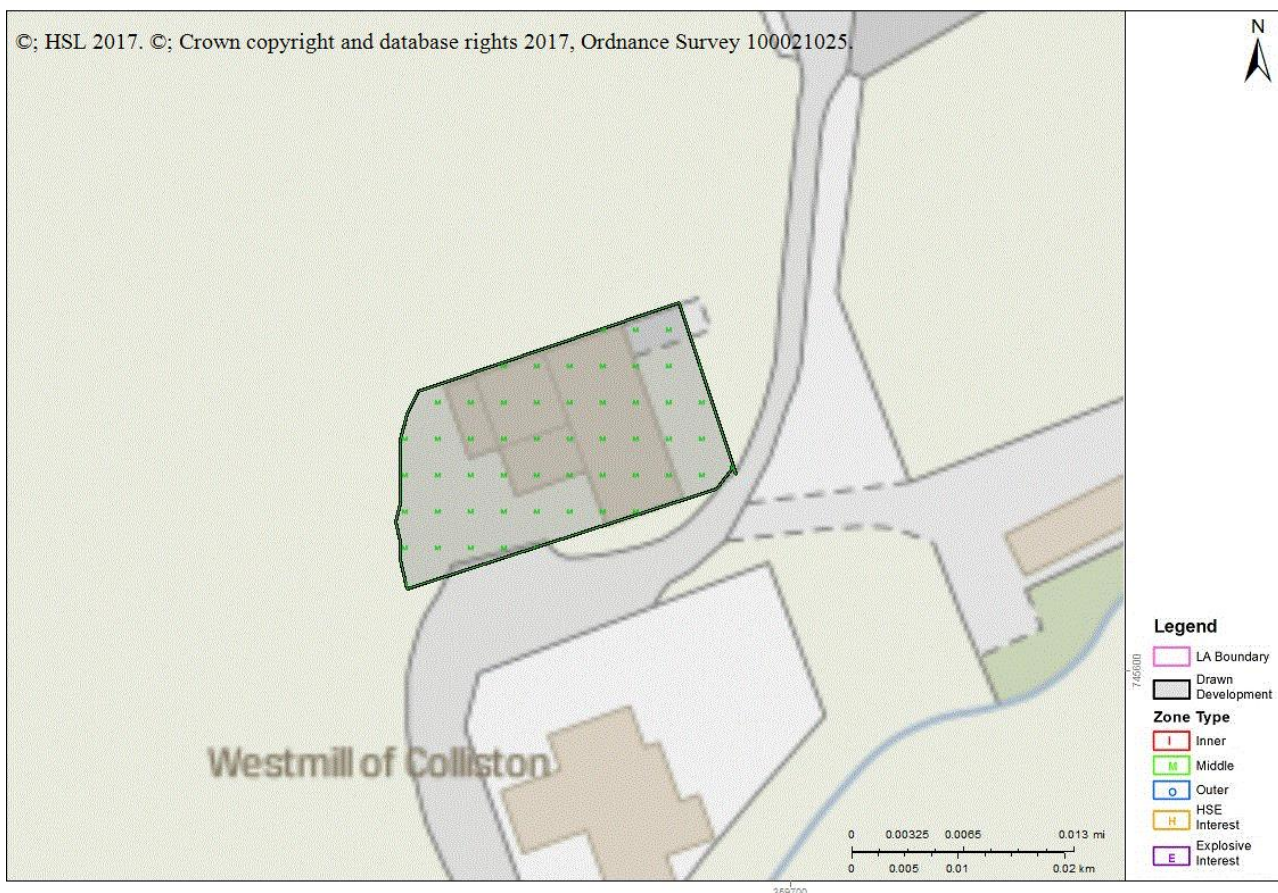
**Local Authority Reference:** 17/00212/PPPL

**Comments:** Former Steading Colliston Arbroath

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Angus.

**HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.**

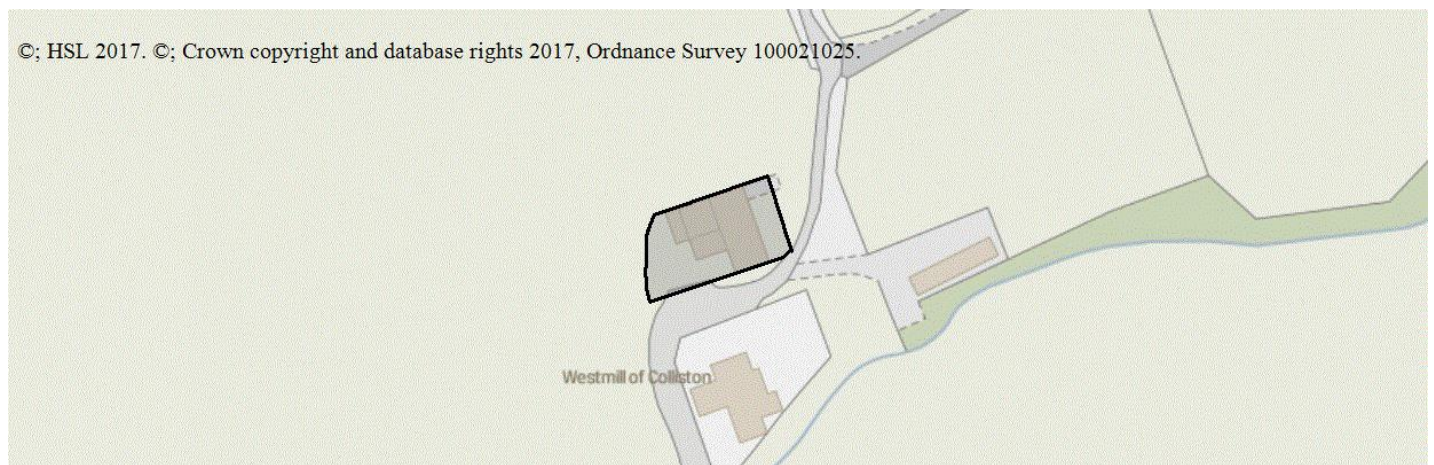


Commercial In Confidence

**Breakdown:**

Housing DAA

How many dwelling units are there (that lie partly or wholly within a consultation distance)? Less than 3



## Pipelines

8369\_2646 National Grid Gas PLC

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

## Unidentified Pipelines

There is at least one unidentified pipeline in this Local Authority Area. You may wish to check with the pipeline operator where known or the Local Authority before proceeding. The details HSE have on record for these pipelines is as follows:

- 1027984\_ Gas Networks Ireland [GNI] (UK) Ltd Beattock CS to Cluden BV pipeline
- 1031296\_ Gas Networks Ireland [GNI] (UK) Ltd Bord Gais Eireann Scotland to Ireland Second Interconnector, Brighthouse Compressor Station to Ross Bay
- 1033019\_ Gas Networks Ireland [GNI] (UK) Ltd Beattock CS to Brighthouse CS
- 1033251\_ BP Amoco PLC Grangemouth Local Pipelines
- 1036017\_ Gas Networks Ireland [GNI] (UK) Ltd Moffat CS to Beattock CS pipeline
- 4405017\_ Scotland Gas Network Ltd East Kilbride Inlet to East Kilbride PRS (E90)
- 4406691\_ Gas Networks Ireland [GNI] (UK) Ltd Cluden to Brighthouse Bay Pipeline
- 7313\_ Gas Networks Ireland [GNI] (UK) Ltd Bord Gais Eireann CS Brighthouse to Brighthouse Bay

This advice report has been generated using information supplied by Damian Brennan at Angus on 05 April 2017.

Note that any changes in the information concerning this development would require it to be re-submitted.

## ANGUS COUNCIL

### COMMUNITIES PLANNING

#### CONSULTATION SHEET

PLANNING APPLICATION NO

17/00212/PPPL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

04	04	17
----	----	----

**PLEASE DO NOT TAKE AWAY THE LAST SET OF PLANS WHERE POSSIBLE COPIES  
WILL BE PROVIDED ON REQUEST**

**ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX**

**From:**Claire Herbert  
**Sent:**20 Apr 2017 17:07:11 +0100  
**To:**PLNProcessing  
**Cc:**MacKenzieF  
**Subject:**Planning application 17/00212/PPPL - archaeology comments

**Planning Reference:** 17/00212/PPPL

**Case Officer Name:**Fraser MacKenzie

**Proposal:** Proposed Conversion and Alterations to Steading to Form Dwellinghouse

**Site Address:** Former Steading Colliston Arbroath

**Site Post Code:**

**Grid Reference:** NO 5968 4562

Apologies for the delay in submitting comments.

Having considered the above application, which affects a farmstead dating to the 19<sup>th</sup> Century, I would ask that the following condition is applied:

**Photographic Survey Condition (PAN 2/2011, SPP, HESP)**

No demolition or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, **both external and internal** (where it is safe to access the building), together with the setting of the building, and any unusual feature/s, shall be photographed and **clearly annotated on a plan**. Photographs, which should be **digital files (jpeg, tiff, pdf) submitted by email, on CD or via online file sharing services**, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited with the Archaeology Service for addition into the local Sites and Monuments Record.

**Reason: to ensure a historic record of the building.**

Should you have any comments or queries regarding the above, please do not hesitate to contact me.

