

**PLANNING APPLICATION REF. 17/00090/FULL**

**DESCRIPTION OF DEVELOPMENT:  
HOUSING DEVELOPMENT COMPRISING 32 UNITS AND FORMATION  
OF A COMMUNITY WOODLAND**

**AT**

**SITE AT NORTH STREET NEWTYLE**

**REPRESENTATIONS**

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr DEREK PRAIN

Address: 1 GOLF PLACE NORTHMUIR KIRRIEMUIR

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing this on behalf of my mother who resides at No 10 North Street. My mother has no objection to the development in principle but wishes to object to the following:-

1) From the information detailed on the Site Layout Plan it appears the intention is to utilise the shared drive which serves Nos 8, 8a and 10 North Street as the main pedestrian access leading from the development to the village. Each of these properties and the two stand alone garages have the requirement to reverse cars onto this access. Mixing pedestrians with vehicular traffic in this way is a health and safety concern. In addition my mother has an "up and over" garage door and this projects about a metre when being opened. This again becomes a bigger health and safety issue if the shared drive were to be used for pedestrian access. Under no circumstance could any of the property or garage owners leading from the shared drive be liable for any injury or death to a pedestrian as a result and should this application be granted then it would be expected that either Angus Council or the Developer take out the appropriate insurance to cover any possible accident.

2) The proposed access is currently maintained by the owners of No 8, 8a and 10 and the two stand alone garages. If the application was to be granted and the shared drive was to be used for both vehicular and pedestrian traffic then what provisions does the developer propose to ensure that no additional costs would be incurred by the owners of No 8, 8a and 10. What safety provisions would be introduced, would the access provisions be surfaced, would there be lighting and would the access be adopted by the Council? Please confirm as it is all a bit vague.

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Ms Norene Keenan

Address: 23 Inver Terrace Muirhead

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to make an objection to the above proposal. My mother lives at number 10 North Street and the proposed walkway from the development is not suitable for pedestrians at all. My mother has a garage situated at the back of the house and there are other houses with the same. We all have cars and although we don't live there we park our cars there often when visiting. The other houses have cars also and you cannot call this a walkway when there are cars going up and down there and this is also a turning area for cars with garages situated there also. You do not mention who the day care centre will be used for? I would assume this would be used for the elderly, again this walkway would not be suitable at all and a danger to the elderly and any children walking as cars are up and down there frequently. This is a busy walkway at the moment, people going up and down there with their dogs and of course don't pick up their dogs mess which is a problem in itself. With having 36 houses proposed this would be a big problem and a worry to my mother having much more traffic there and a BIG worry having children walking up and down there also as I presume the houses are for families too? I would suggest making a walkway by the garages located at North Street which would make much more sense as there is a lot more space available there to do this. Having a Day Care Centre there also, presumably for the elderly would be a danger to them especially if having to walk up and down this walkway with quite a few cars there too, you cannot call this a walkway at all when cars are there. I would suggest you make alternative arrangements as you wouldn't want to have any accidents happen that could have been avoided if better planned out.

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr Dudley Treffry

Address: 20 South Street Newtyle Blairgowrie

## Comment Details

Commenter Type: Community Council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: At meeting of Newtyle & Eassie Community Council on 7/3 it was decided to raise concerns about this application.

These are:

1. Pedestrian connection to rest of village, in particular via path adjacent to 10A North St.
2. Street lighting in the development.
3. Egress on to B954 for vehicles.
4. Position of current 30 mph signs.
5. Implications for Newtyle Paths Network

The council would like more detail about these points in order to decide whether to formally object. It was noted that time is tight. We would therefore be grateful for a response at your earliest convenience.

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr Ryan McLaggan

Address: 28 North Street Newtyle By Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My family and I reside at 28 North Street, Newtyle which I bought 2 years ago to be on the edge of a country village. Now I hear of plans to create 36 new houses, a day care centre and woodland area adjacent to our property. I must say this seems very short sighted by the planners. Has anyone from the planners been to see the site? The amount of water that gathers in the low lying site after heavy rain is quite considerable as this seems to be one of the lowest parts of the village it acts as the natural water catchment area, in what way do the planners propose to deal with this as it would require water to run uphill?

