

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 3 MARCH 2020

PROPOSAL OF APPLICATION NOTICE  
FIELD NORTH OF DURIEHILL FARM COTTAGE EDZELL

GRID REF: (E) 360606 : (N) 768645

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

**Abstract:**

This report advises Committee that a Proposal of Application Notice (ref. 20/00096/PAN) has been submitted in respect of a major development comprising a residential development incorporating formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure at a Field North of Duriehill Farm Cottage, Edzell for Guild Homes (Tayside) Ltd. Committee is invited to identify issues which it would like to see addressed in the planning application.

**1. RECOMMENDATION**

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

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

**3. INTRODUCTION**

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

3.2 A PAN (ref. [20/00096/PAN](#)) has been received. It indicates that an application for planning permission is to be submitted for a residential development incorporating formation of vehicular access, access roads, open space, landscaping and associated infrastructure at Field North of Duriehill Farm Cottage, Edzell. The proposed development site measures 6.7ha (approx.) and currently comprises agricultural land. A plan showing the outline of the site on which the development is proposed has been submitted and is attached at Appendix 1. No further details relating to the proposed application have been provided at this stage.

3.3 The submitted PAN sets out the proposed consultation that the applicant intends to undertake with the local community and the applicant has indicated that a copy of the PAN was served on Inveresk Community Council. The PAN was also served on occupiers of properties in the streets surrounding the application site. A public exhibition is to be held at Inglis Memorial

Hall, Edzell. The date of 12 March 2020 between 1300 and 2100 has been indicated for the exhibition. Notification of the public exhibition will also be posted in local community facilities.

- 3.4 The applicant's agent has received confirmation that a planning application cannot be submitted prior to 27 April 2020 (the date 12 weeks' from the submission of the valid PAN).
- 3.5 Members are also advised that in addition to the community consultation identified by the applicant the Planning Service recommended that a copy of the PAN should be sent to the local councillors and a further 12 properties within proximity to the development site. The results of the community consultation will be submitted with any subsequent major planning application in the form of a pre-application consultation report (PAC Report) as required by Development Management Regulations.

#### 4. DISCUSSION

- 4.1 Committee is aware that planning legislation requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. Therefore compatibility with the development plan will be a key issue in relation to any planning application that is submitted for the development of this land.

- 4.2 The site that is subject of the PAN lies within and outwith but adjacent to the development boundary of Edzell as defined by the [Angus Local Development Plan](#) (ALDP). The part of the site that is located within the development boundary is allocated for residential development by Policy E1 of the ALDP. That policy states: -

##### **E1 Housing – East of Duriehill Road**

*6.2 Ha of land east of Duriehill Road/Lindsay Place is allocated for residential development of around 50 dwellings. Proposals should be in accordance with the development brief which will be prepared for this site and should include:*

- *provision of structural landscaping and open space to protect the setting of the River North Esk, provide a buffer to the waste water treatment facility, integrate development into the wider landscape and extend green network provision;*
- *provision of a minimum 100m buffer zone between the Waste Water Treatment Plan and any new development;*
- *access from Duriehill Road and Lindsay Place;*
- *upgrading of Lindsay Place to an adoptable standard including provision of new footway;*
- *provision and enhancement of path connections to the River North Esk and open space areas at Lindsay place and Duriehill Road;*
- *design and layout which does not prejudice future expansion and connection to adjacent areas of land; and*
- *supporting information including a Drainage Impact Assessment and an Odour Impact Assessment to establish appropriate mitigation measures associated with the waste water treatment facility; and*
- *submission of a Transport Assessment which confirms how access is best to be achieved and any associated mitigation.*

- 4.3 A small part of the proposed site (to the south of existing houses at Durie Place) is located outwith and adjacent to the development boundary as defined by the ALDP. Policy DS1 of the ALDP states, amongst other things, that *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.*

- 4.4 Other policies in [TAYplan](#) and the ALDP will be relevant, including those that deal specifically with residential development within development boundaries and with protection of amenity; natural and built environment; access; infrastructure and developer contributions would also be relevant.

- 4.5 The E1 land allocation sets out the principal requirements in relation to the site and identifies the matters that require detailed assessment. The policy DS1 requirements will be relevant to the part of the site that lies outwith but adjacent to the development boundary. Having regard to those matter and other development plan considerations the key issues in the determination of any subsequent planning application are likely to be: -

- Acceptability of the proposal to develop housing on a site within the development boundary of Edzell on land that is allocated for housing development;
- Acceptability of development outwith but adjacent to the development boundary having regard to the public interest test set out in policy DS1 of the ALDP;
- Suitability of the residential environment that would be created for occupants of the proposed residential units having regard to matters including impacts arising from the neighbouring waste water treatment works;
- The acceptability of impacts on residents of existing properties and neighbouring land uses;
- Built environment considerations, including the acceptability of the proposed layout and design of buildings and open space as assessed in the context of the council's approved [Supplementary Guidance on design quality and placemaking](#);
- Natural environment considerations, including the impact on habitats and species and the acceptability of open space and landscaping provision, including subsequent maintenance;
- Acceptability of the proposed access arrangements for pedestrians, cyclists, and motor vehicles, and the suitability of access and transportation provision in the area generally;
- Impact of development on existing infrastructure, in particular impacts on the roads and drainage networks and the education estate having regard to the council's approved [Supplementary Guidance on developer contributions and affordable housing](#);
- Provision of affordable housing having regard to the council's approved [Supplementary Guidance on developer contributions and affordable housing](#);
- Any opinions expressed on the proposal by statutory and non-statutory consultation bodies;
- Any third party representations that raise material planning issues.

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

## 5. OTHER IMPLICATIONS

The human rights implications associated with the proposal would be considered in the determination of any subsequent application for planning permission.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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**DATE: 21 FEBRUARY 2020**

**APPENDIX 1: LOCATION PLAN**