Kind regards,

Claire

Claire Herbert MA(Hons) MA MCifA FSA Scot

Archaeologist  
Archaeology Service  
Infrastructure Services  
Aberdeenshire Council  
Woodhill House  
Westburn Road  
Aberdeen  
AB16 5GB

07825356913

[claire.herbert@aberdeenshire.gov.uk](mailto:claire.herbert@aberdeenshire.gov.uk)

Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils

**[2017: Celebrating the History, Heritage & Archaeology of North East Scotland](#)**

<https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/archaeology/>

<https://online.aberdeenshire.gov.uk/smrpub/>

This e-mail may contain privileged information intended solely for the use of the individual to

whom it is addressed. If you have received this e-mail in error, please accept our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.  
[www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk)





# Memorandum

Communities Directorate – Technical & Property Services  
Roads & Transport Business Unit

TO: HEAD OF PLANNING AND PLACE

FROM: HEAD OF TECHNICAL & PROPERTY SERVICES

YOUR REF:

OUR REF: DH/AG/SC TD1.3

DATE: 18 APRIL 2017

SUBJECT: **PLANNING APPLICATION REF. NO. 17/00212/PPPL – PROPOSED CONVERSION AND ALTERATIONS TO STEADING TO FORM DWELLING HOUSE AT WEST MILL OF COLLISTON, ARBROATH FOR MR STEVEN REID**

---

I refer to the above planning application.

The site is located on the north side of the U497 Parkconon Road at West Mill of Colliston Steading.

The National Roads Development Guide, adopted by the Council as its road standards, is relative to the consideration of the application and the following comments take due cognisance of that document.

I have considered the application in terms of the traffic likely to be generated by it, and its impact on the public road network. As a result, I do not object to the application but would recommend that any consent granted shall be subject to the following conditions:

- 1 That, prior to the occupation or use of the dwelling house, the verge crossing at the existing access shall be improved to form a new bellmouth junction. The verge crossing shall be constructed in accordance with the National Roads Development Guide (SCOTS).  
*Reason: to provide a safe and satisfactory access in a timely manner.*
- 2 That, prior to the commencement of development, a scheme of improvements to the access track between the public road U497 Parkconon Road and the application site shall be submitted for the consideration of the planning authority. The scheme of improvement shall include:
  - (i) a drawing showing the widening of the track and/or provision of inter-visible passing places at 150m intervals,

- (ii) a construction specification in accordance with the council's planning advice note; PAN 17 – Miscellaneous Planning Policies (or infilling of potholes as a minimum requirement),
- (iii) the provision of surface water drainage; and
- (iv) an agreement for the upgrading works with any other owner(s) or person(s) with rights of access over the track.]

The development shall not commence until the planning authority has agreed the scheme of improvements in writing. The scheme of improvements to the access track shall thereafter be completed prior to the occupation of any dwelling house hereby approved.

*Reason: to provide a safe and suitable access and an adequate level of residential amenity.*

I trust the above comments are of assistance but should you have any queries, please contact Adrian Gwynne on extension 3393.

*pp.*

**From:**CorriganJ  
**Sent:**24 Apr 2017 16:46:43 +0100  
**To:**MacKenzieF;PLNProcessing  
**Subject:**17/00212/PPPL

PROPOSED CONVERSION AND ALTERATIONS TO STEADING TO FORM DWELLINGHOUSE  
AT FORMER STEADING, COLLISTON, ARBROATH (West Mill of Colliston)

Dear Fraser,

I refer to the above application and have considered potential flood risk to the site. I can confirm that in this instance I have no objections to the application and no requirement for further information.

Kind Regards,

Janice

*Janice Corrigan*

*Senior Engineer*

*Roads*

*Communities*

*County Buildings*

*Forfar*

*DD8 3WR*

*Tel 01307 473287*

*E mail : CorriganJ@Angus.gov.uk*

# Comments for Planning Application 17/00212/PPPL

## Application Summary

Application Number: 17/00212/PPPL

Address: Former Steading Colliston Arbroath

Proposal: Proposed Conversion and Alterations to Steading to Form Dwellinghouse

Case Officer: Fraser MacKenzie

## Customer Details

Name: Mrs Elizabeth Murray

Address: Westmill of Colliston Arbroath

## Comment Details

Commenter Type: Member of Public

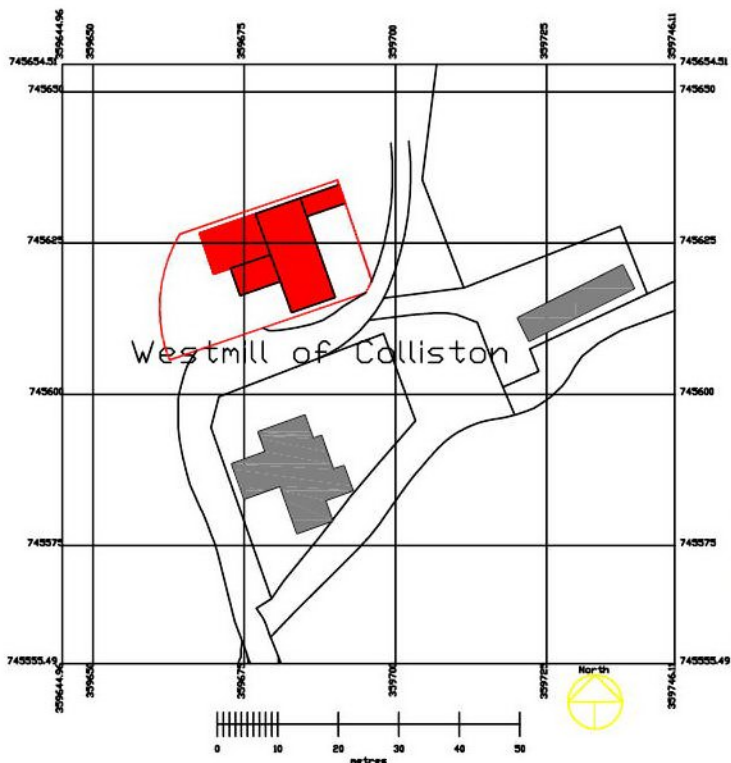
Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The use of heavy vehicles over a small bridge on the farm road which is single lane is likely to cause damage to the structure.

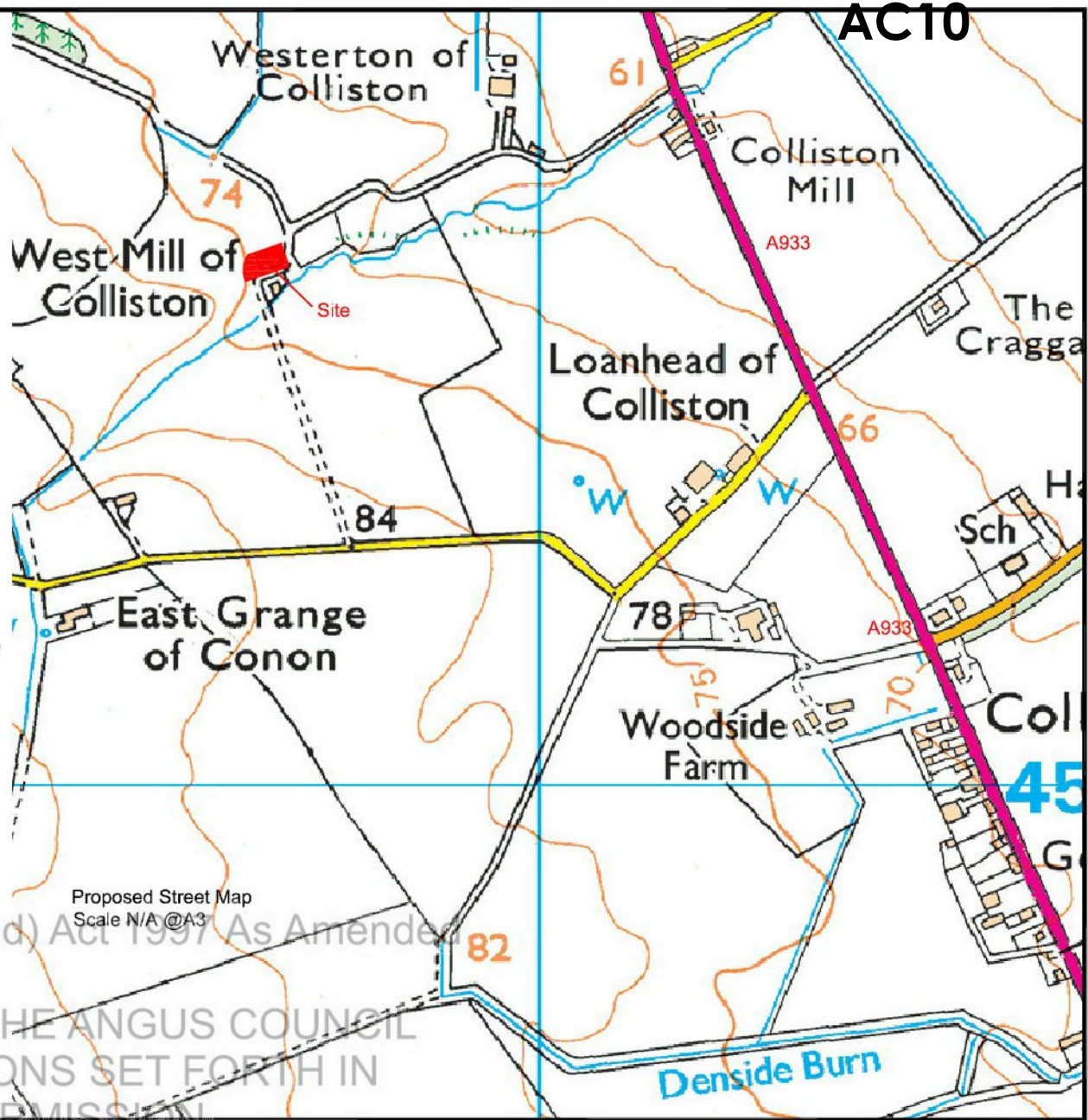
Refuse lorries do not access the road as I was told by the Council it was not fit.

The premises have never been maintained although change of use has been made a couple of times by the applicant.



