

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 20 MAY 2021**

**ROWANBANK COTTAGE, CRAIGTON, MONIKIE**

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

**ABSTRACT:**

The Committee is asked to consider an application for a review of the decision taken by the planning authority in respect of the refusal of planning permission in principle for demolition of existing dwellinghouse and erection of seven dwellinghouses, application No 20/00636/PPPL, at Rowanbank Cottage, Craigton, Monikie.

**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 the further representations (**Appendix 4**).

**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. CURRENT POSITION**

The Development Management Review Committee is required to determine if they have sufficient information to determine the Review without further procedure. If members do not determine the review without further procedure, the Review Committee must determine the manner in which the review is to be conducted. The procedures available in terms of the regulations are: written submissions, hearing sessions or inspection of the land to which the review relates.

**4. FINANCIAL IMPLICATIONS**

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

**5. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is not required.

**6. 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.

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List of Appendices:

- Appendix 1 – Submission by Planning Authority
- Appendix 2 – Submission by Applicant
- Appendix 3 – Further Lodged Representations
- Appendix 4 – Applicant Response to Further Representations

**ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL****APPLICATION NUMBER – 20/00636/PPPL****APPLICANT- STRATHMORE HOMES (SCOTLAND) LTD****PROPOSAL & ADDRESS – DEMOLITION OF EXISTING DWELLINGHOUSE AND  
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**Angus Council**

<b>Application Number:</b>	20/00636/PPPL
<b>Description of Development:</b>	Demolition of existing dwellinghouse and erection of seven dwellinghouses
<b>Site Address:</b>	Rowanbank Cottage Craigton Monikie Dundee DD5 3QN
<b>Grid Ref:</b>	351081 : 738246
<b>Applicant Name:</b>	Strathmore Homes (Scotland) Ltd

**Report of Handling****Proposal**

Planning permission in principle is sought for the demolition of the existing house and the erection of seven houses on land at Rowanbank Cottage, Craigton of Monikie.

The site measures around 0.75ha and consists of Rowanbank Cottage and an adjacent area of field/paddock. The site is bound by the B961 Dundee - Friockheim road at the north west, Monikie Primary School to the north and east and Camus Place to the south.

An indicative layout is provided showing the removal of the existing dwelling and seven house plots arranged in a cul-de-sac. Access would be taken from a new road connecting to the public road to the north of the site, with a surface water drainage system adjacent. The application form indicates that the houses would connect to the public water supply with private arrangements for foul drainage.

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 2 October 2020 for the following reasons:

- Neighbouring Land with No Premises

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

**Planning History**

19/00680/PRIORN for Prior Notification for Demolition of Buildings - Rowanbank Cottage and Associated Building in Curtilage was determined as "Prior Approval Required" on 14 February 2020.

**Applicant's Case**

The Planning Statement indicates that the draft Angus Housing Land Audit demonstrates that there is a shortfall in the existing housing land supply in the South Angus Housing Market Area and suggests that the proposed development would therefore deliver social, economic and environmental benefits through the logical and sustainable extension of the Craigton of Monikie settlement. It indicates the layout and design of the proposed development replicates the development pattern established by the modern housing development on Camus Place adjoining the site to the south.

The Drainage Impact Assessment sets out the proposed arrangements for the management of wastewater and surface water and suggests that surface water could be managed on site and suitable

private drainage arrangements could be formed to serve the development.

The Bat Survey consists daytime, dawn and dusk assessments of buildings and ground-based assessments of trees. The dusk and dawn activity surveys confirmed the presence of a single soprano pipistrelle bat roost in the barn. The tree survey found that five out of the seven trees had no bat roosting potential and the remaining two had only limited or 'low' potential for small numbers of roosting bats. The survey indicates that provided mitigation recommendations outlined in the Bat Protection Plan (Section 5) are followed, the loss of the identified bat roost identified in the barn is not considered to have a significant impact on the survival of the individual bat or affect the favourable conservation status of the species in their natural range.

## Consultations

**Angus Council - Flood Prevention** - Offered no objection subject to the attachment of conditions relating to the means of drainage from the development (both foul and surface water).

**Aberdeenshire Council Archaeology Service** - Offered no objection subject to the attachment of a condition requiring a photographic survey of the existing buildings and structures on the application site.

**Angus Council Housing Service** - Indicated that the 25% affordable housing requirement would apply to the development.

**Angus Council - Parks and Burial Grounds** - Indicated a minimum of 60.75 square metres per dwelling of usable open space provision is required. A contribution of £518 per residential unit for public park and amenity open space; and £490 per residential unit for formal and informal play space is required. For a development of 7 residential units the total contribution would be £7,056.00.

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

**Scottish Environment Protection Agency** - Offered no objection to the proposal.

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

**Angus Council - Roads** - Offered no objection subject to the attachment of conditions regulating visibility splays, requiring the provision of a footway on the B961 Dundee - Friockheim road, parking and all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage.

**Scottish Water** - Offered no objection to the proposal.

## Representations

8 letters of representation were received, of which 1 offered comments which neither supported nor objected to the proposal, 5 objected to the proposal and 2 supported the proposal.

The main points of concern were as follows:

- Impacts on the amenity of neighbouring housing by way of noise pollution, light pollution and construction activity;
- Impacts on services including internet provision/capacity;
- Impacts on trees, wildlife and protected species;
- Impacts on drainage;
- The design and layout of the proposal;
- Impacts on the school and car park;
- Insufficient gardens/parking/amenity space;
- Impacts on traffic, road and pedestrian safety;

The main points of support were as follows:

- The development would provide a path linking the school to the village and provide pedestrian/cyclist/school pupil and road safety improvements;
- The development would have good access to the school and country park.

The point of representation neither in objection nor support was:

- Supports Angus Council's requirement for the provision of a footway on the B961 Dundee - Friockheim Road.

The matters are address in the Assessment Section below.

## **Development Plan Policies**

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

Policy DS1 : Development Boundaries and Priorities  
Policy DS3 : Design Quality and Placemaking  
Policy DS4 : Amenity  
Policy DS5 : Developer Contributions  
Policy TC1 : Housing Land Supply / Release  
Policy TC2 : Residential Development  
Policy TC3 : Affordable Housing  
Policy PV2 : Open Space Protection and Provision within Settlements  
Policy PV5 : Protected Species  
Policy PV7 : Woodland, Trees and Hedges  
Policy PV8 : Built and Cultural Heritage  
Policy PV15 : Drainage Infrastructure  
Policy PV20 : Soils and Geodiversity

### **TAYplan Strategic Development Plan**

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

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 local development plan contains development boundaries around established settlements to protect their landscape setting and to prevent the uncontrolled spread of development. Policy DS1 states that the focus of development will be sites allocated or otherwise identified for development in the local development plan. Where a site is outwith but contiguous with a development boundary, the policy indicates that proposals 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.

The majority of the application site (around 70% of the site) is located outside but contiguous with the Craigton of Monikie development boundary. The applicant acknowledges that but suggests that there is a public interest in allowing the development outside but adjacent to the development boundary because it would help address a shortfall in the effective housing land supply in the South Angus Housing Market Area. However, there is no shortfall in the effective housing land supply in South Angus. The Angus Housing Land Audit 2020 identifies that there is a generous 5-year effective supply of housing land within the South Angus Housing Market Area (HMA). [Table 2](#) of the Housing Land Audit indicates that the TAYplan 2 housing land requirement in the South Angus HMA (2016-2025) is 640 units. There have been 576 house completions in South Angus in the period up to March 2020 and in addition there is an

effective 5 year supply of 350 units, which equates to a surplus of 286 units in the 5 year land supply and not a shortfall, as suggested by the applicant.

Were a shortfall to exist, Policy TC1 indicates that consideration will be given first to the early release of sites planned for later phases of the plan as well as sites identified as constrained or non-effective in the audit. If an identified shortfall is not met from these existing sites, it states that proposals for housing on other sites may be supported where they are consistent with the policies of the plan. In those circumstances, were a shortfall in housing land supply to exist, the local development plan directs that other planned sites would be targeted to meet that shortfall.

While it is accepted that development of the site would provide short term economic benefit associated with the construction of the houses, that is true of any housing development in any location. The alleged housing shortfall the applicant relies on in support of their case does not exist and there is no wider public interest in allowing the development, particularly where the evidence suggests that housing need and the economic and social benefits associated with the construction of new houses can be met by existing sites within development boundaries. Accordingly, the proposal is contrary to Policy DS1.

The majority of the site is located outside of a development boundary within a Category 1 Rural Settlement Unit (RSU) which is defined as an area that is not remote from towns. The policy approach towards new housing in Category 1 areas is more restricted with development directed to locations within development boundaries. The policy allows for single houses on greenfield sites in Category 1 areas and the proposal for multiple houses on greenfield land within the site is therefore contrary to Policy TC2 and the Countryside Housing Supplementary Guidance (2016).

The proposal does not comply with policies DS1 and TC2 because it proposes multiple houses on a site which is outwith but contiguous with the Craighton of Monikie Development boundary and the proposal is therefore contrary to the development plan. For completeness, an assessment against other relevant policies is provided below.

The Macaulay Land Capability for Agriculture (LCA) maps identify that the site contains Class 3.1 prime quality agricultural land. Policy PV20 indicates that development proposals on prime quality agricultural land will only be supported where (amongst other things) they support delivery of the development strategy and policies in the local development plan. While available information suggests that the greenfield land within the site is categorised as prime quality, it is a relatively small area not in productive agricultural use and as such the proposal raises no significant issues against what Policy PV20 is seeking to achieve.

In terms of the other aspects of Policy TC2, the site is located in a predominantly residential area and there are no conflicting land uses which would render residential use of the site unsuitable. The site would be capable of providing a satisfactory residential environment for housing in a manner which safeguards the amenity of neighbouring property. There would be space to provide private garden ground, vehicle parking and turning and bin and recycling storage.

The site contains no designation for natural or built heritage interests and notwithstanding the indicative plan provided, there is no reason to consider a suitable design in accordance with the Design Quality and Placemaking Supplementary Guidance could not be brought forward on the site. Having regard to the mitigation measures contained within the bat survey, there is no reason to consider that the development would result in any significant direct or indirect impacts on bats or other natural or built heritage interests. New landscaping and wildlife friendly features could be incorporated into the development as part of a detailed application if the proposal was otherwise in accordance with policy.

The Roads Service has reviewed the proposal and has indicated that it would result in no unacceptable impacts in respect of road traffic and pedestrian safety subject to appropriate planning conditions which would secure a footway along the site frontage, amongst other things.

Having regard to the advice provided by SEPA and the Roads Service, precise details of the proposed drainage arrangements could be dealt with in a subsequent detailed application were the proposal otherwise acceptable.



The site exceeds 0.5HA in size and as such policies DS5, TC3 and PV2 apply and require affordable housing and open space provision. Parks and Burial Grounds and the Housing Services have indicated that developer contributions for open space provision and affordable housing would be required should planning permission in principle be granted and that matter could be dealt with by planning condition were the proposal otherwise acceptable.

In relation to material considerations, it is relevant to note that representations have been submitted in relation to the proposal primarily offering objections to the development. The representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report.

Matters relating to the detailed design and layout of the development (including the provision of streetlighting and biodiversity protection) are noted but the application is for planning permission in principle and had the principle of development on the site been compatible with the development plan, those matters could have been fully considered and impacts addressed in a subsequent detailed application. Issues relating to the availability and speed of internet provision are a matter for the internet service provider. The Roads Service is satisfied that an access to the site could be formed in a safe manner and the provision of a footway along the site frontage would improve access to the primary school, but that in itself does not represent a material consideration of sufficient weight to override the development plan position.

The application proposes the erection of seven houses on a site which is primarily outwith but contiguous with the Craighton of Monikie development boundary. The housing land audit identifies a surplus in the effective supply of housing land in South Angus, not a shortfall. There are no social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary and the development is not in the public interest. The proposal is contrary to policies DS1 and TC2 of the Angus Local Development Plan (2016) and there are no material considerations that justify the approval of planning permission contrary to the provisions of the development plan.

## **Human Rights Implications**

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

## **Decision**

The application is refused.

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

1. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.
2. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.

## **Notes:**

Case Officer: Fraser MacKenzie  
Date: 6 January 2021

## **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 DS5 : Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- o Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- o Education;
- o Community Facilities;
- o Waste Management Infrastructure; and
- o Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on

how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

#### Policy TC1 : Housing Land Supply / Release

The Angus Local Development Plan allocates land to meet the housing land requirements set out in the TAYplan Strategic Development Plan for the period to 2026. Where appropriate, sites are released over two phases of the plan: 2016 - 21 and 2021 - 26. However, land allocated in the latter phase of this plan (2021-2026) may be released for earlier development, unless a delay is justified.

The scale and distribution of housing land release across the four Angus Housing Market Areas is set out in Table 1 (below). A schedule of all sites identified by the Angus Local Development Plan which contribute to meeting the housing requirements set out in TAYplan Strategic Development Plan is included in Appendix 3.

To support delivery of a generous supply of effective housing sites and introduce additional flexibility Angus Council will support proposed residential development on appropriate sites as set out in Policy TC2 Residential Development Principles.

To ensure that a 7 year effective land supply is maintained at all times, land identified for residential development will be safeguarded from development for other uses. The continued effectiveness of sites will be monitored through the annual Housing Land Audit process.

Where the annual housing land audit identifies a shortfall in either the five years' or the seven years' effective housing land supply, the council will work with landowners, developers and infrastructure providers to bring forward additional housing land. The early release of sites planned for later phases of the plan, as well as sites identified as constrained or non-effective in the audit, will be considered first. If the shortfall is not met from existing sites, proposals for housing development on other housing sites may be supported where they are consistent with the policies of the plan.

#### 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 TC3 : Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- o local housing needs (set out in the current Housing Needs and Demand Assessment);
- o physical characteristics of the site;
- o development viability; and
- o availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

### Policy PV2 : Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- o the proposed development is ancillary to the principal use of the site as a recreational resource;
- or
- o it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- o the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- o replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided\*. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

\*In line with the Six Acre Standard (National Playing Fields Association)

#### 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 PV7 : Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- o protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- o be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- o ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- o ensure new woodland is established in advance of major developments;

- o undertake a Tree Survey where appropriate; and
- o identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

#### 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 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 PV20 : Soils and Geodiversity

Development proposals on prime agricultural land will only be supported where they:

- o support delivery of the development strategy and policies in this local plan;
- o are small scale and directly related to a rural business or mineral extraction; or
- o constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements.