There are already properties adjacent to the site that have major sewage problems after heavy rain, to the point surface sewage covers their lawn and the planners want to increase this by another 36 houses and a day care centre?

Traffic is a concern also as with another 36 houses and a day care centre this will mean a considerable increase in traffic leading to and from the proposed site. Also parking in the village, especially North Street, can be a problem.

Another point I would like to bring up is the level of dog fouling in the village especially in the park area which has a child's play park, this is the only green amenity open space for young children to play and adding a further 36 houses next to the park may make this problem worse.

The recently built school seems to be pretty full at the moment, as well, what would the addition of another 36 houses bring to the school, has this been taken into consideration?

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Miss Gillian McGregor

Address: 10b North Street Newtyle Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objections

1. There are 3 exits shown, 1 vehicular, 2 pedestrian. East footpath exits onto a muddy park and most of the foot traffic will use the other path between 8 & 10 North Street. This is on an incline running down from North Street and when it rains the water runs from the road down towards the development. There is no footpath, lighting or drainage and it is not maintained or gritted in cold weather. It is unsuitable to be used as an entrance/exit if the development is largely supported accommodation and most of the residents would have varying levels of mobility.

Once at North Street they will have to try and avoid the many vehicles, from family cars to articulated vehicles, which drive onto the pavement between Dundee Road and Castle Street. This practice is ignored by Police Scotland and encouraged/enabled by Angus Council with the recent removal of safety bollards which were placed there to afford pedestrians some safety when using the pavement. There have been many near misses due to vehicles driving on the pavement involving pedestrians and vehicles exiting from their houses in North Street.

If, as it appears, the residents of this new development will be unable to access the village by foot through these two entrances they would face either having to take their cars, causing an even greater increase in vehicle traffic into the village, which cannot cope with the present level of traffic, or walk onto the busy B954 into the village on an unlit road. A road about which numerous complaints have been made to Police and Council about speeding vehicles and their manner of driving.

2. My house is 1m above the level of the field where this development is proposed. The wall between my garden and the site needs regular repair/maintenance and I would be unable to gain access to this wall as the developer intends to put up a 1.8m high timber fence.

3. There are also specific implications under Article 8 and First Protocol, Article 1 of Human Rights legislation

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr Kenneth McGregor

Address: 7 Belmont Street Newtyle

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The addition of 36 houses and 49 (possibly more) parking spaces would have a considerable impact on the local road network, particularly in North Street, as traffic would increase and there is already a major problem with vehicles driving on the pavement there.

The B954 which runs through the village is the subject of complaints of vehicles driving at high speed and this continues out to the proposed main entrance to this development and beyond.

The B954 has previously been closed due to flooding in the area of this development, the last time being in March 2015.

The accesses to/from the development are completely unsuitable for a development of this size and type.



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Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Ms Anne Crombie

Address: The Coach House, Mundamalla Cottage 1 Coupar Angus road Newtyle

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I attach my response to the above application.

I wish to object to the proposed community woodland development on two counts.

1 - Impact on adjacent property and the local area - The community woodland development shows a row of trees or planting as such which, according to developers site plan, have yet to be specified. My concern is to do with the impact on natural daylight into my garden and house, the trees on my property are continuously maintained to deal with this issue and the further planting of mature trees close to the boundary would jeopardise this.

2 - Road Safety and Access - My second concern is to do with the proposed road junction on the B954 road to Meigle. There is already a problem of traffic speeding through the village, as the other objections have alluded to, this has been widely complained about over a period of years by residents. The proposed junction would be located at an area just after where the 30mph speed limit rises to national speed limit. This in my opinion would increase road safety issues, not only to drivers but also to cyclists and pedestrians.

This proposal and the council should take into account adequate road safety issues and also look to implement traffic calming measures.

Regards,

Ms Anne Crombie

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr Stephan Hunt

Address: 8 North Street Newtyle

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to support some of the comments previously raised.

Firstly, the proposed pedestrian route via the lane between 8 and 10 North Street, which the plans suggest is to be the principal pedestrian access from the development, is not fit for the purpose intended by the developers.