© Crown copyright 2017. Supplied by mapserv.co.uk a licensed Ordnance Survey partner number 100033143  
 Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Proposed Location Plan  
 Scale 1:1250 @A3



Proposed Street Map  
 Scale N/A @A3

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
 SUBJECT TO THE CONDITIONS SET FORTH IN  
 INTIMATION OF PERMISSION

DO NOT SCALE THIS DRAWING  
 ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE  
 DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING  
 © This drawing is copyright of MA Architectural Technicians



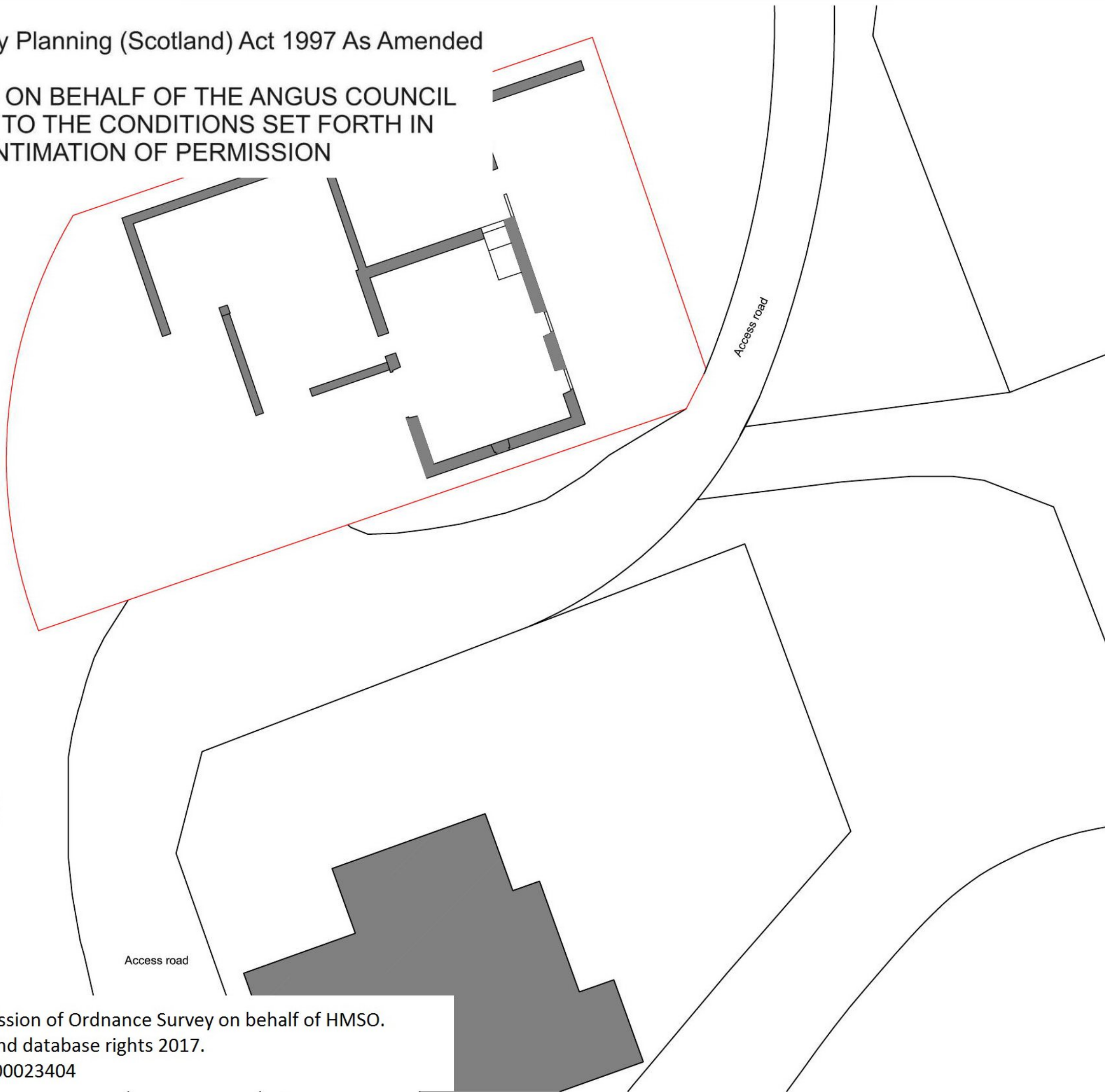
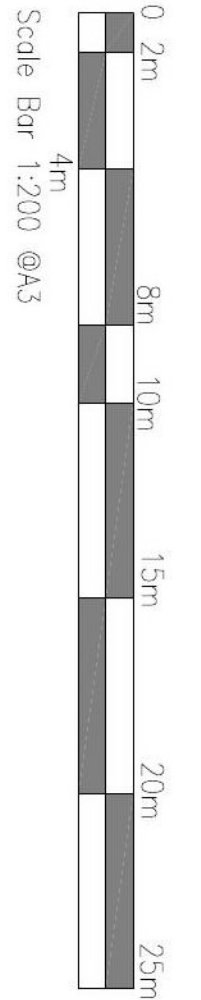
Project  
 Proposed Conversion & Alterations  
 Former Steading, Westmill of Colliston  
 Colliston, By Arbroath

Drawing No	LP 01	Job No	132
Title	Location Plan	Rev.	-
		Scale	1:1250 @A4

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION

**AC11**



**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Existing Site plan

Job No	Drawing No
132	PD 06

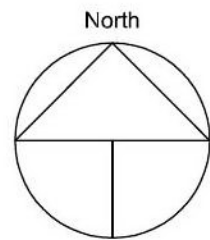
Scale	Rev.
1:200 @A3	-



07742054588

23marcher@gmail.com

DO NOT SCALE THIS DRAWING  
ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE  
DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING  
© This drawing is copyright of MA Architectural Technician.

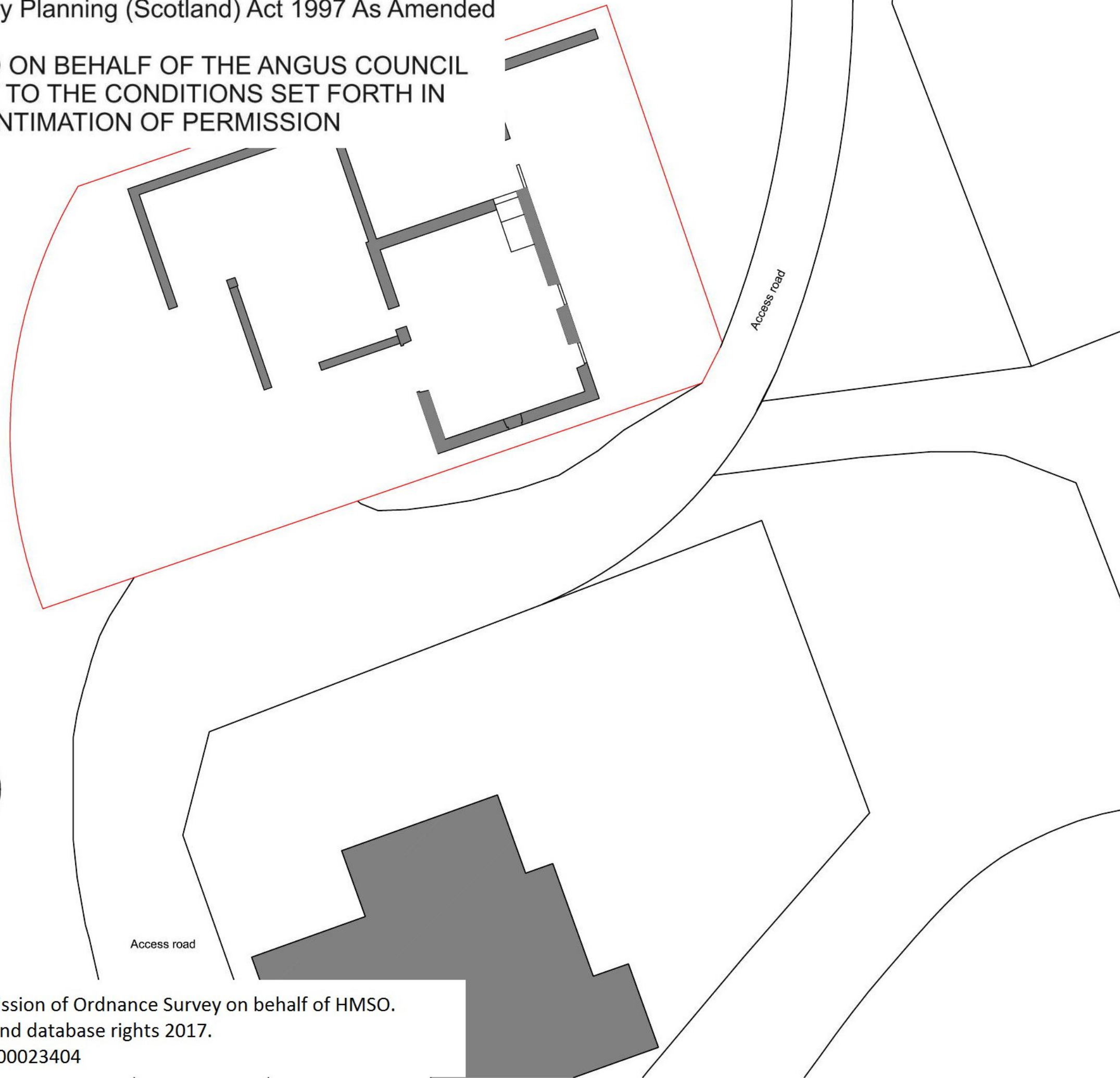
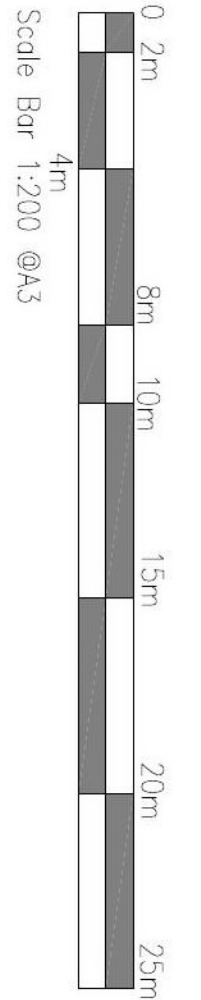