Design and layout should minimise land required for development proposals on agricultural land and should not render any farm unit unviable.

Development proposals affecting deep peat or carbon rich soils will not be allowed unless there is an overwhelming social or economic need that cannot be met elsewhere. Where peat and carbon rich soils are present, applicants should assess the likely effects of development proposals on carbon dioxide emissions.

All development proposals will incorporate measures to manage, protect and reinstate valuable soils, groundwater and soil biodiversity during construction.



**From:**Claire Herbert  
**Sent:**25 Sep 2020 18:47:03 +0100  
**To:**PLNProcessing  
**Cc:**MacKenzieF  
**Subject:**Planning consultation 20/00636/PPPL - archaeology response

**Planning Reference:** 20/00636/PPPL

**Case Officer Name:** Fraser MacKenzie

**Proposal:** Demolition of existing dwellinghouse and erection of seven dwellinghouses

**Site Address:** Rowanbank Cottage Craigton Monikie Dundee

**Site Post Code:** DD5 3QN

**Grid Reference:** NO 5108 3824

Thank you for consulting us on the above application, which affects the archaeology site NO53NW0106, a cottage dating to the 19th Century. I would ask that the following condition is applied to all buildings affected by the proposed development:

***Photographic survey***

*No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.*

***Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Sites and Monuments Record.***

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**

**Archaeologist**

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

01467 537717

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

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

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

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

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Dh<sup>□</sup> fhaodadh fiosrachadh sochaire, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin.

S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a  ciallachadh gu bheil iad a  riochdachadh beachdan Chomhairle Shiorrachd

Monday, 28 September 2020

Local Planner  
Planning Service  
Angus Council  
Forfar  
DD8 1AN



Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Steps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir/Madam

**SITE: Rowanbank Cottage, Craigton, Dundee, DD5 3QN**  
**PLANNING REF: 20/00636/PPPL**  
**OUR REF: DSCAS-0023117-7D8**  
**PROPOSAL: Demolition of existing dwellinghouse and erection of seven dwellinghouses**

**Please quote our reference in all future correspondence**

### [Audit of Proposal](#)

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

### **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently **sufficient** capacity in the **CLATTO WTW 1972 NO371344** Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

### **Waste Water Capacity Assessment**

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



SW Internal  
Personal  
To find out more about connecting your property to the water and waste water supply visit:



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**So, how are we doing?**

We'd love to know what we're doing well or could do better. We promise we're listening. [click here](#) to tell us...

## Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

## Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.



- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

## Next Steps:

### ▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### ▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### ▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).



- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Erin Drummond**

Development Operations Analyst

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

#### Scottish Water Disclaimer:

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



SW Internal  
Personal  
To find out more about connecting your property to the water and waste water supply visit:



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## PARKS AND CEMETARIES – CONSULTATION ON PLANNING APPLICATION

PLANNING APPLICATION REF:  
20/00636/PPPL

PLANNING OFFICER:-

Fraser MacKenzie (EXT: 2198)  
mackenzief@angus.gov.uk

DESCRIPTION OF DEVELOPMENT:  
Demolition of existing dwellinghouse and  
erection of seven dwellinghouses

Details of the application can be viewed by  
selecting the following hyperlink:-

<http://planning.angus.gov.uk/online-applications>

### REASON FOR CONSULTATION:

Policy PV2: Open Space Protection and Provision within Settlements of the Angus Local Development Plan requires that development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and / or enhance open space and make provision for its future maintenance. The policy requires that a minimum of 2.43 hectares of open space per 1000 head of population be provided. Based on an average of 2.5 persons per household, developers require to provide 60.75sqm open space per residential unit.

### ON SITE PROVISION OR FINANCIAL CONTRIBUTION:

Policy PV2 acknowledges that the specific requirements of any development will be assessed on a site by site basis and the above standard may be relaxed taking into account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required. The Developer Contributions and Affordable Housing Supplementary Guidance identifies the formula for calculating the financial contribution for off-site provision for public parks and amenity space.

Please select preference of open space provision as follows (tick appropriate box):-

on site provision  
existing provision

financial contribution towards improving/enhancing

### PART A – WHERE OPEN SPACE IS BEING PROVIDED ON SITE

Is the amount of open space proposed satisfactory? (delete as appropriate):-

~~YES / NO / not known~~

Is the type of open space provided on site satisfactory? (delete as appropriate):-

~~YES / NO~~

If either question has been answered NO please state how this can be addressed:

As per Policy PV2 a minimum provision of 2.43 hectares of open space per 1000 head of population is required, for a development of 7 units this equates to 425 sqm of usable open space (60.75 square metres per dwelling).

All open space provided must be usable and designed for its intended use and neither the

SUDS basin nor the narrow planting strip along the access road can contribute to the required open space provision.

As the site is not covered by existing play provision the development will require the installation of a play facility or a contribution towards formal & informal play space.

## **PART B – WHERE NO OPEN SPACE PROVISION IS BEING MADE ON SITE**

What type of open space contribution is required:

**PUBLIC PARK & AMENITY OPEN SPACE / FORMAL & INFORMAL PLAY SPACE / ~~ALLOTMENTS / CORE PATHS~~** (delete as appropriate)

What would the total level of financial contribution be from the development?

With the current design as per the Proposed Site Plan a contribution of £ 518 per residential unit for Public park and amenity open space and £ 490 per residential unit for formal and informal play space will be required. For a development of 7 residential units the total contribution will be £ 7,056.00.

## **PART C – MAINTENANCE ARRANGEMENTS**

Are the open space maintenance arrangements proposed satisfactory? (delete as appropriate)

**~~YES / NO /~~ NO DETAILS PROVIDED**

Comments on maintenance arrangements:

Please indicate contact officer & details (this person would be advised by P&T when funds received and would be asked to evidence where money has been spent and when which may be reported to committee):-

Officer: Jutta Scharnberger  
Job Title: Landscape Services Manager  
Extension: 3051  
E mail: [ScharnbergerJ@angus.gov.uk](mailto:ScharnbergerJ@angus.gov.uk)

If you wish to discuss this consultation request, please contact the planning officer named above.



## ANGUS COUNCIL

### PLACE PLANNING

#### CONSULTATION SHEET

PLANNING APPLICATION NO

20/00636/PPPL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

01	10	20
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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



# Memorandum

Infrastructure  
Roads & Transportation

TO: DEVELOPMENT STANDARDS MANAGER, PLANNING

FROM: TRAFFIC MANAGER, ROADS

YOUR REF:

OUR REF: CH/AG/ TD1.3

DATE: 21 OCTOBER 2020

SUBJECT: **PLANNING APPLICATION REF. NO. 20/00636/PPPL – PROPOSED DEMOLITION OF EXISTING DWELLINGHOUSE & ERECTION OF 7NO. DWELLINGHOUSES AT ROWANBANK, PANMURE ROAD, MONIKIE**

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I refer to the above planning application.

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.

The site is located on the south side of B961 Dundee – Friockheim road on the site of Rowanbank Cottage and an adjacent paddock. There is a 30mph speed limit on this section of the B961.

Although the application is for planning permission in principle the submitted drawing no. 6256\_P\_113 shows a possible site layout with the removal of Rowanbank Cottage and the erection of 7 detached single storey houses. An existing access from the B961 to the paddock will be altered to form an access to the proposed houses.

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 commencement of development, visibility splays shall be provided at the junction of the proposed access with B961 Dundee – Friockheim road giving a minimum sight distance of 43 metres in each direction at a point 2.4 metres from the nearside channel line of B961 Dundee – Friockheim road.  
*Reason: to ensure a safe and suitable access in the interests of road safety.*

- 2 That, within the above visibility splays nothing shall be erected, or planting permitted to grow to a height in excess of 1050 millimetres above the adjacent road channel level.  
*Reason: to provide and maintain adequate sightlines in the interests of road safety.*
- 3 That, prior to the commencement of development, a scheme for the provision of a footway on the B961 Dundee – Friockheim road shall be submitted to the planning authority for approval. The footway shall have a minimum nominal width of 2.0 metres and shall extend along the entire site frontage in a north-easterly direction to tie-in to the existing footway outside Monikie Primary School. The footway shall thereafter be completed prior to the occupation of the first dwelling house hereby approved and shall be formed and constructed in accordance with the standards of Angus Council.  
*Reason: in order to provide adequate infrastructure in the interests of pedestrian safety and to encourage sustainable means of travel.*
- 4 That, parking spaces shall be provided within each plot curtilage in accordance with the National Roads Development Guide (SCOTS).  
*Reason: to ensure that suitable parking arrangements are provided.*
- 5 That, prior to the commencement of development, plans and particulars of all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage shall be submitted for approval by the planning authority. The development shall not commence until the planning authority has agreed the details in writing. The proposed road shall thereafter be completed in accordance with the approved details.  
*Reason: to ensure a satisfactory standard of road construction.*

I trust the above comments are of assistance, but should you have any queries, please contact Adrian Gwynne on extension 2036.



## HOUSING DIVISION - CONSULTATION ON PLANNING APPLICATION

## QUANTIFYING IMPLICATIONS OF DEVELOPMENT PROPOSAL IN CONTEXT OF ANGUS LOCAL DEVELOPMENT PLAN POLICY TC3 – AFFORDABLE HOUSING.

PLANNING APPLICATION REF: 20/00636/PPPL  
 PLANNING OFFICER:- Fraser MacKenzie (Ext: 2198)  
 mackenzief@angus.gov.uk

DESCRIPTION OF DEVELOPMENT: Demolition of existing dwellinghouse and erection of seven dwellinghouses

OF Details of the application can be viewed by selecting the following hyperlink:-

<http://planning.angus.gov.uk/online-applications>

An application for a housing development has been submitted for consideration by Angus Council and your comments are invited on the application. Angus LDP Policy TC3 Affordable Housing seeks to secure the delivery of 25% affordable housing on all residential sites of 10 or more units, or the site area is equal to or exceeds 0.5ha. This pro forma should be used to identify the relevant considerations relating to affordable housing and what the site specific requirements are in the context of the Local Housing Strategy (LHS) and Housing Needs and Demand Assessment (HNDA).

## REASON FOR CONSULTATION (mark with 'X'):

	10 or more units proposed
X	site area exceeds 0.5ha
	site developed in phases cumulatively exceeding above thresholds
	Developer has submitted viability information and requested a reduced or removed AH contribution

Please provide the below information answering the questions listed:

## Part A: Background Information

1. Date: 02.10.2020
2. Housing Ref: S004/20
3. Planning Ref: 20/00636/PPPL
4. Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses
5. Housing Market Area: South
6. Percentage Affordable Housing Provision Required: 25% as set out in Proposed ALDP Policy TC3: Affordable Housing.
7. Total number of units of affordable housing required: 1.75

## Part B: Serviced Land

1. Number of serviced plots required for transfer to social landlord:

**Notes: see additional notes**

#### **Part C: Social Rented Housing**

1. Number of units of social rented housing required:

2. Mix of property types and sizes required:

**Notes: see additional notes**

#### **Part D: Affordable Housing for Sale**

1. Number of units of affordable housing for sale required:

2. Mix of property types and sizes required:

3. Maximum selling price of individual units:  
(As a minimum this should be the price of a 51% equity stake)

4. Delivery mechanism: <insert: Shared Ownership or Shared Equity>

5. Units to be transferred by developer to Registered Social Landlord: Not essential requirement.

**Notes: see additional notes**

#### **Part E: Commuted Payments**

1. Total number of units of affordable housing required:

2. Benchmark land value:

3. Commuted payment required: **see additional notes**

#### **Additional Notes/Comments:**

The type of housing in the application meets the current requirements for affordable housing.

Housing Market Area profiles are now available online at [https://www.angus.gov.uk/housing/information\\_for\\_developers/housing\\_market\\_area\\_profiles](https://www.angus.gov.uk/housing/information_for_developers/housing_market_area_profiles)

The form the 1.75 units could take is either of or a combination of the following:

- Social rented housing. The types of properties required are based on need. Increasing the availability of social rented housing is a priority at this time particularly 1 bedroom properties which account for 60% of the demand in Monikie and the wider area through the common housing register. However we may identify the need for other types of properties at a later stage in the process. Delivery of social rented housing could be in partnership with Angus Council or a Registered Social Landlord.;

- Affordable Housing for Sale. This could be either as a discounted sale or shared equity unit. If discounted sale option a reduction should be applied to the market sale price which makes an individual unit affordable to people on a modest income. If shared equity option the maximum price of an equity stake of between 51% and 80% of an individual unit shall not exceed an amount which is affordable to people on a modest income. (Currently a modest income level for a single income household is set at a maximum of £29,900 x 3.5 lending multiplier and a joint income household is set at a maximum of £45,703 x 3 lending multiplier. These are subject to change according to market conditions and household incomes at the time);
- Mid-Market Rent. Where the landlord is a Social Housing Provider the unit shall be let in accordance with their allocation policy. Where the landlord is the developer the rent payable in respect of an individual unit must not exceed the relevant Housing Benefit Local Housing Allowance level at the time first let. Thereafter, rents may increase annually provided they do not exceed the median point of the relevant private sector market rent level;
- Serviced plots;
- Unserviced land;
- Commuted sum. At this time the commuted sum per unit for this HMA is £28,000. The amount payable will be based on the commuted sum value at the time of payment being made. The values are updated biannually. Updates can be found at

[https://www.angus.gov.uk/housing/information\\_for\\_developers/commuted\\_sums](https://www.angus.gov.uk/housing/information_for_developers/commuted_sums)

To address both current and future need, at least 20% of new affordable housing supply (all tenures) will be delivered to meet particular needs, Housing for Varying Needs older/ambulant disabled standard, with at least half of this (i.e. 10% of new supply) being to Housing for Varying Needs wheelchair standard. This target is an overall target and individual sites may deliver more or less than 20%. Specialist housing delivered to contribute towards this target may include amenity, supported housing and other models as appropriate. Scottish Government has published Guidance for setting of LHS targets to support the delivery of more Wheelchair Accessible Housing guidance MHDGN 2019/02.

We are open to provision of the required unit of affordable housing for sale via privately-funded schemes which do not require RSL involvement/funding, subject to agreement on the detail of these schemes.

Please contact named officer below if assistance is needed to approach Housing Associations operating in the area, or to discuss more generally the delivery of affordable housing.

In line with action 14 of the Scottish Government's 'Fairer Scotland Action Plan' homes delivered through the Affordable Housing Supply Programme should, wherever possible, include ducting to help future-proof access to internet and broadband services.