This lane is uneven, unlit, with restricted visibility for traffic entering and exiting it, becomes treacherous in snowy or icy conditions, and waterlogged with heavy rain. In short, it is not suitable for the increased traffic the development would bring, especially for the elderly or the very young. Nor it is not a direct route to the school. The other proposed pedestrian route from the development, through the park is not any more suitable.

As a result, many journeys within the village that could or should be made on foot, will be made by car; increasing pollution, traffic, parking problems and risk to pedestrians. In short, a better principal pedestrian access is required.

Secondly, the planning application appears to be incomplete, or inaccurate as a number of pertinent details are missing. For instance, there are no relevant drawings for the proposed affordable housing units. Nor is there is no indication as to the fate of the trees on the boundary between the development site and the public park. I also understand that the previous application was subject to a section 75 agreement governing the use of the various parts of the development. The comments from the Housing Division contained within this application would suggest that a similar agreement should also apply in this instance, yet there is no detail regarding this (they may wish to note also that the current application is not "identical to the previous scheme" in various respects e.g. layout and type of proposed housing). These matters need to be clarified before consideration can be given to the merits of the proposal.

# Comments for Planning Application 17/00090/FULL

## Application Summary

Application Number: 17/00090/FULL

Address: Site At North Street Newtyle

Proposal: Housing Development Comprising 36 Units and a Day Care Centre and the Formation of a Community Woodland

Case Officer: Ruari Kelly

## Customer Details

Name: Mr Douglas Gray

Address: Linden, North Street Newtyle NEWTYLE, by Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 'Roads Signs' drawing recently prepared by Millard Consulting appears to propose 40mph sign TO REPLACE EXISTING 30mph sign at current entrance to village. Surely some mistake !

ARE WE REALLY EXPECTED TO TOLERATE A SANCTIONED INCREASE IN VEHICLE SPEEDS THROUGH THE VILLAGE ? If so, I protest in the strongest terms.

Opportunity here for Council to install some real gateway/traffic calming measures, as what is proposed is not a meaningful gateway in terms of Govt. guidance.

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Case Officer: Ruari Kelly

## Customer Details

Name: Mr Douglas Gray

Address: Linden, North Street Newtyle NEWTYLE, by Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I refer to the 'Aboricultural Impact Assessment', which states at para 4.12 that 'There are trees outwith but overhanging the site on third party ground, they do not appear to be affected by the development proposals.'

I wish to draw to your attention that there is a row of 13 mature (+/-100 years old) lime trees on the narrow embankment between our driveway and the application site. The trees are in excess of 20m in height. The footprints of the proposed houses on plots 8&9 would lie within 5 metres of tree trunks. While it is conceivable that the root systems of the aforementioned trees may not be affected, I am concerned that there may be pressure to remove trees which will severely restrict daylight to the new houses. I may be able to accept the need to pollard said trees, but to witness their loss due to lack of foresight in the 'site planning' of the development would be most unfortunate. In my opinion, the lime trees greatly enhance the visual character of the immediate area, as well as providing a useful wildlife habitat

I would respectfully request that you draw this aspect to the attention of the developer and, hopefully, obtain a commitment which ensures the retention of the lime trees.

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Case Officer: Ruari Kelly

## Customer Details

Name: Mr Douglas Gray

Address: Linden, North Street Newtyle NEWTYLE, by Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: With reference to the Agent's response of 23 August 2017, it was heartening to receive an assurance that the lime trees between the site and our driveway 'are not to be removed'.

I would ask that a planning condition be applied to ensure that this matter can be enforced, as I remain of the opinion that there will be pressure from prospective homeowners to have said trees topped, lopped or felled at some future date.

Sadly, my experience has taught me that, in the real world, 'caveat emptor' does not appear to be exercised particularly thoroughly by prospective house purchasers.

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Case Officer: Ruari Kelly

## Customer Details

Name: Mr Douglas Gray

Address: Linden, North Street Newtyle NEWTYLE, by Blairgowrie

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Road Engineer's response dated 23 Oct. has prompted me to submit further concerns. Suggested planning condition 4 requires relocation of the 'elderly people road warning sign'. Well, I have to advise you that this ceased to exist years ago. I do wish the Council were accurate and up-to-date with matters.

Will the proposed '40mph buffer zone' referred to in suggested planning condition 5 really achieve anything? Traffic regularly enters the existing 30mph limit at 45-ish mph and exits the village at this north end at a similar speed.