Reproduced by permission of Ordnance Survey on behalf of HMSO.  
(c) Crown copyright and database rights 2017.  
All rights reserved. 100023404

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION

AC11



**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Existing Site plan

Job No	Drawing No
132	PD 06

Scale	Rev.
1:200 @A3	-



07742054588

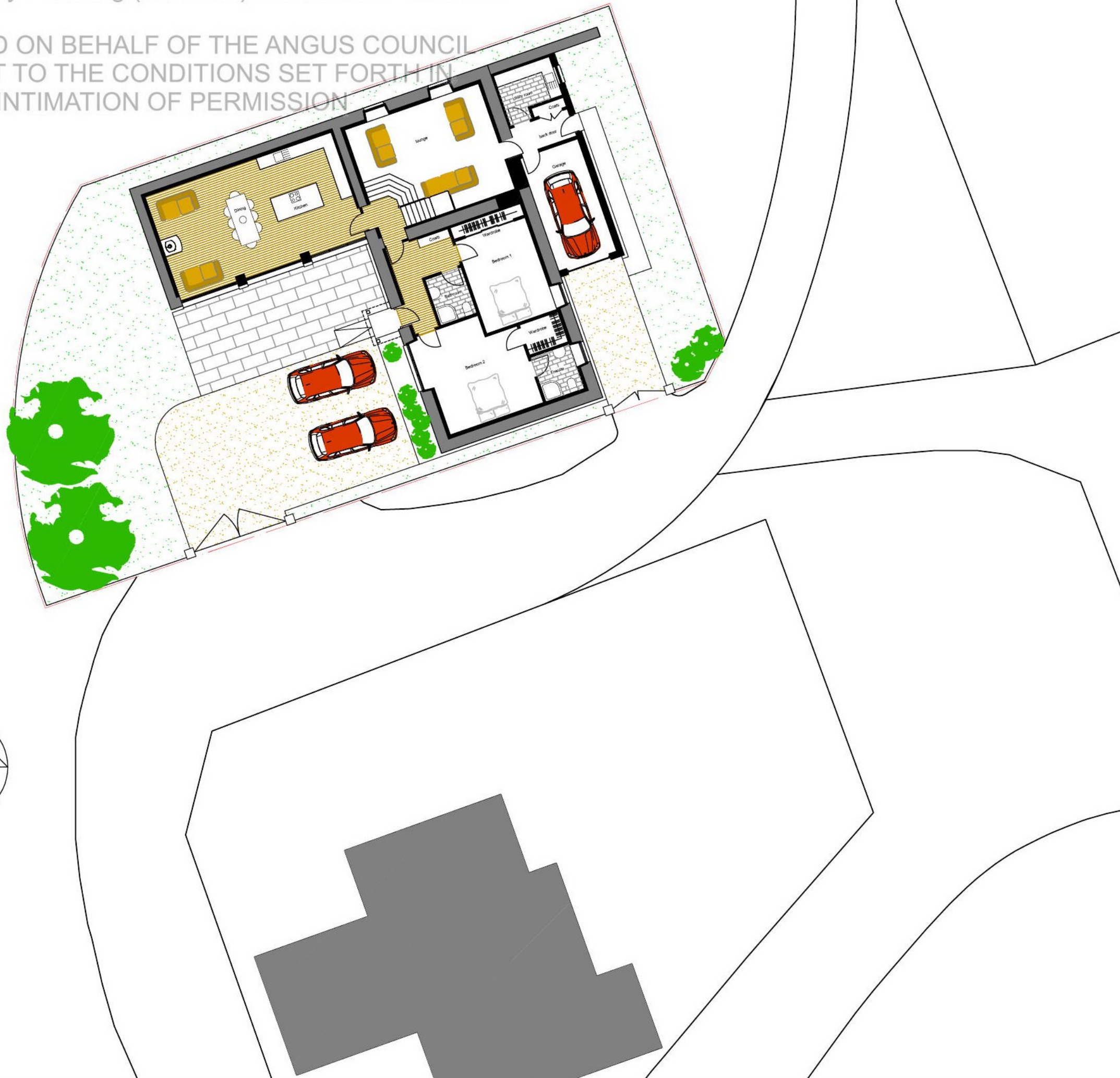
23marcher@gmail.com

Reproduced by permission of Ordnance Survey on behalf of HMSO.  
(c) Crown copyright and database rights 2017.  
All rights reserved. 100023404

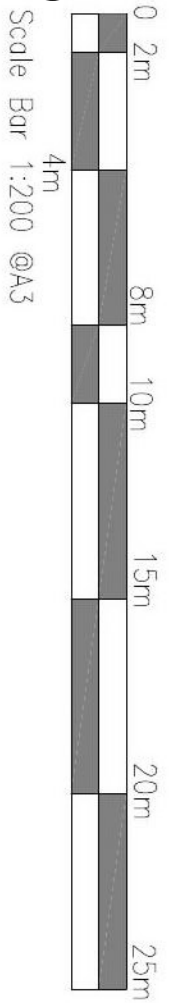
DO NOT SCALE THIS DRAWING  
ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE  
DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING  
©This drawing is copyright of MA Architectural Technician.

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION



AC11



**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Proposed Site/Block Plan

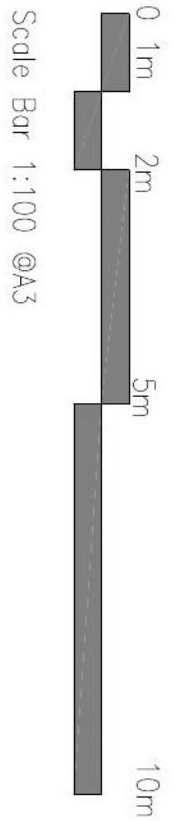
Job No	Drawing No
132	PD02

Scale	Rev.
1:200 @A3	-

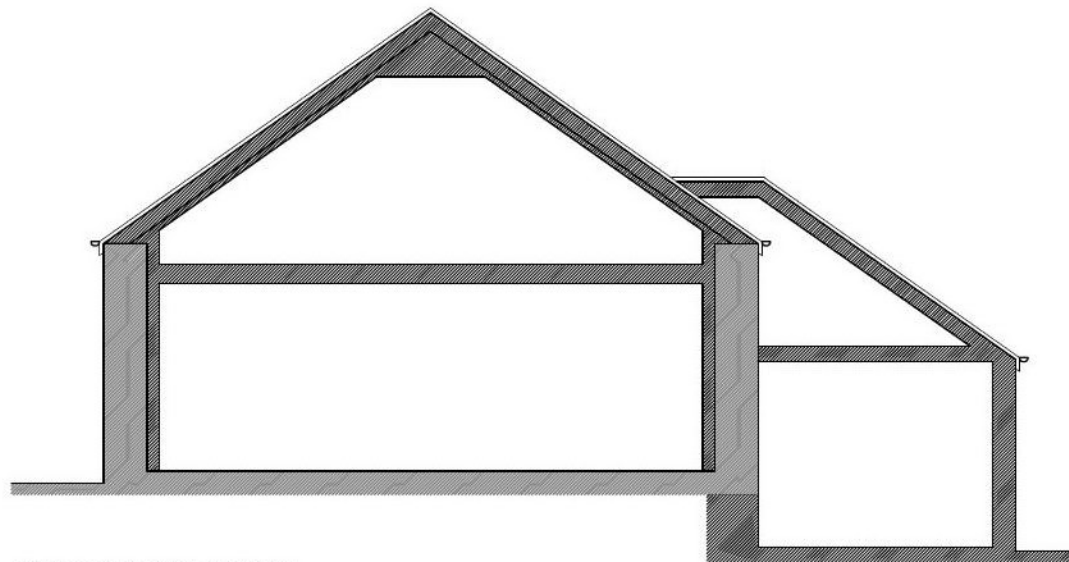
**MA**  
*Architectural  
Technician*  
07742054588  
23marcher@gmail.com

DO NOT SCALE THIS DRAWING  
ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE  
DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING  
©This drawing is copyright of MA Architectural Technician.