Please indicate contact officer & details (this person would be advised by P&T when funds received and would be asked to evidence where money has been spent and when which may be reported to committee):-

**Officer: Jamie Ross**  
**Job Title: Housing Policy Officer**  
**Extension: 07786198404**

Should you wish to discuss this consultation request please contact the  
named Planning Officer.

Fraser MacKenzie  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Our ref: PCS/173683  
Your ref: 20/00636/PPPL

If telephoning ask for:  
Jess Taylor

30 October 2020

By email only to: [PLNProcessing@angus.gov.uk](mailto:PLNProcessing@angus.gov.uk)

Dear Fraser

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF SEVEN  
DWELLINGHOUSES  
ROWANBANK COTTAGE CRAIGTON MONIKIE DUNDEE DD5 3QN**

Thank you for your consultation email which SEPA received on the 29 October 2020.

The reason you have given for consultation is adequately covered by our standing advice below.

To assist with streamlining the consultation process, we now focus our site specific advice where we can add best value in terms of enabling good development and protecting Scotland's environment.

This consultation is below the threshold where we would provide bespoke advice. Please therefore refer to [SEPA standing advice for planning authorities and developers on development management consultations](#).

If, after consulting this guidance, you still require our comment on some site specific issue which is not adequately dealt with by the standing advice, then we would welcome the opportunity to be re-consulted. Please note that the site specific issue on which you are seeking our advice must be clearly indicated in the body of the consultation email or letter.

Further information on our consultation arrangements generally can be found in [How and when to consult SEPA](#).

If you have any queries relating to this letter, please contact me by e-mail to [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk).

Yours sincerely

Jess Taylor  
Planning Officer  
Planning Service



FW: Draft conditions.



CorriganJ

To MacKenzieF



Fri 13/11/2020 13:07

You replied to this message on 13/11/2020 13:13.

Hi Fraser,

I refer to application 20/00636/PPPL and although there has been a significant amount of dialogue between the applicant, I do not think that the information provided has satisfied fully the concerns regarding the proposal for private drainage for this development. So in order to ensure that this is adequately covered I request that the following condition be put on any subsequent application that may come forward for this location.

No work shall begin until the written approval of the authority has been given in respect of the plans, particulars and matters of the means of drainage from the development (both foul and surface water).

Kind Regards,

Janice

Janice Corrigan | Team Leader Flood Risk and Structures | Angus Council | 01307 491880 | [CorriganJ@Angus.gov.uk](mailto:CorriganJ@Angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

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Think green – please do not print this email

# **Comments for Planning Application 20/00636/PPPL**

## **Application Summary**

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

## **Customer Details**

Name: Mrs Caroline Macintyre

Address: 2 Brockie Cottage Craigton Monikie DD5 3QN

## **Comment Details**

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As an immediate neighbour the concerns I have are as follows:

- Street lighting - in this part we are used to living in darkness and enjoy the ability to watch the night sky. Street lighting within the development or along any proposed pavement on the road would cause light pollution and a serious change in our living environment.
- Internet provision - we are at best getting between 5 and 6.5mbs which is a very frustrating and impossible for us in this area. By adding another 7 households will only make matters worse. There is no sign whatsoever of our Internet provision being upgraded in the future which is ridiculous.
- Energy/heat sourcing - there is real concern that ground or air source heating will be considered. Though it is advertised as being between 40-60 decibels at 1 metre I can confirm that noise from systems around the corner can be heard from a much greater distance. To have 7 others would be devastating to our environment and emotional welfare especially as we sleep with windows open.
- Wildlife - there is an amphibian crossing point between Rowanbank Cottage and our houses, I spend several weeks each year checking the existing drains along the road rescuing them where possible. New road drains will just add to the dangers unless mitigation measures are put in place eg a ramps within any and existing drains.
- as you are aware that there are bats within the outbuildings of the existing property, alternative roost sites must be put in place. As only one dawn and dusk survey was conducted, should there not be all season surveys since their presence has been detected? Feeding grounds and a wildflower meadow would be lost to not only bats but to other species under threat such as swallows, house martins and swifts. A beautiful old Rowan tree just by road is a good source of food for wildlife, would this be retained? Free movement and feeding grounds of the ever more scarce hedgehog will be impeded with low ground fencing

# **Comments for Planning Application 20/00636/PPPL**

## **Application Summary**

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

## **Customer Details**

Name: Mrs caroline Macintyre

Address: 2 Brockie Cottage, Monikie Broughty Ferry Dundee DD5 3QN

## **Comment Details**

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: In addition to my previous comments regarding the proposal of 7 new dwelling houses neighbouring myself, I would like to add that after having had a conversation with a resident in Camus Place, he advises me that the humming/buzzing noise that I can hear from what I thought was ground source heat pumps is perhaps sewage treatment works in the gardens. If this system is being considered for the proposed new housing I would like to insist that they be placed central to the housing and not in the gardens along the road adjacent to myself as the noise of 4-7 plants would be unbearable.

## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Ms Kate Fairlie

Address: Fairlands Monikie Broughty Ferry DD5 3QN

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object strongly to the proposed planning in the field opposite my house. The proposed development is completely out of character for this area. They are suburban in style and size and not at all suitable for this area. The noise and air pollution coming from the so called environmentally friendly heating and sewage systems would cause on going disruption, and in dead of night such sounds would be intolerable.

It was said a bat survey had been done! There are lots of bats here so I'm sure the bat population would suffer with the disruption.

The school car park is already too small so if the proposed development happens there would be nowhere for it to extend to - quite important!

The house which is already could be developed into one larger bungalow with a large garden and a field for a pony, as befits this area.

We do not want a suburban development in Craigton.

## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Mrs Ruth Fairlie

Address: Kirkton of monikie Monikie Broughty ferry DD5 3QN

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I say from a design perspective, the composition of seven proposed dwellings is completely out of character. I am not aware of anywhere else with a similar style of development.

This is a countryside development where either small cottages with gardens or large house with their own lovely large gardens is much more in keeping with the local surroundings. NOT the proposed suburban development .

There does not appear to be any allocation for any gardens, parking or amenity space. Where would the householders park their vehicles?

This is so inappropriate for this lovely rural location and will have an adverse impact on all those around.

A further major concern, which must be very closely looked at, is the neighbouring primary school and their car park. It certainly would be very inappropriate to have another entrance and exit next to the primary school car park. Especially for the traffic travelling along the main road and most importantly those travelling from the Craigton direction towards the school. Double entrances next to each other is a very dangerous concept indeed. The children's and parents safety must be paramount, when these decisions are being taken.

Having a building site next to the rural primary school will be very disruptive for their studies also.

To have large lorries arriving with housing kits, parking at roadsides with no access and creating traffic chaos is just unthinkable next to the primary school.

## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Mr James Dorward

Address: 5 Woodville Gardens Arbroath DD113RH

### Comment Details

Commenter Type: Miscellaneous

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a daily commuter who drives through Craigton of Monikie I fully support this development as among the many benefits to the local area.

This development will deliver a much needed path which will link the school to the village ensuring a safe walking route for the kids & parents taking them of the road.

A big plus for road safety.

## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Mr charlie macintyre

Address: 2 Brockie cottage Craigton Craigton of monikie DD5 3QN

### Comment Details

Commenter Type: Miscellaneous

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As a notifiable neighbour -

1. I strongly object to the provision of street lighting along the B961 outside my property, the ensuing loss of night vision due to the light pollution and its effect with the urbanisation of this rural villages enviroment.
2. With 7 new houses being created the internet structure at present is already well bellow UK governments standard with no sign of it being upgraded in the near future. This development will put further strain on this service. It should be a provission of planning that the company contributes the the upgrading of our local network and the connection to the Monike broadband system.
3. The extra noise pollution from low constant drone of the integrated sewage systems at night as already experienced with the Camus Place development.

## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Mrs Judith Clark

Address: 43, Broomwell Gardens Monikie Dundee DD5 3QP

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is a lovely area for a new development and handy for school with excellent proximity to access the outdoor space in the country park.

Monikie has grown over the last 10 years and it has been positive for the community.

If there is a new pathway it also makes this area of the road much safer for any walking / cycling parents and pupils accessing the school and the country park.



## Comments for Planning Application 20/00636/PPPL

### Application Summary

Application Number: 20/00636/PPPL

Address: Rowanbank Cottage Craigton Monikie Dundee DD5 3QN

Proposal: Demolition of existing dwellinghouse and erection of seven dwellinghouses

Case Officer: Fraser MacKenzie

### Customer Details

Name: Mrs Jillian Brown

Address: 12 Granary Wynd Monikie DD5 3WP

### Comment Details

Commenter Type: Member of Public

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

Comment Reasons:

Comment: I do not live near the proposed development and am therefore neutral on the application.

However, should planning permission be granted, I would strongly support Angus Council's recommendation that prior to the commencement of development, a scheme for the provision of a footway on the B961 Dundee - Friockheim road shall be submitted to the planning authority for approval in order to provide adequate infrastructure in the interests of pedestrian safety and to encourage sustainable means of travel to the primary school.

I write as a concerned parent of children of Monikie School which neighbours the property.

Monikie School is a rural school and as such this suburban development is definitely not in keeping with the rural area. The proposal of seven houses for this small field appears to me to be too many for the area. In addition outdoor education is a large part of Monikie School, in particular in the nursery. The sighting of 7 suburban houses next to children playing and learning outside does not seem appropriate.

One further major concern I have is the increase in traffic that the development would incur. The area is particularly busy at drop off and pick up times for school and nursery. The below picture is a picture that I took today 18<sup>th</sup> November 2020. I am sure that you will agree that this has a serious safety issues and this is before any development takes place. The car park is regularly full and parents/guardians are forced to park on the road. I note from the indicative proposed site plan that the access to the proposed development is right next to the exit from the school car park. This does not seem safe to me.