There is no advance crossroads sign advising motorists of the impending junction. In fact there is not really anything to deter speeding motorists. Council staff proclaim certain measures as losing their value over time, but I have to ask therefore, why, for example, have the rumble strips been refreshed at Birkhill?

This planning application presents the Council with an ideal opportunity to achieve a meaningful 'Gateway' into the village - one in accordance with enlightened Govt. guidance.

For too long the Council appears to have disregarded this western outreach of their jurisdiction. It really is about time that the residents of Newtyle were shown some respect and a proper and meaningful effort was made to counter speeding traffic by means of 'Gateway' design.

In the circumstances, I would ask the Council to take due cognisance of the concerns of their local residents/taxpayers and remind the Council of its obligations under 'Human Rights' legislation protocol.

Letter received from Mrs Evelyn M Stirton, 18 North Street, Newtyle, Blairgowrie, PH12 8TT, dated 9 March 2017, reads as follows:-

“Regarding proposed development at North Street Newtyle.

I understand objections have been raised for proposal of walkway from site to come past No 10 North Street.

New suggestion made is for walkway to come by garages next to my house at 18 North Street. We have two garage sites here. I would hope this would not be an alternative to original proposed walkway site as this would also prove dangerous with vehicles coming out and in garages where many pedestrians would be walking.

It would also take away privacy in this quiet cul-de-sac with much more pedestrian traffic.”

Letter 17/00090/FULL (Mrs Evelyn M Stirton)

Letter received from Mr & Mrs I Harris, 26 North Street Newtyle Blairgowrie PH12 8TT, dated 7 March 2017, reads as follows:-

“I write to object to the above proposals as detailed below. However, firstly, I would like to highlight that the plans submitted contain insufficient information to properly assess the proposals. The site plan does not identify where the various house types are located within the area of Affordable Housing, Also, the house shapes on the site plan do not match the detailed house type drawings which have been submitted.

My principal objection relates to the possibility that a series of two storey houses will be built directly behind my property. This will reduce the daylight to my property and will result in a significant loss of privacy for me.

I also wish to highlight the following issues which must be addressed in the consideration of these proposals.

1. This low lying field is prone to flooding.
2. There are existing problems with foul drainage in the area. The property at 8A North Street has had a flood which resulted in sewage contamination in the garden.
3. The local school is currently full. What provision would be made to address this?

Finally, we understand that there may be a suggestion that the pedestrian access should be moved to the garages at 18 North Street. This would not reduce the problem and would have the same safety issues as the current proposal. This would represent a significant change to the proposals and I request that you confirm that I will be formally notified if any such changes are made.”



**From:** [REDACTED]  
**Sent:** 16 March 2017 13:21  
**To:** PLNProcessing  
**Cc:** PLANNING  
**Subject:** Representation re P.A. ref:17/00090/FULL(Newtyle) Neighbour Notification dated 23/02/2017: received 25/02/2017

Herewith my response to the above application:

I am broadly in support of the affordable/supported nature of the proposed housing development, provided that there is a mechanism in place to ensure retention of the type of tenure, to prevent the units falling into conventional mainstream.

However, there are two issues that I feel should be brought to your attention.

Firstly, there is a row of 13 mature elm trees between our driveway boundary and the west boundary of the application site. Approximately 8 of these trees, which are some 20-25m in height loom over proposed plots 8 & 9. No indication has been given as to the fate of these trees, but it is difficult to imagine that either the developer or prospective occupants would expect them to remain in situ, as they are. This matter requires clarification. My preference is for the trees to be retained and pollarded and not felled. These trees enhance the visual amenity of the immediate area and make a positive contribution to local biological diversity.