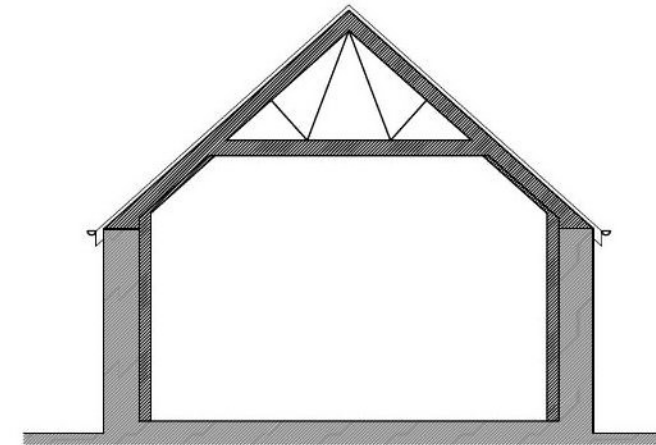




Proposed North East elevation  
Scale 1:100@A3



Proposed Section bedroom  
Scale 1:100@A3



Proposed Section Kitchen  
Scale 1:100@A3

**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Proposed Elevations & Section

Job No 132	Drawing No PD 04
---------------	---------------------

Scale 1:100 @A3	Rev. -
--------------------	-----------

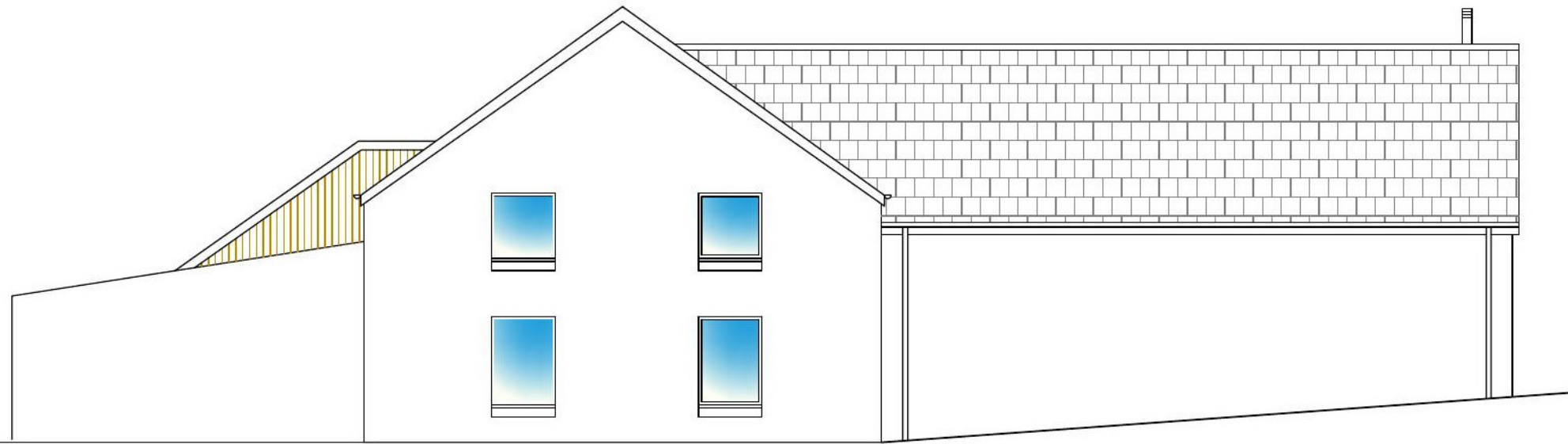
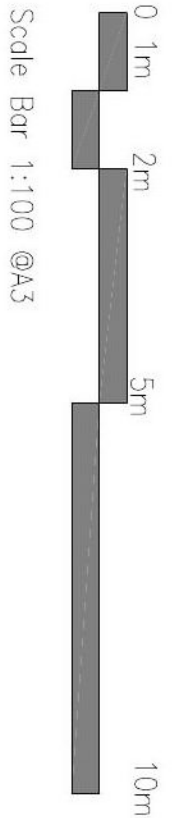


07742054588

23marcher@gmail.com

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION



Proposed North West elevation  
Scale 1:100@A3

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION



Proposed South East elevation  
Scale 1:100@A3

**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Proposed Elevations

Job No 132	Drawing No PD 03
---------------	---------------------

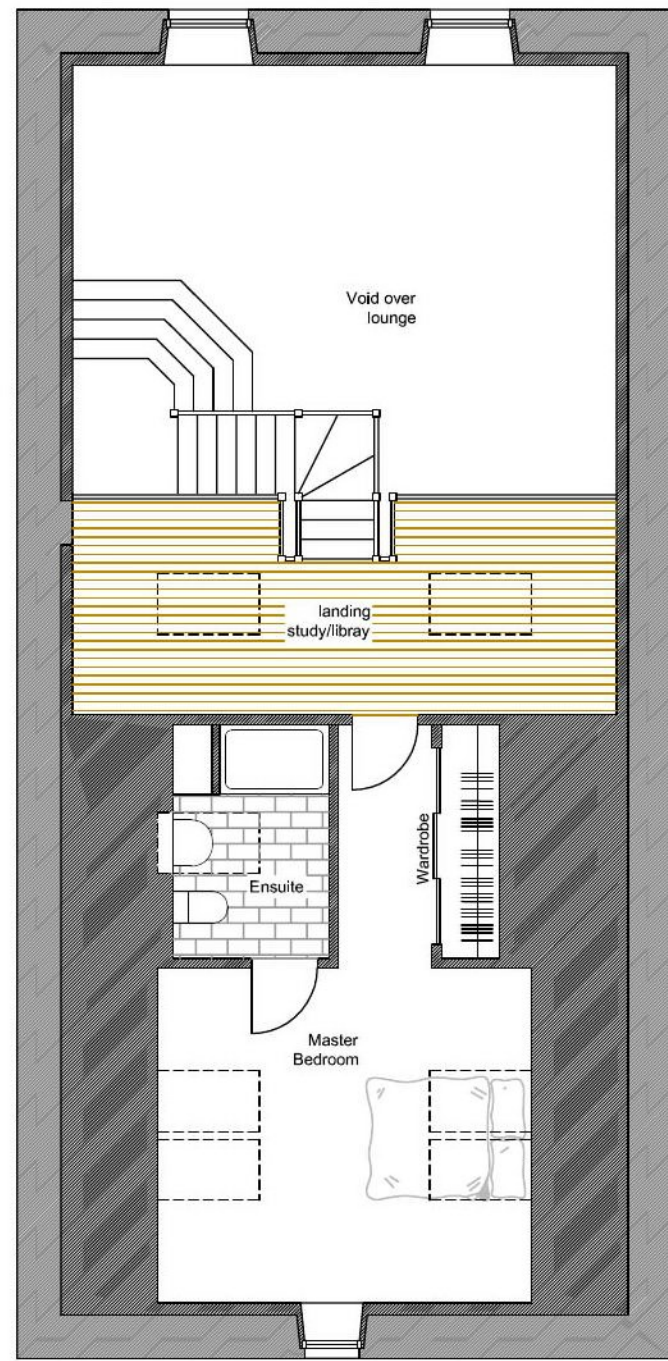
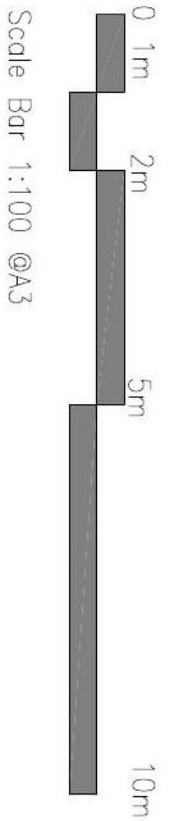
Scale 1:100 @A3	Rev. -
--------------------	-----------



07742054588

23marcher@gmail.com

Proposed South West Elevation  
Scale 1:100@A3



**Planning Drawings**

Project  
Proposed Conversion & Alterations  
Former Steading, Westmill of Colliston  
Colliston , By Arbroath

Title  
Proposed Floor Plans

Job No 132	Drawing No PD01
---------------	--------------------

Scale 1:100 @A3	Rev. -
--------------------	-----------



07742054588

23marcher@gmail.com

DO NOT SCALE THIS DRAWING  
ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE  
DISCREPANCIES TO BE REPORTED BEFORE PROCEEDING  
© This drawing is copyright of MA Architectural Technician.

Town & Country Planning (Scotland) Act 1997 As Amended

APPROVED ON BEHALF OF THE ANGUS COUNCIL  
SUBJECT TO THE CONDITIONS SET FORTH IN  
INTIMATION OF PERMISSION

AC12



AC12



AC12



AC12



AC12





AC12



AC12



AC12



AC12



AC12



AC12



AC12



AC12





AC12



**AC12**



AC12



AC12



AC12



AC12



AC12



AC12





AC12



AC12





**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT  
MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013**

**PLANNING PERMISSION IN PRINCIPLE APPROVAL  
REFERENCE : 17/00212/PPPL**

To: **Mr Steven Reid  
c/o Matthew Archer Architectural Technician  
114 Brechin Road  
Arbroath  
Angus  
DD11 1TA**

With reference to your application dated **24 March 2017** for planning permission in principle under the above mentioned Acts and Regulations for the following development viz:-

**Proposed Conversion and Alterations to Steading to Form Dwellinghouse at Former Steading Colliston Arbroath for Mr Steven Reid**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission in Principle (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as approved on the Public Access portal. The permission is subject to the following conditions, namely:-

1. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.
  - i) Precise details of all works required to convert the building to a residential dwelling, including all matters relating to design, external appearance and material finishes. The building subject of this permission for conversion shall be retained to eaves height and there shall be no dunting or demolition of the building or any part of the building unless otherwise approved in writing by the planning authority. For the avoidance of doubt, the proposed floor plans, elevations and sections provided in drawings 132 PD01, 132 PD03, and 132 PD04 are not approved;
  - ii) The means of drainage for the development. For the avoidance of doubt the surface water shall be directed to a Sustainable Urban Drainage System;
  - iii) A scheme for the landscaping of the site;
  - iv) Details of existing and proposed ground levels and floor levels relative to a fixed ordnance datum;
  - v) The layout of the site, including car parking, turning space, access and the means of site enclosure.
2. That, prior to the commencement of any other development, the access track between the public road U497 Parkconon Road and the application site shall be upgraded in accordance with a scheme of improvements that has been submitted to and approved in writing by the Planning Authority. The scheme of improvement shall include:
  - (i) a drawing showing the widening of the track and/or provision of inter-visible passing places at 150m intervals;
  - (ii) a construction specification in accordance with the council's planning advice note; PAN 17 - Miscellaneous Planning Policies (or infilling of potholes as a minimum requirement);

- (iii) the provision of surface water drainage; and
  - (iv) the verge crossing at the existing access shall be improved to form a new bellmouth junction in accordance with the National Roads Development Guide (SCOTS).
- 3 No demolition or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, both external and internal (where it is safe to access the building), together with the setting of the building, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital files (jpeg, tiff, pdf) submitted by email, on CD or via online file sharing services, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited with the Archaeology Service for addition into the local Sites and Monuments Record.

**The foregoing conditions are imposed by the Council for the following reasons:-**

- 1. In order that the planning authority may consider the acceptability of the identified matters.
- 2. In order to provide a safe and suitable access and an adequate level of residential amenity.
- 3. In order to ensure a historic record of the building.

**The reason(s) for the foregoing decision by the Council are as follows:-**

- 1. The proposed development complies with relevant policies of the development plan subject to conditions as specified in the decision notice. There are no material considerations that justify refusal.