I hope that my concerns are taken into account when considering this application





0 10 20 30 40 50

SCALE 1:1250 (A3) LENGTHS SHOWN IN METRES

350900m

351000m

351100m

351200m 351300m

738400m

738400m

738300m

738300m

738200m

738200m

738100m

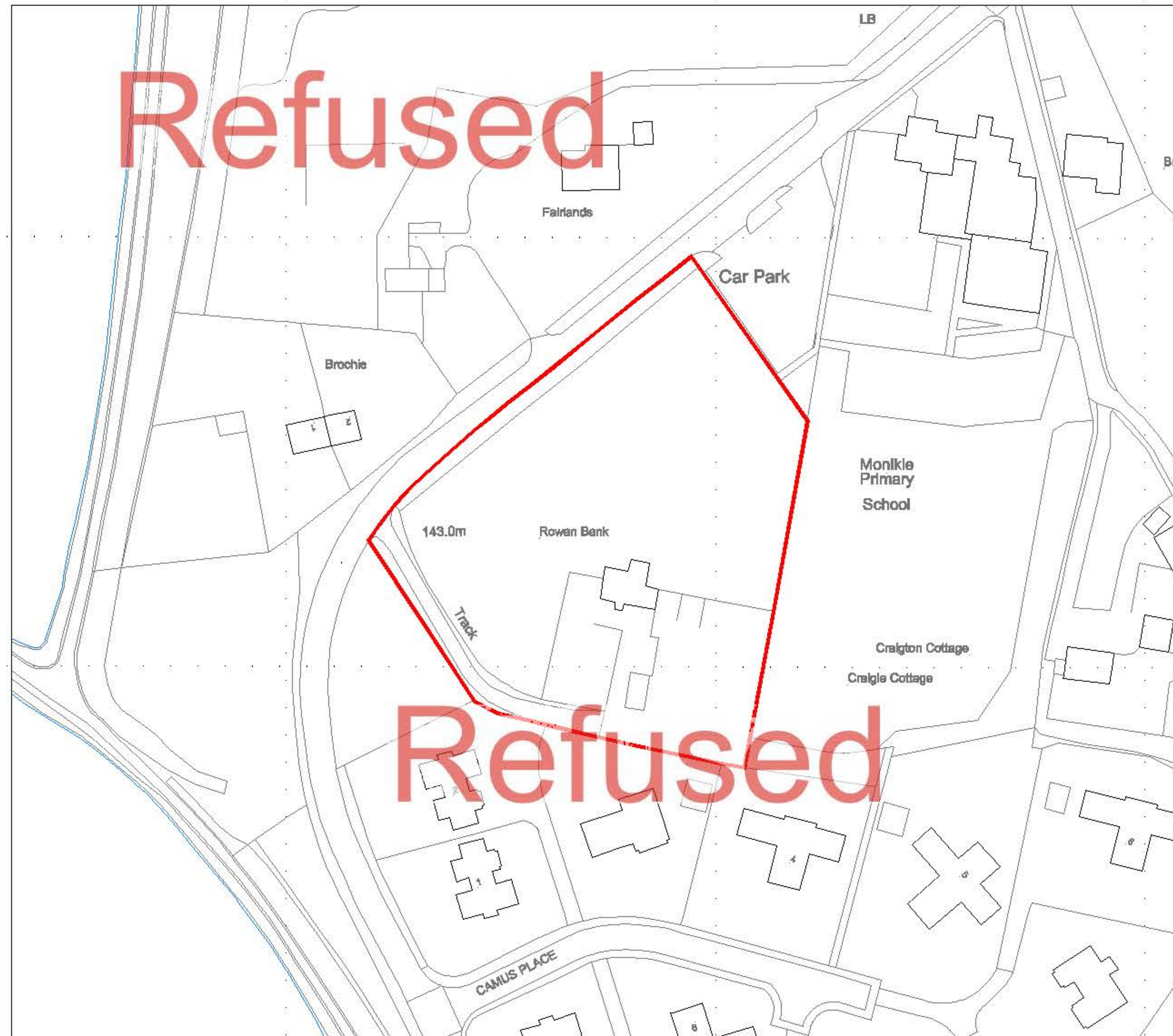
738100m

350900m

351000m

351100m

351200m 351300m



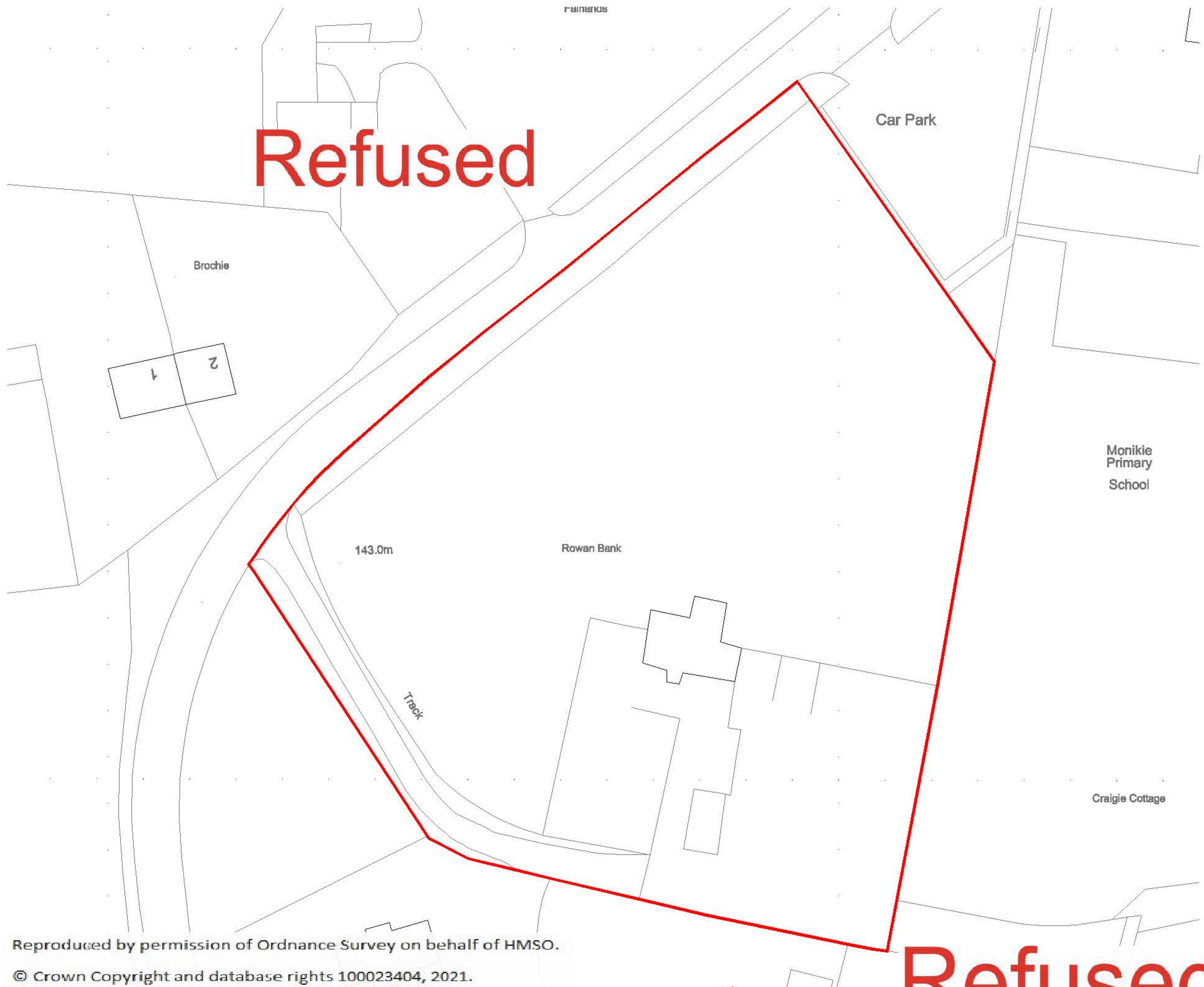
Refused

Refused

Project Proposed Residential Development		 <b>JON FRULLANI</b> ARCHITECT	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monkie Dundee, DD6 3QA		Drawing Title Location Plan	
Designer BSJF		Issue Status Planning	Drawing No. 8258_P_111
Date 03.08.2020	Scale 1:1250 (A3)	Revision -	



0 5 10 15 20  
SCALE 1:500 (A3) LENGTHS SHOWN IN METRES



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# Refused

Project Proposed Residential Development		 <b>JON FRULLANI</b> ARCHITECT	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monikie Dundee, DD6 3QA		Drawing Title Existing Site Plan	
Designer BSJF		Date 03.08.2020	Scale 1:500 (A3)
		Issue Status Planning	Drawing No. 8258_P_112
		Scale 1:500 (A3)	Revision -
<small>© 01582 324628 int 07608 725028          e: jon@jonfrullani.com w: jonfrullani.com          s: unit 6, district 10, greenmarket, dundee, dt1 4gp          All drawings are protected by copyright. It may not be reproduced in any form or by any means for any purpose, without written permission from Jon Frullani Architect Ltd.</small>			



0 5 10 15 20

SCALE 1:500 (A3) LENGTHS SHOWN IN METRES

- Plot 1 - 3 Bed Bungalow**  
Total site area:- 620m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 303m<sup>2</sup>
- Plot 2 - 3 Bed Bungalow**  
Total site area:- 655m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 314m<sup>2</sup>
- Plot 3 - 3 Bed Bungalow**  
Total site area:- 704m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 350m<sup>2</sup>
- Plot 4 - 3 Bed Bungalow**  
Total site area:- 708m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 330m<sup>2</sup>
- Plot 5 - 3 Bed Bungalow**  
Total site area:- 845m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 401m<sup>2</sup>
- Plot 6 - 3 Bed Bungalow**  
Total site area:- 1224m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 768m<sup>2</sup>
- Plot 7 - 3 Bed Bungalow**  
Total site area:- 753m<sup>2</sup>  
Footprint:  
Dwelling - 125m<sup>2</sup>  
Garage - 24m<sup>2</sup>  
Amenity garden ground - 334m<sup>2</sup>

# Refused

# Refused

# Refused

Proposed surface water and treated foul drainage to be discharged to natural watercourse to local authority and SEPA satisfaction.

Car Park

SUDs Basin

Monikie Primary School

Craigie Cottage

Brochie

B961



Project Proposed Residential Development		 <b>JON FRULLANI</b> ARCHITECT	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monikie Dundee, DD6 3QA		Drawing Title Proposed Site Plan	
Designer BSJ/F		Issue Status Planning	Drawing No. 8258_P_113
Date 03.08.2020	Scale 1:500 (A3)	Revision -	
<small>           © 01582 324628 int 07648 725028            e: jon@jonfrullani.co.uk w: jonfrullani.co.uk f: facebook.com/jonfrullani            s: unit 6, district 10, greenmarket, Dundee, dd1 4gp            All drawings are protected by copyright. It may not be reproduced in any form or by any means for any purpose, without written permission from the architect.         </small>			

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



PLANNING PERMISSION IN PRINCIPLE REFUSAL  
REFERENCE : 20/00636/PPPL

To **Strathmore Homes (Scotland) Ltd**  
c/o Jon Frullani  
Unit 5  
District 10  
Greenmarket  
Dundee  
DD1 4QB

With reference to your application dated 21 September 2020 for Planning Permission in Principle under the above mentioned Acts and Regulations for the following development, viz:-

**Demolition of existing dwellinghouse and erection of seven dwellinghouses at Rowanbank Cottage Craigton Monikie Dundee DD5 3QN for Strathmore Homes (Scotland) Ltd**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission in Principle (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docqueted as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**


1. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.
2. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.

**Amendments:**

The application has not been subject of variation.

Dated this **11 January 2021**

Kate Cowey  
Service Leader  
Planning & Communities  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN



## 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.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1
<b>Delegated Decision</b>	Local developments determined by 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.	Local Review Body – See details on attached Form 2
<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.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1



**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  
Angus House  
Orchardbank Business Centre  
Forfar  
DD8 1AN

Telephone 01307 492076 / 492533  
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 The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, 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.

## PLANNING

### 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"/>
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**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.

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**BAT SURVEY REPORT**

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**ROWANBANK DEVELOPMENT SITE, MONIKIE**

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**PREPARED FOR BILL GREEN**

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**ISSUED: 29<sup>TH</sup> AUGUST 2019**

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## 1 INTRODUCTION

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### 1.1 SCOPE

The following report outlines the results of a full bat survey undertaken at the proposed Rowanbank development site in Monikie, Angus. The site includes a bungalow cottage, a stand-alone barn and a number of trees which are likely to require felling as part of the proposals. The survey was commissioned by Bill Green at Bill Green Builders, following a request from Angus Council for a bat survey to be undertaken as part of the planning application.

### 1.2 PROPOSALS

A housing development is planned for the site which will include approximately ten houses, with associated gardens and infrastructure. This will involve the demolition of an unoccupied bungalow and barn, as well as the likely removal of six trees in order to facilitate development.

### 1.3 SITE LOCATION AND BUILDING DESCRIPTION

Rowanbank proposed development site is located in the small village of Monikie, approximately 5km north east of Dundee in Angus at NGR: NO 51079 38233. The site comprises an unoccupied bungalow and a separate barn which sit in the middle of the plot. They are surrounded by an area of rough grassland and a small overgrown garden with associated trees and shrubs. Mature trees line the site boundary to the east and a mature hedgerow separates the site from the road along the north-western boundary. Although the majority of trees along the eastern edge will be retained and unaffected by the development there are seven trees within the development area which are likely to require removal. These trees include two ash *Fraxinus excelsior* trees, three cypress *Cupressus sp.* trees and two smaller hawthorn *Crataegus monogyna* trees.

The bungalow is a detached, traditionally-built stone cottage with a slate roof and is single storey throughout. It is a T-shaped building with an extension on the north elevation which is harled and has a separate roof space. The majority of the roof area has stone coping tiles along the ridges with lead valleys. However, the sloping ridges on the extension section have zinc ridge pieces. The cottage has two accessible attic areas, accessed via ladder from the bathroom and bedroom. The extension roof does not have an access hatch and could not be surveyed internally.

The stand alone barn is located approximately 10m south west of the bungalow and is in a very poor condition (the northern gable is missing and has been patched with tarpaulin and the internal timbers appear to be very damp and unstable). It is also a traditional masonry building with a slate roof on sarking and appears to have been part of a larger steading complex at one time. It is single storey and has no enclosed attic area – it is an open structure inside, and the roof apex can be viewed from the ground.

### 1.4 SPECIES PROTECTION STATUS

All bat species in the UK are European Protected Species (EPS) and are fully protected under the EC Habitats and Species Directive 92/43/EEC. The Conservation (Natural Habitats,&c.) Regulations 1994 translates this law into European legislation in the UK. These regulations have been amended in Scotland by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 and 2007 and the Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2008. A summary of the legislation afforded to bats can be found in Appendix II.

## 2 SURVEY METHODS

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This bat survey was carried out in line with methods outlined by current best practice guidance from the Bat Conservation Trust (Collins, 2016) which is endorsed by SNH and a requirement for planning.

### 2.1 PRELIMINARY DAYTIME ROOST ASSESSMENT OF BUILDINGS

A daytime roost assessment was undertaken by Jenny Wallace on 16<sup>th</sup> July 2019. The aim of this survey was to assess the bungalow and barn for their potential to support roosting bats and to search for any signs of use. The survey included a thorough inspection of both buildings, including access to all the internal ground floor and roof/attic areas (where access allowed) as well as an inspection of the external walls and roof areas.

Bats or any signs of use by bats such as bat droppings or urine staining were sought and an overall assessment of the suitability of the buildings and trees for roosting bats was made. Binoculars, a torch and a camera endoscope were used where required.

### 2.2 GROUND BASED ASSESSMENT OF TREES

A daytime walkover of the site was undertaken on 16<sup>th</sup> July 2019. The aim of this survey was to i) identify and locate all trees with bat roosting potential within the site boundary; and ii) make a general assessment of the quality of the habitat for foraging and commuting bats. Most of the trees within the site boundary are located around the site edges and it is understood that these will remain in the long-term, post development. However, there are seven trees located within the proposed development area and these will likely require removal to facilitate development.

All seven trees due for removal were grid referenced and the tree species and size were recorded against an assigned target note number from 1 to 7. As part of the survey, the bat roosting suitability of each tree on a scale from 'No Bat Roosting Potential (BRP)' to 'High BRP' was recorded, along with specific notes about features present. The suitability of each tree was assigned in line with descriptions provided in the Bat Conservation Trust's '*Bat Surveys for Professional Ecologists - Good Practice Guidelines*' (Collins, 2016)<sup>1</sup>. A simplified version of this table is shown in Table 1 on page 4 along with guidelines for assessing the suitability of the habitat on site for bat commuting and foraging.

### 2.3 DUSK AND DAWN BAT ACTIVITY SURVEYS ON BUILDINGS

Two bat activity surveys were carried out on the buildings on 31<sup>st</sup> July and 14<sup>th</sup> August 2019, with surveys undertaken more than two weeks apart as specified by guidance. The aim of the activity surveys was to watch the bungalow and barn for bat emergence at dusk and re-entry at dawn. Both the surveys were carried out in good weather conditions and within the key maternity period for bats, which runs from mid-May to the end of August. The surveys were carried out by three surveyors simultaneously, in order to provide full coverage of the buildings, as shown in Figure 3 in Appendix II.

The dusk survey commenced approximately 20 minutes before sunset and continued for 90 minutes after sunset in order to cover the emergence time of all species. The dawn survey commenced approximately 1.5 hours before sunrise and continued until sunrise and until no further activity was observed. All surveys were undertaken using *AnaBat* or *Pettersson* bat detectors, which allow bat sounds to be recorded to memory card for later analysis and species identification using *Analook* software.

### 2.4 PERSONNEL

Surveys were undertaken and managed by Jenny Wallace. She is an experienced ecologist, full member of the Chartered Institute of Ecology and Environmental Management (MCIEM) and has held an SNH bat roost visitor licence since January 2012 (Licence No: 17426). Jenny was assisted by Jean Oudney, Robin Dowse and Kirstin Stark for the dusk and dawn bat

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<sup>1</sup> Table 4.1 '*Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement*'. Page 35 of the Good Practice Guidelines



activity surveys. Jean Oudney and Robin are also SNH licensed bat workers and have many years of experience in undertaking bat surveys. Kirstin Stark is an experienced bat surveyor with over three years' experience in undertaking bat surveys across the Tayside region.