Secondly, my main concern relates to road traffic, and, in particular, the problem of traffic speeding through the village. I am aware of the numerous complaints that have been made over a period of many years by the local Community Council and residents (including myself). I am aware that many people and the Council view speeding as a 'Police' issue. In this connection, I am happy to acknowledge the action taken by Police Scotland, who have sent traffic division officers to the area in response to complaints. On a recent such occasion, I witnessed the Police pull over and charge/caution approximately a dozen drivers within a half hour period. My own observations reveal that at many times of day almost 50% of motorists are exceeding the 30mph limit. I regularly witness cars overtaking within the 30mph limit at speeds of approx. 50mph. Obviously, the Police cannot maintain a permanent presence alongside the nations' highways and byways, and, of course, speeding motorists tend to be sneaky - they only adhere to the speed limit when the Police (or speed cameras) are present. This speeding traffic is not merely breaking the law (which is bad enough) but is potentially a source of hazard to other road users and pedestrians. I have personally witnessed a RTA within the past three years at the junction of the B954 and Coupar Angus Road. I have also been reliably informed that the vicinity has witnessed a fatal accident on two separate occasions in the past. Additionally, there is the associated issue of the additional noise generated by speeding vehicles (engine and tyre).

The reason I mention all this, is because residents are entitled under the First Protocol of Human Rights legislation to 'peaceful enjoyment of property' and that the Authorities have an obligation to 'take reasonable steps to protect property'. The Council as both Planning Authority and Roads Authority is herewith charged with being required to take reasonable steps to ensure that the problems I have highlighted get addressed. In my opinion, the Council should refrain from being tempted to pass the buck wholesale to Police Scotland or denying that there is a real problem.

Turning to the planning application in hand, it presents the Council with a potential solution. I was happy to note that the planning application includes a 'village gate' in the vicinity of the proposed

site access from the B954. While this is welcome, lest such a feature be merely a token, it needs careful design incorporating a range of measures.

The Council should seize this opportunity to adopt traffic-calming measures along the lines advocated in 'Local Transport Note 01/07'. A proactive and enlightened stance by the Council need not necessarily involve large amounts of scarce local authority funds. Innovative solutions need not cost large sums of money - indeed the reverse, if the cost of potential accidents is factored into the equation. Correspondence I received from your Roads' service (July 2015), was, in essence, dismissive of my plea for a village gateway/traffic calming measures. It is now reassuring to see that a prospective developer has included, albeit a notional gateway in the proposals and I hope that the Council can work with the developer to achieve a meaningful traffic-calming gateway to the settlement.

Douglas Gray,  
'Linden'  
North Street,  
Newtyle,  
PH12 8TT

## KellyR

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**From:** Dudley Treffry  
**Sent:** 17 March 2017 10:10  
**To:** KellyR  
**Subject:** formal response to planning application. Newtyle & Eassie Community Council

Dear Mr Kelly,

### **Housing Development at North Street, Newtyle. Reference: 17/00090/FULL**

I refer to previous correspondence referring to this matter and now provide the formal response of Newtyle & Eassie Community Council to the proposed development.

In principle the council welcomes affordable extra housing to relieve the current shortage in the village. Provision of a Day Care Centre would also be most welcome.

In respect of this particular planning application, however, the community council is minded to object unless the following points are addressed satisfactorily:

1. Pedestrian access to North Street via path adjacent to 10A North Street. Notwithstanding any previous consideration of the suitability of this connection in 2010, the council is resolved to support the objections raised by the resident of 10A North Street and others, of which Angus Council has had notice in respect of the current application. We recommend that the applicant considers alternative access instead of, or as well as, the current application. A site inspection to include residents directly affected would be advantageous. We strongly urge Development Standards to be aware of the substance of local disquiet around safety issues.
2. Street lighting. The community council is anxious that lighting in the proposal is at all points contiguous with the rest of the village.
3. Vehicular access to and from the B954. The community council is concerned that new speed restrictions be reconsidered at this new junction. In particular it should be understood that the section of the B954 between Ralston road end and the village is straight but contains concealed dips that can deceive drivers unfamiliar with the approach to the village. Speeding traffic is already a problem that has been raised on several occasions. Being very careful of the consequences of adding complications is, in our view, of paramount importance to improving road safety. That includes relocation of current 30 mph signs.
4. It is understood that the proposal does not adversely affect the paths network. However, the council would prefer the developer to detail what the connections envisaged involve and to communicate this directly to the Newtyle Paths Network Committee for consideration.

The community council will appreciate being kept in the loop as the application proceeds, particularly in respect of suggested amendments.

Yours sincerely,

Dudley Treffry (planning rep for the community council)