Dated this **15 June 2017**

Kate Cowey  
Service Manager  
Angus Council  
Communities  
Planning  
County Buildings  
Market Street  
FORFAR  
DD8 3LG

## NOTES

The decision was based on the following amendment(s):-

### **Amendments:**

The application has not been subject of variation.

**It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.**

**WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS**



# WARNING

**NON-COMPLIANCE WITH ANY OF THE CONDITIONS TO THIS PLANNING CONSENT COULD LEAD TO ENFORCEMENT ACTION BEING PURSUED BY THE COUNCIL.**

**NOTE: CONDITIONS ATTACHED BY THE COUNCIL TAKE PRECEDENCE OVER THE SUBMITTED/ APPROVED PLANS.**

**NO ALTERATIONS OR DEVIATIONS FROM THE APPROVED PLANS SHOULD BE UNDERTAKEN WITHOUT THE PRIOR APPROVAL OF THE PLANNING AUTHORITY. FAILURE TO OBTAIN APPROVAL COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN.**

Produced by:

Angus Council  
Communities  
Planning  
County Buildings  
Market Street  
FORFAR  
DD8 3LG

## Planning Decisions – Guidance Note

Please retain – this guidance forms part of your Decision Notice

You have now received your Decision Notice. This guidance note sets out important information regarding appealing or reviewing your decision. There are also new requirements in terms of notifications to the Planning Authority and display notices on-site for certain types of application. You will also find details on how to vary or renew your permission.

**Please read the notes carefully to ensure effective compliance with the new regulations.**

### DURATION

This permission will lapse 3 years from the date of this decision, unless there is a specific condition relating to the duration of the permission or development has commenced by that date.

## PLANNING DECISIONS

### Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
<b>Development Standards Committee/Full Council</b>	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>
<b>Delegated Decision</b>	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	<b>Local Review Body –</b> <b>See details on attached Form 2</b>
<b>Other Decision</b>	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>

**Notification of initiation of development (NID)**

Once planning permission has been granted and the applicant has decided the date they will commence that development they must inform the Planning Authority of that date. The notice must be submitted before development commences – failure to do so would be a breach of planning control. The relevant form is included with this guidance note.

**Notification of completion of development (NCD)**

Once a development for which planning permission has been given has been completed the applicant must, as soon as practicable, submit a notice of completion to the planning authority. Where development is carried out in phases there is a requirement for a notice to be submitted at the conclusion of each phase. The relevant form is included with this guidance note.

**Display of Notice while development is carried out**

For national, major or 'bad neighbour' developments (such as public houses, hot food shops or scrap yards), the developer must, for the duration of the development, display a sign or signs containing prescribed information.

The notice must be in the prescribed form and:-

- displayed in a prominent place at or in the vicinity of the site of the development;
- readily visible to the public; and
- printed on durable material.

A display notice is included with this guidance note.

Should you have any queries in relation to any of the above, please contact:

Angus Council  
Communities  
Planning  
County Buildings  
Market Street  
Forfar  
Angus  
DD8 3LG

Telephone 01307 473212 / 473207 / 473335  
E-mail: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)  
Website: [www.angus.gov.uk](http://www.angus.gov.uk)





## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

### The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of appeal should be addressed to Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

### The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided through  
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

A Notice of Review Form and guidance can be found on the national e-planning website <https://eplanning.scotland.gov.uk>. Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

**NOTIFICATION OF INITIATION OF DEVELOPMENT**

**AC13**

This notice must be fully completed by the person intending to carry out the development as approved in application reference **17/00212/PPPL** for **Proposed Conversion and Alterations to Steading to Form Dwellinghouse** at **Former Steading Colliston Arbroath** for **Mr Steven Reid** dated **15 June 2017** and thereafter submitted to the Service Manager, Angus Council, Communities, Planning, County Buildings, Market Street, Forfar, DD8 3LG.

**Full Name:**

**Address:**

**Do you own the land subject to the above permission?**

**If not, please provide the full name and address of the land owner:**

**Is there a person appointed to oversee the development? If so, please provide their full name and contact details:**

**Date you intend to commence the above development:**

**NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)**

**AC13**

This notice should be fully completed by the person who completed the development approved in application reference **17/00212/PPPL** for **Proposed Conversion and Alterations to Steading to Form Dwellinghouse** at **Former Steading Colliston Arbroath** for **Mr Steven Reid** dated **15 June 2017** and thereafter submitted to the Service Manager, Angus Council, Communities, Planning, County Buildings, Market Street, Forfar, DD8 3LG.

**Full Name:**

**Address:**

**Date of completion of the above development:**

## SCHEDULE 7

Development at **Former Steading Colliston Arbroath**

Notice is hereby given that planning permission has been granted subject to conditions to **Mr Steven Reid** on **15 June 2017**.

Application reference **17/00212/PPPL**

The development comprises **Proposed Conversion and Alterations to Steading to Form Dwellinghouse**

Further Information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at:

Angus Council  
Communities  
Planning  
County Buildings  
Market Street  
Forfar  
DD8 3LG

Enquiries should be directed to the Service Manager at the above address or to [planning@angus.gov.uk](mailto:planning@angus.gov.uk)

## COMMUNITIES Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

**Q.1 I was given the advice and help I needed to submit my application/representation:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.2 The Council kept me informed about the progress of the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.3 The Council dealt promptly with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.4 The Council dealt helpfully with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.5 I understand the reasons for the decision made on the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.6 I feel that I was treated fairly and that my view point was listened to:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OVERALL SATISFACTION:** Overall satisfaction with the service: .....

**Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?**

<b>Very satisfied</b>	<b>Fairly satisfied</b>	<b>Neither Satisfied nor Dissatisfied</b>	<b>Fairly Dissatisfied</b>	<b>Very Dissatisfied</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OUTCOME:** Outcome of the application:

**Q.8 Was the application that you had an interest in:-**

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
----------------------------	--------------------------	----------------------------	--------------------------	-----------	--------------------------

**Q.9 Were you the:-** Applicant  Agent  Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.  
Thank you for taking the time to complete this form.

**Questionnaire**  
**Redevelopment of Agricultural Buildings, Steadings and Land**

<b>Planning Department Ref: 17/00212/PPPL</b>	<b>Yes/No/Unknown</b>
1. Is asbestos known to be present in the fabric of any of the buildings or within ground?	yes
2. Has any part of the site been used for the storage of fuel?	no
3. Have there been any known leaks/spillages of fuel with the site or in close proximity?	no
4. Has any part of the site been utilised for the storage of agricultural chemicals such as preservatives, pesticides or herbicides or have such chemicals been used on site?	no
5. Have there been any known leaks/spillages of agricultural chemicals within the site or in close proximity?	no
6. Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?	no
7. Has any part of the site been used for the disposal of solid farm waste? e.g. slurry pits	no
8. Has any part of the site been used for the disposal of liquid wastes or washings other than to an approved drainage system?	no
9. Has the site been used to store/maintain vehicles or machinery?	no
10. Has there been any building fires or bonfires on the site?	no
11. Has any part of the site been used for disposal of animal carcasses?	no
12. Has any part of the site been used for silage disposal/storage?	no
13. Has any part of the site been used for disposal of unused animal vaccinations?	no

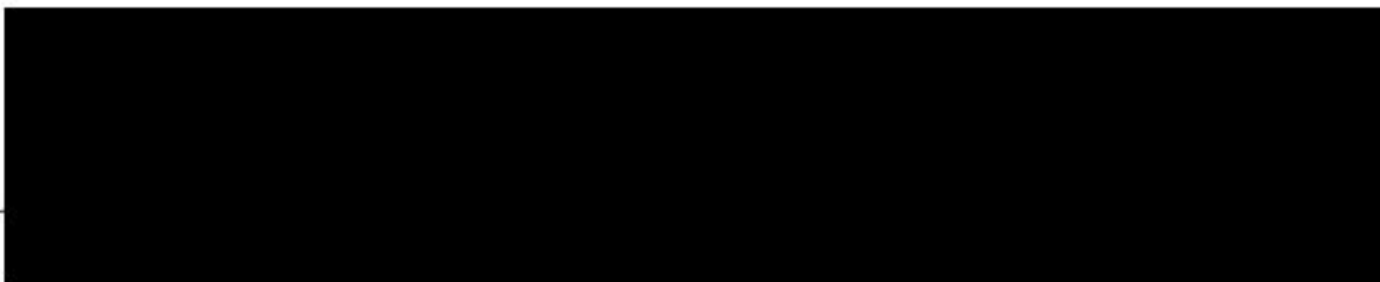
14. If you have answered yes to any of the above questions please give details below. Please give source of information used to answer these questions.

The Engineers report has highlighted Asbestos in their report and this will be deal with by a Specialist at the right stage.



#### **Photographic Record**

If you have answered yes to any of the above questions please include photographs of the locations which are clearly annotated and marked on a plan.