Table 1: Guidelines for Assessing the Potential Suitability of Proposed Development Sites for Bats

Suitability	Roosting Habitats	Commuting and Foraging Habitats
<b>Negligible</b>	Negligible habitat features likely to be used by roosting bats.	Negligible habitat features likely to be used by commuting or foraging bats.
<b>Low</b>	<p>A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.</p> <p>A tree of sufficient size and age to contain potential roost features but with none seen from the ground, or features seen but with very limited potential.</p>	<p>Habitat that could be used by small numbers of commuting bats, such as a gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding landscape by other habitats.</p> <p>Suitable, but isolated habitat that could be used by small numbers of foraging bats, such as a lone tree, or patch of scrub.</p>
<b>Moderate</b>	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.	<p>Continuous habitat, connected to the wider landscape that could be used by bats for commuting, such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging, such as trees, scrub, grassland or water.</p>
<b>High</b>	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	<p>Continuous, high quality habitat that is well connected to the wider landscape, that is likely to be used regularly by commuting bats, such as river valleys, streams hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats, such as broadleaved woodland, tree lined watercourses and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p>

## 3 RESULTS

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### 3.1 PRELIMINARY DAYTIME ROOST ASSESSMENT OF BUILDINGS

The preliminary daytime survey included an internal and external survey of the bungalow and barn buildings. The accessible areas of attic in the bungalow were accessed via hatches in the bathroom and bedroom but there was no access to the area above the extension on the north elevation. As a result, this area was not surveyed as part of the daytime assessment and it is possible that some evidence of bats exists inside this void that was overlooked. However, the dusk and dawn activity surveys focused on this section of the roof to ensure no bat roosts were missed and the limitation of access is not considered to have affected the overall results.

The roof void areas in the bungalow are approximately 1.75m to the apex and could be fully inspected to the wall heads. The water tank was well covered and there was insulation present on the joists throughout. In addition, the roof area was generally very cobwebbed, indicating that bats are not regularly flying around inside it. A few old scattered bat droppings were found inside the main roof space which was accessed via the bathroom but there were no bats present at the time of survey and no evidence to indicate current use by bats. No evidence at all was found in the smaller roof space accessed via the bedroom. Single or small numbers of independently roosting bats will often roost out of sight, underneath the slates or ridge pieces but on top of the sarking boards. Therefore, there are not always signs visible inside the roof space in a situation where only small numbers of bats are present. However, where larger roosts are located on gable wall heads or inside the roof space itself, bats and bat droppings can be found and are generally obvious to the trained eye. This indicates that there is no current use of Rowanbank bungalow by large numbers or a 'maternity' roost of bats, or indeed that it has been used in that capacity in recent years.

Again, no evidence of roosting bats was found in the barn during the internal and external survey. There were no bats found internally and no bat droppings scattered on the floor or walls.

Despite there being no obvious evidence of a large roost of bats in the bungalow or barn buildings, they were assessed as having moderate bat roosting potential for small numbers of non-maternity / independently roosting bats. This is due to the presence of a number of suitable roosting spaces and access points on the external roof areas of both buildings and the presence of old droppings in the bungalow roof. Specifically, the external assessment identified suitable roosting opportunities and access points at the wall heads under the guttering as well as under the ridge pieces on the roof pitches where they do not sit flush against the slates. The slates themselves are generally quite flush against each other (especially on the bungalow) providing limited opportunities, but there are some looser slates and large enough gaps for single bats. Gaps in the external stonework of the barn were also noted around the doorframe on the west elevation and in rubble walls of the damaged gable ends.

The buildings are currently unoccupied and unheated and there is insulation throughout the roof spaces of the bungalow. Given its unoccupied condition, internal areas of the bungalow are unlikely to fluctuate enormously, and conditions should remain reasonably stable throughout the winter months. In addition, some gaps in the internal and external stonewalls of the barn were identified. These are likely to be deep enough to provide the stability required for hibernating bats. For this reason, the bungalow and barn have been assessed as having moderate hibernation potential, with some potential for bats to hibernate inside the roof space or stone walls where access allows.

### 3.2 NESTING BIRDS

Nesting birds were observed on the site during the daytime assessment. Most notably, house sparrows *Passer domesticus* were seen to be nesting on the south elevation of the bungalow in a number of locations along the wall head. Good potential for nesting birds also exists in the barn building where there are vents on the roof and suitable gaps on the gables which could provide access. However, no active nests were noted inside this building and, most importantly, there was no evidence of barn owl *Tyto alba*. In addition, the trees and garden shrubs were all assessed as having excellent nesting bird potential and nests are likely to be present throughout the site area.

### 3.3 GROUND BASED ASSESSMENT OF TREES

All seven trees within the site boundary that are likely to require felling were assessed from the ground for their potential to support roosting bats. The trees were surveyed using a ladder, binoculars, torch and camera endoscope and any signs of use by bats were noted. The location of trees 1 to 7 within the development plot are shown on Figure 1 on page 7.

There were no obvious signs of roosting bats in any of the seven trees, as surveyed from the ground, and all were assessed as having 'no potential' or 'low' potential for roosting bats as detailed in the following Table 2:

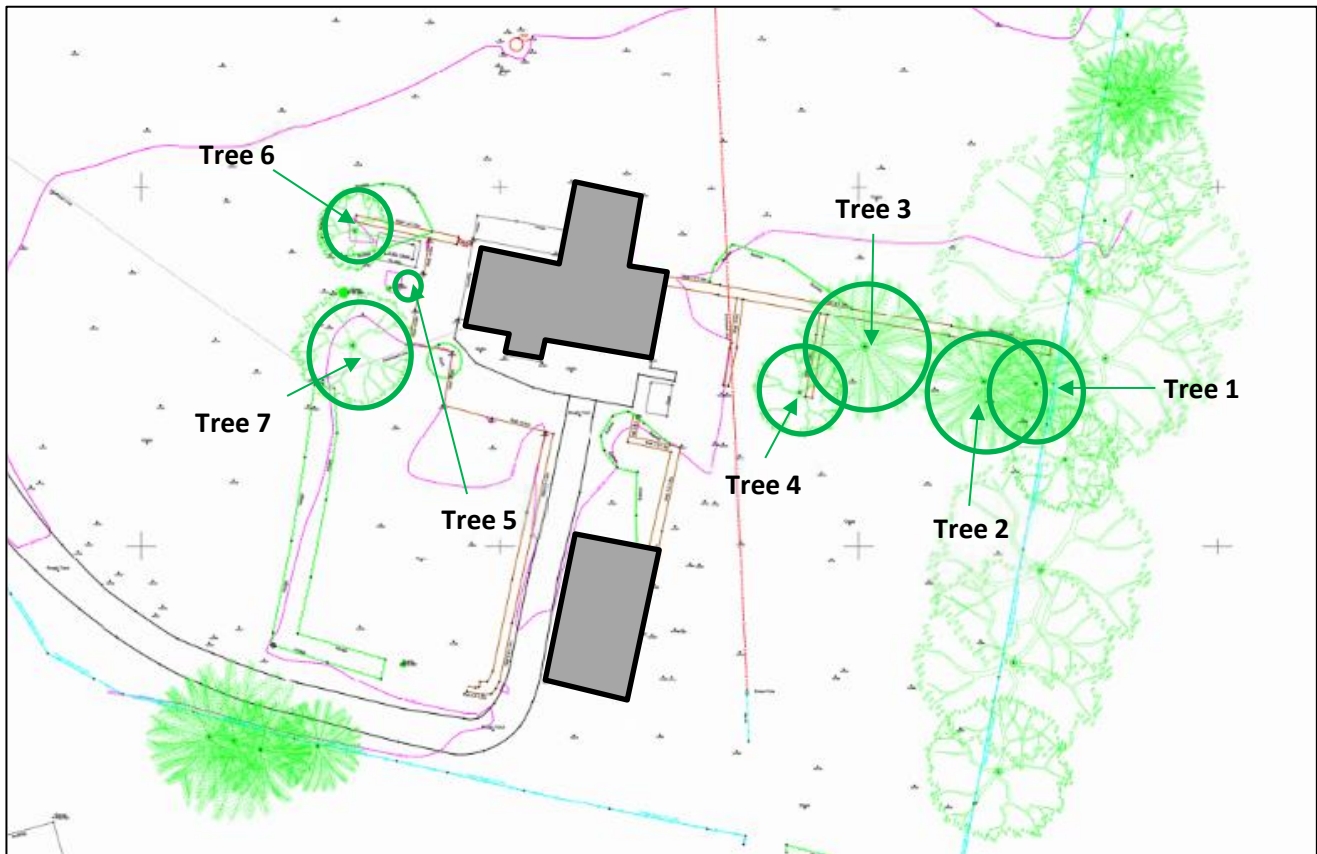
Table 2: Ground Based Tree Survey Results

Tree #	Species and Tree Height/DBH	Grid Reference	Notes	Bat Roosting Potential
1	Ash <i>Fraxinus excelsior</i> Mature tree c.25m height, 0.45DBH	NO51111 38201	Surveyed thoroughly from the ground using binoculars and although very tall, the tree is in good health and there are no features present on the stem or limbs which could have potential for roosting bats. For example, no hazard beams, cracks, crevices or deadwood appear to be present in the tree.	No bat roosting potential identified from ground survey.
2	Cypress <i>Cupressus sp.</i> Mature tree c.25m height, 0.45m DBH	NO51108 38202	Surveyed from the ground with torch and binoculars. Tree very cluttered from approximately 3m height and considered to be unsuitable for roosting bats. Checked higher canopy with binoculars and still very cluttered at height with no obvious features.	No bat roosting potential identified from ground survey.
3	Cypress <i>Cupressus sp.</i> Mature tree c.25m height, 1m DBH	NO51102 38201	As with tree 2, surveyed from the ground with torch and binoculars. Tree very cluttered from approximately 3m height and considered to be unsuitable for roosting bats. Checked higher canopy with binoculars and still very cluttered at height with no obvious features.	No bat roosting potential identified from ground survey.
4	Ash <i>Fraxinus excelsior</i> Semi-mature, c.10m height, multi-stemmed	NO51096 38201	No features on tree with potential for roosting.	No bat roosting potential.
5	Hawthorn <i>Crataegus monogyna</i> c.3m height, 0.3m DBH – dead standing pole	NO51071 38215	No features on tree with potential for roosting.	No bat roosting potential.
6	Hawthorn <i>Crataegus monogyna</i> c.4m height. Multi-stemmed scrubby tree cluttered with <i>snowberry</i> <i>Symphoricarpos albus</i> shrub at base	NO51060 38214	Some rot holes at 2-4m. Checked with torch and no obvious evidence but some low potential for small numbers or individual bats to use features temporarily or infrequently.	<b>Low potential – recommend tree is re-checked prior to felling,</b>
7	Cypress <i>Cupressus sp.</i> c.6m height, 0.45m DBH. Dead tree	NO51061 38205	Tree cluttered in the higher canopy by branched but some potential features within the stem of the tree noted between 1.5-4m, where the tree has rotted in places providing shallow cavities. Some potential for small numbers or individual bats.	<b>Low potential – recommend tree is re-checked prior to felling.</b>

Overall the habitat on site was assessed as having good foraging and commuting potential for bats over the open grassland areas as well as along the hedgerows and treelines along the site boundaries. The garden area to the south and west of the barn would also provide suitable foraging around the small trees and overgrown shrubs.

Figure 1: Location of trees 1 to 7

\*Trees shown by green circles and buildings shaded in grey



### 3.4 BAT ACTIVITY SURVEYS

The following paragraphs summarise the results of the bat activity surveys and Table 3 below describes the survey times and the weather conditions at the time of the surveys. The confirmed roost location is shown in Figure 2 on page 8.

Table 3: Dusk and Dawn Activity Survey Summary

Survey	Date	Sunset / Sunrise	Temp (Av.)	Wind	Precipitation	Cloud Cover % (Av.)
Dusk	31.07.19	21.25	18°C	Calm	None	100%
Dawn	14.08.19	05.37	12°C	Calm	None	80%

During the dusk activity survey on 31<sup>st</sup> July, a single soprano pipistrelle *Pipistrellus pygmaus* bat was recorded entering the west elevation of the barn at roost location R1. The bat appeared from behind the surveyor at surveyor location 1 and flew into a small gap in the stonework to the right of the doorframe (see roost location in photo in Figure 2 on page 8). The bat did not emerge again during the survey and couldn't be seen with a torch at the end of the survey, indicating it is roosting deep within the stonework at this location. No other bats were seen to emerge from or enter any other roost locations on any elevations of the bungalow or barn during the survey and generally, foraging levels around the building were considered to be quite low given the good quality habitat on site and in the nearby area. Common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle and Daubenton's *Myotis daubentonii* bats were recorded in the vicinity during the survey but at low levels and were considered likely to primarily indicate bats passing through the site.

During the dawn survey on 14<sup>th</sup> August 2019, no bats were recorded entering or emerging from the buildings. The single bat which was seen to enter roost location R1 during the first dusk survey did not return and no additional roost locations

were identified in the bungalow or barn. Bat activity levels were slightly higher than those experienced during the dusk survey but again bats were not found to be constantly foraging on the site. Again, common pipistrelle, soprano pipistrelle and Daubenton's bats were recorded by the surveyors during the survey.

### 3.5 SUMMARY

The dusk and dawn activity surveys confirmed the presence of a single soprano pipistrelle bat roost in the barn at roost location R1. No evidence was found to indicate the presence of a maternity colony of bats and the roost identified is considered to be used by an individual male bat or non-breeding female. No bat roosts were identified in the bungalow building.

The tree survey found that five out of the seven trees had no bat roosting potential and the remaining two had only limited or 'low' potential for small numbers of roosting bats. In addition, these two trees were within the viewshed of the surveyors undertaking the bat activity surveys on the building and no bats were identified to emerge or enter them during the surveys.

Figure 2: Identified soprano pipistrelle bat roost location on west elevation of barn



## 4 IMPACT ASSESSEMENT

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### 4.1 INTRODUCTION

One non-maternity soprano pipistrelle bat roost location was confirmed in the barn building on the Rowanbank development site following the bat activity surveys. The barn building is due for demolition as part of the development and will lead to the permanent loss of the bat roost identified. The following paragraphs assess the impacts of the proposed works on the bat roost identified.

### 4.2 LOSS OF KNOWN BAT ROOST IN BARN BUILDING

Soprano pipistrelle bats are common and widespread throughout the UK and are numerous throughout the central belt of Scotland (Harris and Yalden, 2008).

The identified roost is located within the wall of the barn and will be permanently lost when the building is demolished. The roost was used by a single bat and was only observed during the first dusk activity survey. Bats use a number of different roost sites throughout the year (Deitz et al., 2007). Various hypotheses are proposed for this movement, including that it is a response to variation in temperature conditions within different roosts sites, as well as and for other lifestyle reasons such as setting up mating territories in the autumn (Altringham, 2011). Based on this information and the survey results, it can be assumed that the bat observed has several different roost sites that it uses throughout the year, on both a seasonal and nightly basis, and that it will have alternative roost sites that it can occupy during and following demolition of the building.

The bungalow and particularly the barn are in a deteriorating and disused condition and should they be left to remain this way, they will quickly worsen until they pose a considerable health and safety risk. Further deterioration in the condition of the barn is also likely to lead to the bat roost site becoming unsuitable to bats and eventually lost. Therefore, as long as suitable replacement roost provision is provided to compensate for the loss of the roost, works are not considered to have a negative impact on roosting bats on the site in the long term.

**In summary, provided mitigation recommendations outlined in the Bat Protection Plan (Section 5) are followed, the loss of the identified bat roost identified in the barn is not considered to have a significant impact on the survival of the individual bat or affect the favourable conservation status of the species in their natural range.**

### 4.3 LOSS OF TREES WITH BAT ROOSTING POTENTIAL

The trees on site which will be directly affected by the development were found to be largely unsuitable for roosting bats, with only two out of the seven trees due for removal having low or limited bat roosting potential). The trees were surveyed from the ground as well as being covered by the bat activity survey and no evidence of roosting was identified. Although the loss of the trees within the site boundary will lead to the loss of some potential bat roosting and foraging habitat, the majority of trees along the site boundary will remain in the long term and their removal is not considered to significantly reduce the suitability of the site for roosting and foraging bats.

## 5 BAT PROTECTION PLAN

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### 5.1 BAT LICENCE REQUIREMENT

The proposed demolition of the buildings on the Rowanbank site will lead to the loss of one known non-maternity soprano pipistrelle bat roost location, which will require licensing from Scottish Natural Heritage (SNH) before any works affecting the roost site can take place.

Until very recently, this situation would require application to Scottish Natural Heritage (SNH) for a site specific licence for the barn and this would need to be accompanied by a Bat Protection Plan (BPP) outlining all mitigation and compensation measures which must be adhered to as part of licence conditions. However, in recent months, SNH have developed a new licensing system called the '*Bat Low Impact Licence*' or '*BLIMP Licence*', which allows already licensed bat ecologists to carry out or oversee works to low significance roosts under their own 'BLIMP' licence without the need to apply for a separate site-specific licence. The bat ecologist's BLIMP licence can only be used to cover common pipistrelle and soprano pipistrelle bat roosts of fewer than five individuals; it does not extend to use for any other species or larger roosts, for which a site-specific licence would still be required.

The bat roost identified in the barn fits into this 'low impact' category, so it is recommended that the proposed works are carried out under Jenny Wallace's BLIMP licence (Licence number 143125) in conjunction with the Bat Protection Plan into which this section has been written. Jenny will need to be informed regarding proposed timings for demolition so that the licence details and protection plan can be kept up to date and amended where necessary and so that proposed mitigation can be put into place in time.

### 5.2 PRE-WORKS ROOST COMPENSATION

Prior to any demolition works commencing on the buildings, replacement roost provision in the form of at least one bat box, should be placed on a suitable tree on the site which will not be affected by works and which is preferably within 50m of the barn. Any selected features will be capable of supporting boxes at a height of at least 3m from the ground (mounted with the aid of a ladder) and the box will be placed with a clear flyway from the entrance, free of vegetation clutter. Appropriate recommended bat boxes include the Schwegler or woodcrete bat boxes which have a longer lifespan than wooden boxes and which can be purchased from online retailers such as [www.nhbs.com](http://www.nhbs.com).

### 5.3 TIMING OF WORKS

The cottage supports a single common pipistrelle non-maternity roost - no maternity colonies were identified. Therefore, timing of works to avoid the sensitive maternity period (May - September) is not critical for this site. However, moderate bat hibernation potential was identified in both the buildings, so it is recommended that demolition of the buildings takes place out-with the hibernation period (November to March).

Active sparrow nests were observed in the bungalow during the daytime survey and overall, the site was assessed as having good nesting bird potential. Therefore, any demolition, ground clearance and tree removal works should be undertaken out-with the nesting bird season (March-September). If any of these works are planned to take place within the breeding bird season, a thorough check will be required to be undertaken by an ecologist to check there are no active nests present before works begin.

### 5.4 MITIGATION PRIOR TO AND DURING DEMOLITION/CONSTRUCTION

The main aim of mitigation proposed during this stage is to minimise the likelihood of harm or disturbance to individual bats that might be present in the property whilst works are being carried out.:

1) **Pre-works meeting:** It is recommended that before any demolition works commence on the buildings, an on-site meeting is undertaken between the building contractors and the licensed bat ecologist in order to outline the roost location / sensitive areas of the roof/building for bats and to discuss methods for undertaking works whilst adhering to BLIMP licence conditions.

2) **Hand stripping of roof materials:** In order to ensure no bats are harmed or injured during the works, all slates and roof materials on the bungalow and barn should be stripped by the hand by the contractor. Should any bats be found during the roof stripping then the bat ecologist will be contacted and will provide advice on the best course of action. This will probably involve the bat ecologist attending site and removing the bat(s) to the bat box mounted in a nearby tree.

3) **Exclusion of Bat from Roost Location R1:** In order to ensure the bat roosting in the wall of the barn at roost location R1 is not harmed or blocked in during demolition, a one-way excluding device will be fitted to the gap at least two weeks prior to works taking place. The exclusion device will allow the bat to leave the roost site but prevent it from re-entering the building at this location in the long term. The exclusion device will be left in situ for a minimum of 14 days. Following that period, provided the bat has left the roost location, the gap can be either be temporarily or permanently blocked whilst demolition works take place.

4) **Pre-felling check of two trees with low roosting potential:** It is recommended that prior to the felling of trees 6 and 7, the features are checked again to ensure there are no bats present at the time of felling. This should be done by a licensed bat surveyor with the aid of a torch and endoscope and should be carried out on the day of felling. If any bats are discovered during the pre-felling check, felling would need to be delayed until suitable licensing and mitigation can be put in place.

## 5.5 ANY CHANGES TO CIRCUMSTANCES AND EMERGENCY PROCEDURE

If more than 5 bats are found to be roosting in either of the buildings at the time of works or if a different species is discovered, then works will stop and SNH / the licensed bat ecologist will be consulted on how best to proceed.

All site workers must be fully informed of the presence of bats on site and the requirements of the licence conditions. An emergency procedure should be in place should any additional bats be found during the works when the licensed bat worker is not on site. In this instance, all works should be stopped in the immediate area around the bat and the licensed bat ecologist (or SNH) be contacted for advice.

## 5.6 LONG TERM ROOST COMPENSATION

Long term bat roost compensation will be required for the loss of the bat roost identified, as well as for the loss of roosting potential within the two buildings which will be demolished. This will be required in addition to the placing of a bat box on a nearby tree. Ideally long term provision would be achieved by incorporating a number of replacement roost sites into the new buildings on site through the provision of a minimum of two in-built bat boxes in a number of the new houses on site. There are a number of suitable boxes that can be incorporated into the design of the new buildings, including those which can be built into the structure and rendered over to leave only a small letter box entrance visible (these tend to work well on gable ends) as well as boxes made of bricks or block materials which can also be built into the fabric of the building whilst it is being constructed. Many options are available and can be viewed on the following website:

[https://www.nhbs.com/4/bat-boxes?q=&fR\[hide\]\[0\]=false&fR\[live\]\[0\]=true&fR\[shops.id\]\[0\]=4&hFR\[subjects\\_equipment.lvl1\]\[0\]=Bat%20Boxes](https://www.nhbs.com/4/bat-boxes?q=&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=4&hFR[subjects_equipment.lvl1][0]=Bat%20Boxes)



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## APPENDIX I – PHOTOS

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Photo 1: South elevation and west gable of bungalow



Photo 2: East elevation of bungalow



Photo 3: North elevation and west gable of bungalow



Photo 4: North and east elevations of bungalow



Photo 5: Typical gaps under ridge pieces in bungalow



Photo 6: Gaps at wall head of bungalow under guttering



Photo 7: Inside main attic space of bungalow



Photo 8: Cobwebbed sarking boards and apex inside bungalow



Photo 9: South and east elevations of barn



Photo 10: North and east elevations of barn



Photo 11: Inside barn



Photo 12: Inside barn showing roof structure



Photo 13: Trees 1 to 3 (looking south) showing cluttered cypresses      Photo 14: Trees 1 to 4 (looking north)



Photo 15: Site looking north west from bungalow



Photo 16: Tree 5, dead hawthorn with tree 6 in background



Photo 17: Tree 7 dead cypruss with low BRP

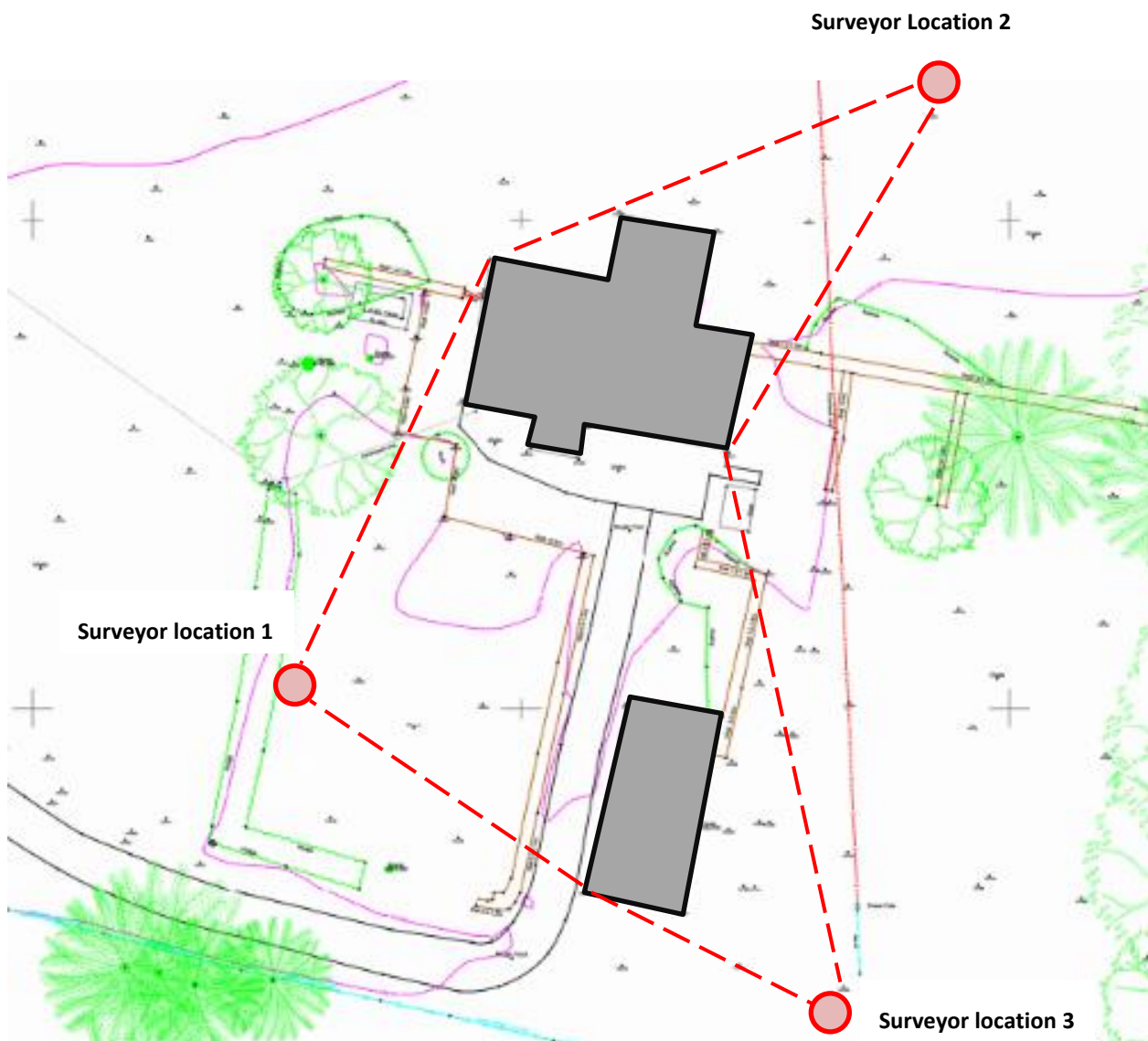


Photo 18: Site, looking towards eastern boundary



APPENDIX II – SURVEYOR LOCATIONS

Figure 3: Surveyor Locations and Viewsheds for Activity Surveys



## APPENDIX III - SPECIES PROTECTION STATUS

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All bat species in the UK are European Protected Species (EPS) and are fully protected under the EC Habitats and Species Directive 92/43/EEC. The Conservation (Natural Habitats,&c.) Regulations 1994 translates this law into European legislation in the UK. These regulations have been amended in Scotland by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 and 2007 and the Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2008.

These Regulations make it an offence to deliberately or recklessly:

- capture, injure or kill an EPS
- harass an EPS or group of EPS
- to disturb such an EPS while it is occupying a structure or place it uses for shelter or protection
- to disturb an EPS while it is rearing or otherwise caring for its young
- to obstruct access to a breeding site or resting place of an EPS or to otherwise deny an EPS use of a breeding site or resting place
- to disturb an EPS in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs
- to disturb an EPS in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- to disturb such an animal while it is migrating or hibernating

It is also an offence to:

- damage or destroy a breeding site or resting place of such an animal
- keep, transport, sell or exchange or offer for sale or exchange any wild animal or plant EPS or any part or derivative of one.

Derogation licences may be granted for certain purposes that would otherwise be illegal; such licences for development work must now be applied for from Scottish Natural Heritage. There is no provision for development licences as such, however; under Regulation 44 (2e) of the Conservation (Natural Habitats, &c.) Regulations 1994 licences may be granted for:

- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

However a licence will not be granted unless, importantly under 44 (3), the appropriate licensing authority is satisfied:

- That there is no satisfactory alternative
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

07 September 2020

Project No: P304563.001

**CRAIGTON OF MONIKIE, RESIDENTIAL DEVELOPMENT –  
DRAINAGE STRATEGY REPORT**

Prepared for:

**STRATHMORE HOMES (SCOTLAND) LTD**37 Coupar Angus Road  
Dundee  
DD2 3HX**Contents Amendment Record**

This report has been issued and amended as follows:

Revision	Description	Date	Signed
0.1	Draft	03 December 2019	David Clark
1.1	Final	07 September 2020	Ian Corner



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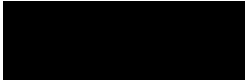
## Acknowledgement

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This report has been prepared for the sole and exclusive use of Strathmore Homes (Scotland) Ltd in accordance with the scope of work presented from Mabbett & Associates Ltd (Mabbett) by way of e-mail dated 20 June 2019. This report is based on information and data collected by Mabbett. Should any of the information be incorrect, incomplete or subject to change, Mabbett may wish to revise the report accordingly.