Signed  date 23/05/17

Name (Block Capitals) MATTHEW ARCHER

*\*Please note that the information detailed above will be considered when determining whether a detailed Contaminated Land Risk Assessment will be required as part of the Planning Application Conditions.*





## Bat Survey Report

Westmill of Colliston, Arbroath

<b>Grid Ref.</b>	NO596456
<b>Survey Date:</b>	
<b>Sunset</b>	16 <sup>th</sup> , 24 <sup>th</sup> July 2012
	5 <sup>th</sup> May 2017
<b>Sunrise</b>	25 <sup>th</sup> July 2012
	19 <sup>th</sup> May 2017
<b>Min Temp:</b>	2012 14.8°C
Sunset	2017 8°C
Sunrise	2017 9°C
<b>Cloud Cover:</b>	2012 80%
Sunset	2017 clear
Sunrise	2017 10%
<b>Wind speed:</b>	2012 Still
Sunset	2017 Very light
Sunrise	2017 Still

## Countrywise

Isobel Davidson  
Chapel Howe  
Ardlethen  
Ellon  
AB41 8PF

Tel/Fax 01358 722881  
Mobile 0771 421 8224  
e-mail Countrywise@talktalk.net

Licence No. **101043**

1.	Summary .....	3
2.	Objectives of the Survey .....	3
3.	Legislation.....	3
4.	Description .....	3
5.	Personnel .....	4
6.	Method .....	4
6.1	Desk Study .....	4
6.2	Daytime Survey.....	4
6.3	Sunset Surveys.....	4
6.4	Sunrise Surveys .....	4
7.	Limitations of the Survey.....	5
8.	Results.....	5
8.1	Desktop Study .....	5
8.2	Daytime Surveys .....	6
8.3	Sunset Surveys.....	6
8.4	Sunrise Surveys.....	6
9.	Discussion.....	6
10.	Impact Assessment.....	7
11.	Site Plan.....	7
12.	Photographs .....	8

## 1. Summary

Planning permission is being sought to convert this steading to residential accommodation. A bat survey was requested as part of the planning process to establish if bats use any part of the property. A survey was carried out in 2012 and found 2 common pipistrelle bats, probably male, roosting in the building. Further sunset and sunrise surveys in 2017 found no bat roosting in the building.

## 2. Objectives of the Survey

The objectives of the survey are to establish:

- The location of any roost
- The species and numbers of bats if found on the site
- The impact of the development

## 3. Legislation

All British bat species are listed on Annex IV of the EC Habitats Directive, and fully protected through The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007) transposed in Scotland as The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 and the Conservation (Natural Habitats, &c.) Amendment (No.2) (Scotland) Regulations 2008.

These Regulations make it illegal to intentionally or recklessly kill, injure or capture bats, deliberately disturb bats, damage, destroy or obstruct access to bat roosts, whether or not bats are present at the time, and disturb a hibernating or migrating bat. The UK is also a signatory to the Bonn Convention, the Agreement on the Conservation of Bats in Europe which also protects key feeding areas. A Scottish Government licence is required for operations that will damage or destroy bats or their roost sites.

## 4. Description

This is a dilapidated former mill building. It is built of stone with a mixture of roof materials, slate, asbestos and corrugated iron. The corrugated iron section has stone half walls which appear to have formed a small courtyard with a timber frame added and the top half clad with iron. There is no sarking under any of the roofs. All the roofs are in poor condition though the walls are intact. All doors and windows are missing.

There is a house adjacent to the steading and the surrounding land is principally agricultural. There are some trees around the site and in the

wider landscape therefore it is reasonably well connected to the surrounding area.

## **5. Personnel**

The survey was carried out by Isobel Davidson who has held a roost visitor license for over 15 years, is a Batworker Trainer and has run a number of training courses for amateurs and professionals, including training for planners and sound analysis training. 2 experienced surveyors, Paul Davidson and Auralia Tones assisted with the survey.

## **6. Method**

### **6.1 Desk Study**

The National Biodiversity Network (NBN) and Northeast Scotland Biological Records Centre were consulted for details of any known roosts in the area.

### **6.2 Daytime Survey**

The steading was searched carefully to identify any suitable entry holes and roosting spaces following methodologies outlined in Bat Conservation Trust (BCT) guidelines (2012).

All accessible flat surfaces and crevices were checked using a strong torch for bats, droppings or other signs such as insect parts or dead bats

### **6.3 Sunset Surveys**

Dusk emergence surveys were carried out using Batbox Baton bat detectors connected to wav recorders for analysis using Wavesurfer sound analysis software. The surveys commenced around 15 minutes before dusk and was completed around 100 minutes after dusk.

### **6.4 Sunrise Surveys**

Sunrise surveys were carried out from 90 minutes before sunrise until around 10minutes after using the same equipment.

## 7. Limitations of the Survey

There were no limitations to the survey. The optimum time for carrying out bat surveys is between May and September when bats are in their summer roosts. The weather conditions during the survey were good. It is possible to assess the signs found to determine the species and extent of use of the building by bats.

## 8. Results

### 8.1 Desktop Study

NBN records within 10km are recorded below

<b>Gridref</b>	<b>Date Recorded</b>	<b>Abundance</b>	<b>Species</b>
NO637486	15/8/1994	135	Pipistrelle
NO619419	16/7/1996	30	Pipistrelle
NO531482	14/8/1996	35	Pipistrelle
NO531482	31/10/1997		Pipistrelle
NO627420	31/7/1998	1	Pipistrelle
NO627420	5/5/1999	1	Pipistrelle
NO528488	13/8/1998		Pipistrelle
NO529485	29/9/1998	100	Pipistrelle
NO588496	1/6/2000		Pipistrelle
NO624457	31/7/2000	8	Pipistrelle
NO623414	29/6/1992	1	Pipistrelle
NO526487	3/7/2001	2	Pipistrelle
NO594498	8/7/2002	6	Pipistrelle
NO624457	16/7/2002		Pipistrelle
NO525487	1/3/2003	0	Pipistrelle
NO518414	25/5/2003	150	Pipistrelle
NO635436	15/7/2003	100	Pipistrelle
NO544488	24/7/2003		Pipistrelle
NO531478	11/9/2003	100	Pipistrelle
NO501435	15/7/2020	100	Pipistrelle
NO525487	24/7/2004	0	Pipistrelle
NO635489	18/8/2004	300	Pipistrelle
NO626456	29/7/2005	35	Pipistrelle
NO635452	05/01/2000	6	Brown long eared
NO531478	11/09/2003	23	Brown long eared

## 8.2 Daytime Surveys

No bats or signs of bats were found during the daytime survey. The occupant of the adjacent house is not aware of bats in the steading but has found a grounded bat in the buildings in the past. The area where bats had been found roosting in the past was carefully searched and no signs found.

## 8.3 Sunset Surveys

On 16<sup>th</sup> July 2012, 2 common pipistrelle bats were recorded emerging from the corrugated iron section of the steading as indicated on the plan and photographs attached below. It was felt that this was not an ideal roosting site as it would be subject to high temperature fluctuations as the metal warms and cools in the sun. A repeat dusk survey and a dawn survey were carried out one week later to monitor activity. No bats were seen emerging during the dusk survey though there were small numbers of common and soprano pipistrelle bats foraging around the steading.

A sunset survey was carried out on 5<sup>th</sup> May 2017. No bats were recorded roosting in the steading.

## 8.4 Sunrise Surveys

At dawn on 25<sup>th</sup> July 2012, 2 common pipistrelle bats returned to the roost. A small pile of droppings is visible at the roost entrance. This is likely to be a small roost of male bats which will use this and other temporary roosts in the area.

A sunrise survey was carried out on 19<sup>th</sup> May 2017 and found no bats roosting in the steading.

## 9. Discussion

No bats were found roosting in the steading and no mitigation is required. The Developer should be aware that if bats are found roosting in the building, work in that area must stop and advice sought.

## 10. Impact Assessment

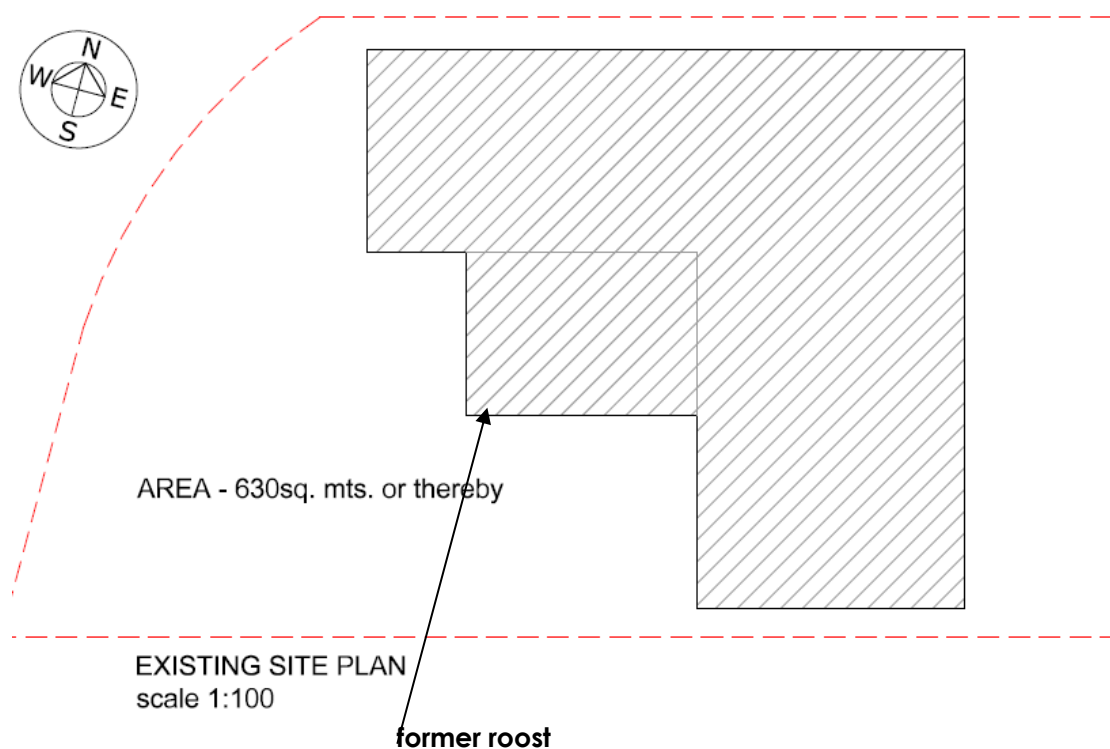
**Proposal:** Redevelop the site

**Impact:** Low. In 2012 small bat roost was found in the steading and 2 bats were recorded. This was not a maternity roost but likely to have been a male roost using this and other sites for roosting. This is not an ideal roosting site as it would be excessively hot in sunny weather.