This report has been prepared by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD

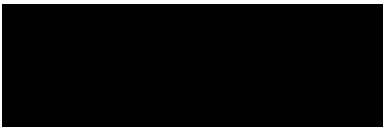


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David Clark  
Environmental Coordinator

This report has been reviewed and approved by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



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Ian Corner C.WEM MCIWEM  
Principal Environmental Consultant,



## Executive Summary

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Mabbett & Associates Ltd (Mabbett) was retained by Strathmore homes (Scotland) Ltd to produce a Drainage Strategy Report covering both foul & surface water treatment and disposal to support a planning application in respect of a proposed residential development likely to consist of five, 3-bedroom detached houses and six semi-detached 2-bedroom houses on a greenfield site at Craighton of Monikie, Angus (NGR NO 51077 38242).

A comprehensive assessment was undertaken which included reference to the SUDS Working Party Assessment and Drainage Assessment guide, Regulatory Method (WAT-RM-08) Sustainable Urban Drainage Systems (SUDS or SUD Systems), Version v6.4 July 2019, Regulatory Method (WAT-RM-03) Sewage Discharges to Surface Waters, Version v8.2 Oct 2019, and Angus Council's design criteria for any surface water system (see Appendix 3 – Correspondence with Angus Council) and other best practice guidance such as CIRIA SUDS Manual (C753). For the critical aspects to the study Mabbett followed good practice to help ensure the proposed development would be “viable” as regards drainage matters.

Site investigations were undertaken and Scottish Water, Angus Council and SEPA consulted on their requirements.

### **Flooding**

The Scottish Environment Protection Agency's (SEPA) Indicative Flood Map indicates the site is not identified as being at risk from either fluvial or pluvial flooding.

Reference to correspondence with Angus Council, see Appendix 3, indicates that all onsite drainage should be designed to accommodate the 1 in 30 year plus climate change rainfall event without flooding from the system. Any flows in excess of the 1 in 30 year event, up to and including the 1 in 200-year event plus climate change rainfall event, should be accommodated within the site without resulting in flooding of properties. In the event this is not practicable, provision of storage calculated to store up to surface water arising from up to the 1 in 200 year critical rainfall event should be provided. It is assumed the attenuated release rate in any event from the developed site should not exceed that from the predevelopment site, i.e. the greenfield release rate.

As storage and attenuation in order to restrict the surface water run-off rate from the developed site to that of the pre-development runoff rate is proposed, there should be no issues regarding flooding downstream as a result of the development.

### **Surface Water and Sustainable Urban Drainage Systems**

As the development will be served by a surface water drainage system serving more than a single dwelling the incorporation of Sustainable Urban Drainage (SUDS) in accordance with the requirements of SEPA and following the principles of CIRIA SUDS Manual (C753) will be a legal requirement.

It is proposed the surface water arising from roof areas would be treated, e.g. by way of individual filter trenches contained within the curtilage of each property. Surface water arising from the access road would be subject to a single level of treatment, most likely a swale or filter trench, in accordance with Angus Council roads department requirements. It is proposed that surface water from both sources would, in accordance with Angus Council requirements, be directed to a form of storage, e.g. a detention basin, that will be sized to accommodate up to the 1 in 200 year return period critical rainfall event plus 30% climate change and equipped with a throttle that would be designed to limit the discharge from the basin to the calculated greenfield release rate for the pre-development site.

The Simple Index Approach (SIA) indicates the use of filtration systems and the inclusion of a detention basin, albeit primarily for flood control purposes, would ensure compliance with General Binding Rule 10 of the Controlled Activities (Scotland) Regulations 2011. No formal or informal approval is required from SEPA for the solution being proposed.

## ***Sewage Treatment /Wastewater Treatment***

Foul drainage would be treated by way of a private sewage treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean, as advised to and agreed in principle by SEPA, with the effluent being discharged to the Monikie Burn at or about NGR NO 51220 38417, see Appendix 2. As a result of SEPA's positive response it is not envisaged that SEPA would object to any subsequent planning application.

## Table of Contents

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## Section 1.0 Waste Water

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The Building (Scotland) Regulations 2004 must be adhered to when a construction project is being undertaken. Regulation 3.7 of the Regulations, as reproduced below, states that:

*Every wastewater drainage system serving a building must be designed and constructed in such a way as to ensure the removal of wastewater from the building without threatening the health and safety of the people in and around the building, and:*

- (a) That facilities for the separation and removal of oil, fat, grease and volatile substances from the system are provided;*
- (b) That discharge is to a public sewer or public wastewater treatment plant, where it is reasonably practicable to do so; and*
- (c) Where discharge to a public sewer or public wastewater treatment plant is not reasonably practicable that discharge is to a private wastewater treatment plant or septic tank.*

**Limitation**

*Standard 3.7(a) does not apply to a dwelling.*

## Section 2.0 Surface Water

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With regard to surface water treatment and dispersal, Regulation 3.6 of the Building (Scotland) Regulations 2004, as reproduced below, states that:

*Every building and hard surface within the curtilage of a building, must be designed and constructed with a surface water drainage system that will:*

- (a) ensure the disposal of surface water without threatening the building and the health and safety of the people in and around the building; and*
- (b) have facilities for the separation and removal of silt, grit and pollutants.*

Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements of the authorities.

With regard to SEPA's requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), states that a sustainable urban drainage system (SUDS) is required unless the discharge is from a single house or if the discharge is to be made to coastal waters. GBR10 and the relevant associated rules are outlined below.

### **GBR10:**

#### **a) Discharge of surface water run-off from a surface water drainage system to water environment from:**

- i. up to 60 hectares of land used for residential premises;*
- ii. land used for non-residential premises or yards, except where the buildings or yards are in an industrial estate;*
- iii. land used as a motorised vehicle parking area with up to 1,000 parking spaces*
- iv. metalled roads other than motorways and A roads;*
- v. waterbound roads*

With regard to SEPA's requirements for the dispersal of surface water from developments, General Binding Rule (GBR) 11 must be adhered to:

### **GBR11: Discharge into a surface water drainage system**

#### **Rules:**

- a) Oil, paint thinners, pesticides, detergents, disinfectants or other pollutants must not be disposed of into a surface water drainage system or onto any surface that drains into a surface water drainage system;*
- b) Any matter liable to block, obstruct or otherwise impair the ability of the surface water drainage system to avoid pollution of the water environment must not be disposed of into a surface water drainage system or onto a surface that drains into a surface water drainage system;*
- c) Sewage or trade effluent must not be discharged into any surface water drainage system; and*
- d) On construction sites, any area of exposed soil from which the discharge of water run-off to the water environment is authorized under activity 10, and the period of time during which such soil is exposed, must be the minimum required to facilitate the construction works being undertaken at that site.*

(Source; SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019

## Section 3.0 Construction Method Statement

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Often the construction process can give rise to unavoidable waste, however, controlling the mess and minimising the waste can lead to better and easier environmental protection, an improved working environment, and direct and indirect project cost savings.

Recent changes to the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) now require that a Construction Site Licence must be obtained prior to any work commencing on site if the construction site:

- exceeds 4 hectares in area;
- contains a road or track length in excess of 5km; or
- includes any area of more than 1 hectares or any length of more than 500 metres on ground with a slope in excess of 25 degrees.

None of these constraints apply to this site or development.

Potential impacts on the water environment include alterations to the well-being of aquatic habitat to support life, changes to hydrological processes, exacerbated flood risk and visual degradation. Impacts to land may constitute contamination, unsightliness, and danger presented to public health.

### ***The Main Receptors at Risk of Impairment***

The main receptors at risk of being impacted by the works proposed have been summarised as follows:

- Watercourse.
- Drainage runs.
- Groundwater.
- Land without licence or exemption where wastes may be deposited.
- Atmosphere.

### ***The Potential Pollutants***

The main potential pollutants and waste identified are as follows:

- Surface water contaminated with suspended solid and/ or hydrocarbon residues.
- Excess concrete, tarmacadam.
- Excess cementacious wash-water.
- Uncontained oil/ fuel spillage.
- Controlled waste “escaping” the Duty of Care and being dumped, deposited or managed inappropriately.
- Fugitive dust emissions giving rise to nuisance.
- Paper and plastic packaging, coverings and wrappings to construction products and food and drink.

### ***Higher Risk Works/Practices***

- Concrete delivery and application processes.
- Clean-up of plant and equipment associated with delivery and application of concrete.
- Refuelling of vehicles and generators.
- Removal of inert or contaminated material from site.
- Contractor staff handling of plastic and paper.

### ***Advised Management and Mitigation Measures***

#### *General Items:*

- Adherence to SEPA’s Pollution Prevention Guidelines and, in particular, PPG6 Working at Construction and Demolition Sites.
- Periodic monitoring of works for “pollution” by trained site staff and periodic audit monitoring.
- Toolbox Talk - Site staff training in pollution from construction sites.

## *Specific Items:*

- Suitable provision will be made for the washing-out of concrete mixing plant and all ancillary equipment and the washings generated will not be allowed to flow into any drain or watercourse.
- High risk drains and drainage runs will be equipped with suitable protection (bunds, bentomats, filters, etc).
- Particular attention to minimising the contamination of clean incident rainfall by not allowing it to enter working areas.
- Construction vehicles and plant will be maintained to reduce the risk of hydrocarbon contamination.
- Other construction materials will be managed in such a way as to effectively minimise the risk posed to the aquatic environment.
- Dust suppression techniques (spraying) may need to be applied as necessary.

## Section 4.0 Flooding Risk Statement

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The Scottish Environment Protection Agency's (SEPA) Indicative Flood Map indicates the site is not identified as being at risk from either fluvial or pluvial flooding. Surface water arising from the site will be subject to a form of storage and attenuation compliant with Angus Council's guidance to limit the post-development. Additionally, run off associated with up to the 1 in 200-year rainfall event plus 30% climate change should be contained within the site without causing any flooding risk to buildings or critical roads, or increasing flood risk elsewhere. In the event this does not prove possible, the storage facility provided shall be increased in capacity to account for up to the 1 in 200-year event plus 30% climate change.

These measures should ensure there are no issues regarding increased flooding risk downstream of the development.



## Section 5.0 SUDS Statement

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The Water Environment (Controlled Activities) (Scotland) Regulations 2011 states that the installation of SUDS is a legal requirement for all developments draining to the water environment other than a single dwelling or for a discharge to coastal waters.

The rural nature of the development and scale of the development were considered in deciding upon a SUDS Strategy as were the different potential risks to the aquatic environment presented by housing and roads.

In pursuit of compliance with the Regulation, Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements:

- a. a storage container with an overflow discharging to any of the 4 following options, or
- b. a SUD system designed and constructed in accordance with clause 3.6.4, or
- c. a soakaway constructed in accordance with:
  - clause 3.6.5, or
  - the guidance in BRE Digest 365, 'Soakaway Design', or
  - National Annex NA 4 of BS EN 752: 2008, or
- d. a public sewer provided under the Sewerage (Scotland) Act 1968, or
- e. an outfall to a watercourse, such as a river, stream or loch or coastal waters, that complies with any notice and/or consent by SEPA.

Option a. is the preferred method for treatment and disposal of surface water from the proposed development. With regard to SEPA's requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 applies. GBR 10 requires the provision of a level of SUDS proportional to the perceived risk posed to the aquatic environment by the development. In this case, assuming surface water is dealt with at source by way of filter trenches or permeable paving, a single level of SUDS would be appropriate, and this is accounted for in this report. It should be noted that, as a result of the proposed detention basin, two levels of treatment will be provided.

### 5.1 Residential Development and Roads - SUDS Strategy

SEPA policy document WAT-RM-08 - Sustainable Urban Drainage Systems (SUDS) indicates that for the scale of the development proposed the level of SUDS to be applied should be assessed using the Simple Index Approach as outlined in the CIRIA SuDS Manual (C753). This approach was followed in this report, see Table 1 below.

**Table 1**

SIMPLE INDEX APPROACH: TOOL		SEPA Scottish Environment Protection Agency	HR Wallingford Working with water	ciria	<small>HRW shall not be liable for any direct or indirect damage claim, loss, cost, expense or liability howsoever arising out of the use or impossibility to use the tools, even when HRW has been informed of the possibility of the same. The user hereby indemnifies HRW from and against any damage claim, loss, expense or liability resulting from any action taken against HRW that is related in any way to the use of the tool or any reliance made in respect of the output of such use by any person whatsoever. HRW does not guarantee that the tool's functions meet the requirements of any person, nor that the tool is free from errors.</small>			
<b>STEP 1:</b>	<b>Determine the Pollution Hazard Index for the runoff area discharging to the proposed SuDS scheme</b>							
<b>This step requires the user to select the appropriate land use type for the area from which the runoff is occurring</b>								
If the land use varies across the 'runoff area', either:								
- use the land use type with the highest Pollution Hazard Index								
- apply the approach for each of the land use types to determine whether the proposed SuDS design is sufficient for all. If it is not, consider collecting more hazardous runoff separately and providing additional treatment.								
If the generic land use types suggested are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in the row below the drop down lists.								
					<b>Pollution Hazard Indices</b>			
				<b>Hazard Level</b>	<b>Suspended Solids</b>	<b>Metals</b>	<b>Hydrocarbons</b>	
<b>Runoff Area Land Use Description</b>								
Select land use type from the drop down list (or 'Other' if none applicable): →				Residential roofing	Very low	0.2	0.2	0.05
If the generic land use types in the drop down list above are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in this row:								
<b>Landuse Pollution Hazard Index</b>				<b>Very low</b>	<b>0.2</b>	<b>0.2</b>	<b>0.05</b>	