No bats were recorded roosting in the building in 2017

**Risk:** There is a small risk that bats may use the building from time to time and the workforce must be made aware that if bats are found, work in that area of the building must stop and advice sought from a bat worker or Scottish Natural Heritage.

## 11. Site Plan



## 12. Photographs



Southeast



Southeast showing different roof materials





West



Interior of slate roof



Interior of asbestos roof



Former Roost entrance



Interior of former roosting area

entrance

**STRUCTURAL SURVEY**  
**WESTMILL OF COLLISTON**  
**ARBROATH**  
**DD11 3RT**

Rubislaw Engineering Ltd  
Civil & Structural Engineers  
Bon Accord House  
Riverside Drive  
ABERDEEN  
AB11 7SL  
Tel:01224 590009

SM/mm  
May 2017

Director: D J Leadingham BSc MSc Ceng MICE MIStruct  
Stanley Mair: HNC Struct & Mech

Steading Survey  
Westmill of Colliston  
Arbroath

### **Introduction**

This is a disused farm steading in Arbroath in the Angus area. We have studied numerous photographs and this is our structural report.

### **Description**

The buildings comprise three roofed timber structures over an arrangement of predominantly stone walls which originally formed farm buildings.

The buildings appear to have been the subject of numerous repairs and alterations over the years which is reflected in a number of different construction materials to the roofs and walls. The building for the purpose of this report can be separated into four convenient areas defined by their different roof cladding materials and the lack of any roof on the area to the east.

### **North West Building**

The North West building is constructed with traditional stone walls with a traditional timber roof structure clad with local slate. The floor of the building is finished with modern concrete in areas. The stonework in general is in good condition but the joints are well weathered and in need of pointing. The rainwater goods in this area have failed and there are numerous missing slates. The timber beam supports are in poor condition.

### **South West Building**

The area to the south west appears to have originally been a court yard and now boasts a steel corrugated clad timber structure mounted on the old head of the court yard walls. The stone walls are in good condition but steel cladding is corrugated and approaching the end of its useful life.

### **East Building**

The east building is constructed with traditional stone walls and what appears to be asbestos sheeted timber framed roof structure. The floor of the building is finished with modern concrete. The stonework in general is in good condition but there are a number of cracks above the cast lintels, the south gable and some of the internal stone walls. The cracking to the gable has possibly been caused by roof spread or some form of alteration to the south east corner. The rainwater goods in this area have failed and there is a large area of roof cladding missing. There are timber lintels supporting stonework. There is a change of level to the north.

### **East Walled Area**

This area appears to have originally been a mono pitched building. The roof has been removed although the stone walls appear to be in reasonable condition. Access was obstructed in this area due to overgrown vegetation.

### **Conclusions**

The external walls of the building are suitable for proposed conversion alteration to form a single dwelling.

### **Recommendations**

The asbestos roof sheeting is to be carefully taken down in full sheets, "double bagged" and removed from site by a registered covered carrier to a registered tip. The specialist contractor is to provide a detailed method statement for this activity identifying the hazards and how these risks are to be managed fully in accordance with current health and safety legislation.

A detailed method statement and risk assessment should be prepared by the contractor prior to any other work being carried out.

The existing timber trusses are to be taken down and taken to a recycling centre.

Any traditional materials such as roof slates and stonework are to be set aside for reuse or taken to a recycling centre.

The crack to the south gable is to be stitched together with stainless steel helical rods as a precautionary measure. This details is to be provided at building warrant stage.

Further structural alterations and new works are to be addressed by a structural engineer as part of the building warrant application.

If you have any further queries regarding the above please do not hesitate in contacting the writer.

Yours Faithfully



Stanley Mair  
Consultant for Rubislaw Engineering Ltd

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW**

**APPEAL AGAINST CONDITION 2 OF PLANNING PERMISSION  
17/00212/PPPL – PROPOSED CONVERSION AND ALTERATIONS TO  
STEADING TO FORM DWELLINGHOUSE AT FORMER STEADING,  
COLLISTON**

**APPLICANT'S SUBMISSION**

**ITEM 1**      Notice of Review



Received  
Legal & Democratic Services

24 AUG 2017

Time 950 Ints x

**Matthew Archer**  
Architectural Technician BSc  
114 Brechin Road  
Arbroath DD11 1TA  
07742054588  
23marcher@gmail.com

132 L05

Committee Officer  
Angus Council  
Resources  
Legal & Democratic Service  
Angus House  
Orchardbank Business park  
Forfar  
DD81AN

Wednesday, 23 August 2017

Ref: 17/00212/PPPL

Dear Sir

**Proposed Conversion and Alterations to Steading to Form Dwelling house,  
Westmill of Collistion, By Arbroath**

Further to the Planning Permission in Principle approval. Please find attached the Review Notice from with regards to condition 2 of the permission.

I look forward to hearing from you, should you have any queries, please do not hesitate to contact us.

Yours Sincerely

A black rectangular box redacting the signature of Matthew Archer.

Matthew Archer



# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	Steven	Forename	Matthew
Surname	Ried	Surname	Archer
Company Name		Company Name	MA Architectural Technician
Building No./Name	11	Building No./Name	114
Address Line 1	Grahamston Cottages	Address Line 1	Brechin Road
Address Line 2	Arbirlot	Address Line 2	
Town/City	By Arbroath	Town/City	Arbroath
Postcode	DD11 2PA	Postcode	Dd11 1Ta
Telephone		Telephone	
Mobile		Mobile	07742054588
Fax		Fax	
Email		Email	matthew@matechnician.co.uk
3. Application Details			
Planning authority	Angus Council		
Planning authority's application reference number	17/00212/PPPL		
Site address	Former Steadings, Westmill of Collistion, By Arbroath		
Description of proposed development	Proposed Conversion and Alterations to Steading to Form Dwelling house		

Date of application

24/03/2017

Date of decision (if any)

15/06/2017

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

**5. Reasons for seeking review**

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

**7. Site Inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

**8. Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Further to the Planning Permission in Principle approval.  
We are writing to ask that the condition 2 is removed.

My client does not own the access track between the public road U497 Parkconon road and the application site.  
This is own by the farmer and my client only as right of access. The farmer has make it very clear in the pass that no upgrade works is allowed to the track. This makes condition 2 unachievable for my client.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

None

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:

[Redacted Signature]

Name:

Matthew Archer

Date:

23/08/2017

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

**FURTHER LODGED REPRESENTATIONS**

**From:** [Liz](#)  
**To:** [ForsythSL](#)  
**Subject:** 17/00212/PPPI  
**Date:** 22 September 2017 14:45:02

---

Dear Ms Forsyth

With regard to the above appeal against condition 2 ,the access road without upgrading as proposed would be detrimental to the access of the properties it serves.

The refuse collection does not use the road due to the width and turning space available, the extra use would hinder access to other properties and fields.

Mr Reid has never used the property but has changed the use until eventually a house has been granted. I'm not sure he has knowledge of how access is especially in winter.

As the 2 properties that use the lane regularly need it not to be blocked at any time due to the nature of their work.

The small bridge may not stand the constant use of heavy vehicles. There is access from the main road adjacent to Colliston Mill cottage, although this too would need upgrading.

Yours sincerely

Elizabeth Murray  
Sent from my iPad

**APPLICANT'S RESPONSE TO  
FURTHER REPRESENTATIONS**



*Matthew Archer*  
Architectural Technician BSc  
114 Brechin Road  
Arbroath DD11 1TA  
07742054588  
23marcher@gmail.com

132 L06

**Committee Officer  
Legal & Democratic Service  
Place directorate  
Angus Council  
Angus House  
Orchardbank Business park  
Forfar  
DD8 1AN**

Friday 13<sup>th</sup> October 2017

Planning Ref: 17/00212

Attn: Sarah Forsyth

Dear Sarah Forsyth

**Application for Review – Appeal against Condition 2 of Planning Permission 17/00212/PPPL – Proposed Conversion and Alterations to Steading to Form Dwellinghouse at Former Steading, Colliston – Mr Steven Reid DMRC-6-17**

Thank you for allowing us to comment on the representation from the interested parties. Please find our comments below. We have also provided comments to the appeal further to reviewing the planning legislation with a Planning consultant.

**Comments on E Murray letter:**

Once the Building is developed into a 3-bedroom house, there is likely to only be 2 – 3 cars additionally using the access road. This additional volume would not detrimentally affect the currant properties. We have formed 2 parking areas off of the access road to not affect the access to other properties. This access road will not be block to the other properties.

It's very common with country properties that the refuse collection vehicle would not go down an access road like this one, even if it was upgraded.

My client Mr Reid lived in E Murry house before the properties where upgraded and sold on. During this time Mr Reid lived through a very severe winter where even a four-wheel drive struggled to get out, a very rare occurrence.



We are not proposing to increase any heavy vehicle use on the access road, this access road has been used by the heavy farm machinery for many years and will continue to remain this way.

**Condition of the access road.**

Please find some images below of the access road, the road is in good condition with only a small number of potholes, which can be easily filled in. As you can see the road is very open with good sight lines to see if any cars are coming. It is Unnecessary to install passing places due to the good sight lines and that the main road does not even have them. The access road is only 500mm (2.9m wide) smaller than the tarmac road (3.4m measured by the junction.)

**Planning legislation.**

Our client does not have any control over this access road. The Access road is owned by the local farm/estate. my client only has right of access over the road, same as the other properties.

The farm/estate has been approached before to upgrade this road, which received a very negative response that no work will be carried out on the road.

We feel the condition 2 which asks my client to upgrade the access road is not reasonable or enforceable as my client does not have any control over the road.





*Matthew Archer*  
Architectural Technician BSc  
114 Brechin Road  
Arbroath DD11 1TA  
07742054588  
23marcher@gmail.com



We look forward to hearing from you, should you have any queries, please do not hesitate to contact us.

Yours Sincerely



Matthew Archer