<b>STEP 2A: Determine the Pollution Mitigation Index for the proposed SuDS components</b>			
<p><b>This step requires the user to select the proposed SuDS components that will be used to treat runoff - before it is discharged to a receiving surface waterbody or downstream infiltration component</b></p> <p><b>If the runoff is discharged directly to an infiltration component, without upstream treatment, select 'None' for each of the 3 SuDS components and move to Step 2B</b></p>			
<p>This step should be applied to evaluate the water quality protection provided by proposed SuDS components for discharges to receiving surface waters or downstream infiltration components (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).</p>			
<p>If you have fewer than 3 components, select 'None' for the components that are not required</p>			
<p>If the proposed component is bespoke and/or a proprietary treatment product and not generically described by the suggested components, then 'Proprietary treatment system' or 'User defined indices' should be selected and a description of the component and agreed user defined indices should be entered in the rows below the drop down lists</p>			
			<i><b>Pollution Mitigation Indices</b></i>
	<i><b>SuDS Component Description</b></i>	<b>Suspended Solids</b>	<b>Metals</b>
		<b>Hydrocarbons</b>	
<p>Select SuDS Component 1 (i.e. the upstream SuDS component) from the drop down list: →</p>	Filter strip	0.4	0.4
<p>Select SuDS Component 2 (i.e. the second SuDS component in a series) from the drop down list: →</p>	Detention basin	0.5	0.5
<p>Select SuDS Component 3 (i.e. the third SuDS component in a series) from the drop down list: →</p>	None	0	0
	are bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary treatment system' or 'User defined indices' and enter component descriptions and agreed user defined indices in these rows:		
	<b>Aggregated Surface Water Pollution Mitigation Index</b>	<b>0.65</b>	<b>0.65</b>
		<b>0.8</b>	

<b>STEP 2C:</b>	<b>Determine the Combined Pollution Mitigation Indices for the Runoff Area</b>					
<b>This is an automatic step which combines the proposed SuDS Pollution Mitigation Indices with any Groundwater Protection Pollution Mitigation Indices</b>						
				<i>Combined Pollution Mitigation Indices</i>		
				Total Suspended	Metals	Hydrocarbons
<b>Combined Pollution Mitigation Indices for the Runoff Area</b>				<b>0.65</b>	<b>0.65</b>	<b>0.8</b>
<b>STEP 2D:</b>	<b>Determine Sufficiency of Pollution Mitigation Indices for Selected SuDS Components</b>					
<b>This is an automatic step which compares the Combined Pollution Mitigation Indices with the Land Use Hazard Indices, to determine whether the proposed components</b>						
<small>When the combined mitigation index exceeds the land use pollution hazard index, then the proposed components are considered sufficient in providing pollution risk mitigation.</small>						
<small>In England and Wales, where the discharge is to protected surface waters or groundwater, an additional treatment component (ie over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Protected surface waters are those designated for drinking water abstraction. In England and Wales, protected groundwater resources are defined as Source Protection Zone 1. In Northern Ireland, a more precautionary approach may be required and this should be checked with the environmental regulator on a site by site basis.</small>						
				<i>Sufficiency of Pollution Mitigation Indices</i>		
				Suspended Solids	Metals	Hydrocarbons
<small>Note: In order to meet both Water Quality criteria set out in the SuDS Manual (Chapter 4), Interception should be delivered for all impermeable areas wherever possible. Interception delivery and treatment may be met by the same components, but Interception requires separate evaluation.</small>				Sufficient	Sufficient	Sufficient

Surface water from roof areas could be directed to individual filter trenches or via the sub-base of permeable paving constructed within the curtilage of the individual dwellings while surface water from private driveways and the access road could be treated by way of permeable pavements or the like.

Following initial treatment of both the in-curtilage drainage and the drainage from the access road this would be conveyed to a storage and attenuation system, or systems depending on the topography of the site, to be designed in accordance with good practice to provide the necessary degree of attenuation and throttled release as required by Angus Council. A detention basin is proposed in this report. The installation of such a system would result in the discharge of a managed run-off rate from the post development site.

The SUDS scheme would be compliant with the General Binding Rules of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and thus SEPA should be fully supportive of the scheme.

## 5.2 Surface Water Storage and Attenuation

The storage and attenuation of surface water arising from the site will be in accordance with Angus Council's guidance. The installation of a detention basin and a Hydrobrake could serve the development well with the discharge being directed to the Monikie Burn.

With regard to the sizing of the attenuation storage and the control mechanism elements of the SUDS, these could be modelled by using MicroDrainage WinDes Source Control Software. The calculations and outputs for up to the 1 in 200-year event, would generate the release rate and the necessary storage volume. It is anticipated this level of detail would be provided by way of a condition on any planning permission that may be granted.

## Section 6.0 Overland Flowpaths

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The new use of the site should not place any of the buildings or facilities on-site or downstream of the site at any increased risk of flooding. Extreme events, greater than the 1 in 200 year event, should be able to migrate from the site to the nearby Monikie Burn as before without posing a risk of flooding more significant than the pre-development risk.

## Section 7.0 SUDS and Land Ownership and Maintenance

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If the surface water drainage system was to be vested in Scottish Water then a Section 7 agreement would need to be reached with Angus Council as to the demarcation of ownership of the SUDS system. This is generally apportioned such that all below ground structures remain under the auspices of SW while ownership of above ground structures falls to the local Council.

Maintenance of SUDS is essential to ensure continued performance and that no pollution or blockage persists unnoticed. The means by which maintenance will be achieved will, in part, be determined by whether the SUD system remains private or is vested in Scottish Water / Angus Council. It could, for example, remain in private ownership and be controlled by way of a factoring agreement between all the homeowners. If the SUDS facility became the subject of a Section 7 Agreement between the Council and SW, then maintenance would fall to these authorities.

## Section 8.0 Foul Drainage Treatment and Disposal

Communication was initiated with SEPA by way of an e-mail proposal submitted on 21 July 2019 outlining a solution based on treating the foul drainage by way of a suitable sized package biological treatment plant, or individual plants, and discharging the treated effluent to the Monikie Burn at or about NGR NO 51220 38417. SEPA responded by way of an e-mail dated 25 July 2019, see Appendix 4, to advise the Agency would, in principle, support this proposal.

There are two existing drains within the solum of, or immediately adjacent to, the B961 that are used to convey treated sewage effluent arising from, in one instance Monikie Primary School, and in the other instance the various sewage treatment plants that serve houses in Camus Place, to the Monikie Burn.

Angus Council indicated it would not accept a connection to facilitate the discharge of sewage effluent from a private development to its infrastructure, see Appendix 3. Similarly, Angus Council indicated the ownership, condition and capacity of the pipe used to service the houses in Camus Place would have to be established and then agreement sought from the owners prior to making a connection of treated sewage effluent from the proposed development to this existing pipe.

As a result of these responses, a new pipe may have to be laid to the Monikie Burn to convey treated sewage effluent from the proposed development.

## Section 9.0 Legal Authorisations

---

- **Foul Drainage**

It would be necessary, under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 to obtain authorisation from SEPA by way of a relevant level of authorisation (multiple Registrations or a single Licence) prior to making any discharge of treated sewage effluent from the development. The level of authorisation will be dependent on the population equivalent (PE) being served by the treatment system, or systems. A Registration would apply for a PE of 15 or less while a Licence would apply where the PE is >15.

- **Water Supply**

Consent would be required from Scottish Water to make a connection to the public water main.

- **Surface Water**

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) it is a legal requirement to provide a sustainable surface water drainage system for any discharge of surface water arising from more than a single dwelling or where the discharge of surface water is made to tidal waters. The level of control exerted by SEPA is dependent on the source and scale of the proposed discharge. The discharge of surface water arising from developments of <1000 residential houses or <1000 car park spaces is considered to be “authorised” if the discharge is compliant with General Binding Rule (GBR) No 10. As the appropriate level of SUDS will be put in place at this development and thus the GBR will be complied with, there would be no requirement to obtain formal “authorisation” from SEPA.



## Section 10.0 Disclaimer

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The content of this assessment is for internal use only and should not be distributed to third parties unless under the expressed authority of our client. The designs, recommendations and outline proposals shall remain the property of Mabbett & Associates Ltd and shall not be plagiarised in any form without authority to do so. The comments and recommendations stipulated are solely those expressed by Mabbett & Associates Ltd, and both parties understand that the comments and recommendations expressed are not binding. Mabbett & Associates Ltd confirms that reasonable skill, care, and diligence have been applied and that any design element has been carried out using verifiable and approved reference documentation. No responsibility shall be assumed by Mabbett & Associates Ltd for system failure as a result of incorrect installation work by contractors assigned by the client or incorrect or inappropriate implementation of Mabbett & Associates Ltd's recommendations.

## Section 11.0 References

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Building (Scotland) Regulations 2004

CIRIA SuDS Manual (C753)

CIRIA, Sustainable drainage systems. Hydraulic, structural and water quality advice, C609. London. 2004

Environment Act 1995

Water Assessment and Drainage Assessment - SUDS Working Party

SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019

The Scottish Building Standards: Technical Handbook 2019: Domestic.

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

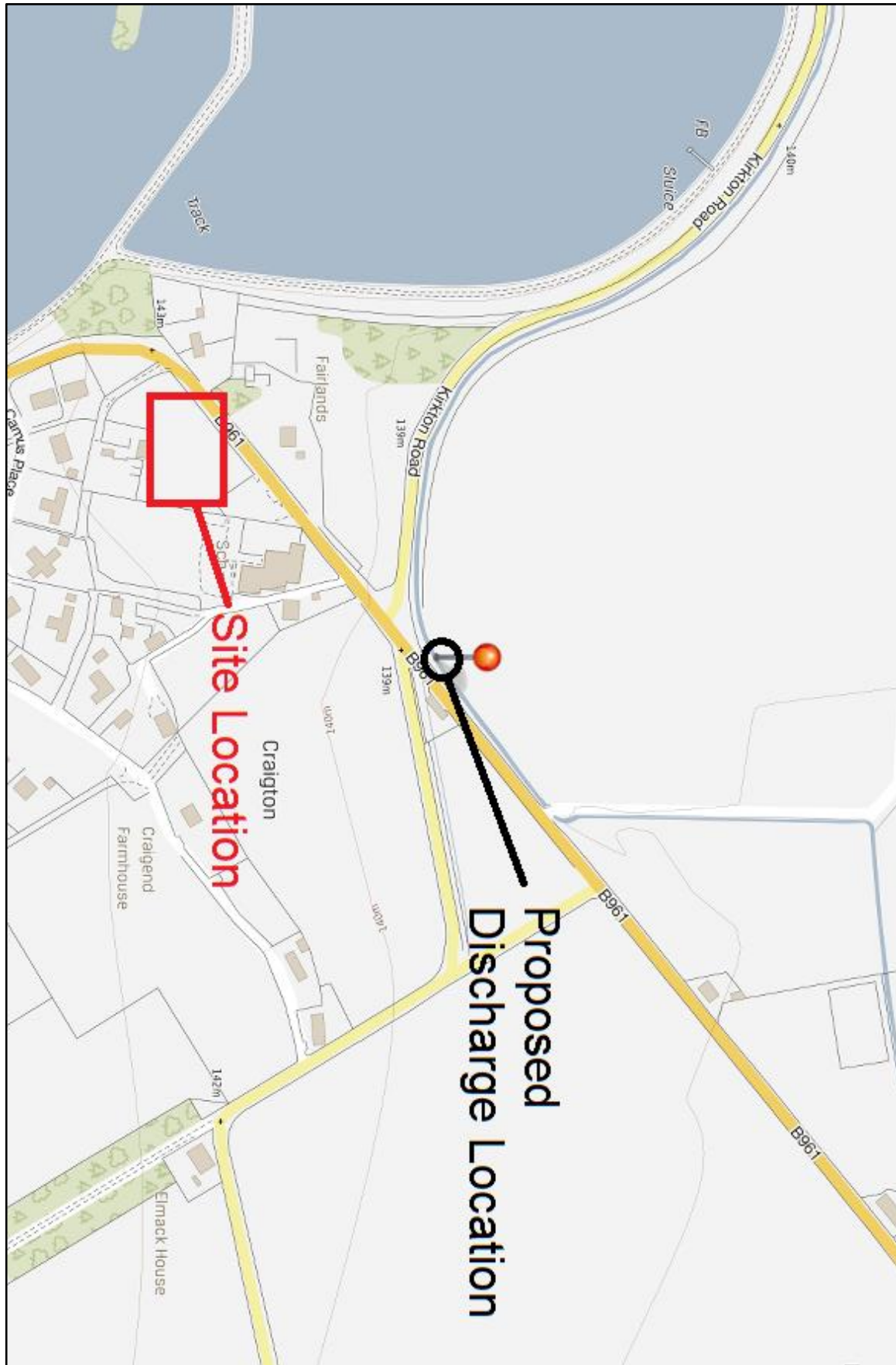
Regulatory Method (WAT-RM-03) Sewage Discharges to Surface Waters, Version v8.2 Oct 2019

Regulatory Method (WAT-RM-08) Sustainable Urban Drainage Systems (SUDS or SUD Systems), Version v6.4 July 2019

## Appendix 1: Site Layout



Appendix 2: Proposed Discharge Location



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## Appendix 3: Correspondence with Angus Council

**From:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)

**Sent:** 20 September 2019 10:34

**To:** Janice Corrigan [corriganj@angus.gov.uk](mailto:corriganj@angus.gov.uk)

**Subject:** Proposed residential development (10-12 houses) at a site at Craigton of Monikie

Janice,

I've attached this e-mail to the one below in order to link with what follows with our previous discussions. I'm also making the rash assumption that, in terms of the decision making that may be needed to reach a conclusion on the proposal that follow, that you are the best person to respond. If this is incorrect could you please either advise who we should be consulting with, or alternatively pass this e-mail to the relevant person.

Since our initial contact with you we have been advised, via Neil Anderson, that the effluent from Monikie Primary School's septic tank (s.t.) is discharged to the Monike Burn. The actual response stated;

As we thought the outflow from the septic tank connects into the storm water from the road gully's, which then flows into the Burn through a 150 clay pipe as in photo 3, apologies it's not very clear but was balancing precariously over the edge!! But you can clearly see the green dye form the discharge.

We have reached the stage now where we now require to progress solutions for the disposal of treated sewage effluent and surface water from the proposed development. To that end we would make the following proposals;

- **Foul Drainage**

Following consultation with SEPA agreement in principle was reached on allowing a discharge of treated sewage effluent to the Monikie Burn (see extract from SEPA response in red below).

I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA

In order to achieve a discharge to the Monikie Burn two possible routes have been identified, namely; via the existing drain that conveys the effluent from the Monikie Primary School s.t. to the burn or via the other drain that exists in the NW verge of the B961 (both as shown in the attached photo).

It is known that the "other drain" conveys treated foul drainage from the various sewage treatment plants serving the houses in Camus Place to the Monike Burn via the same outfall as it used by the drain that conveys effluent from the school s.t. to the Monike Burn, i.e. both drains convey treated sewage effluent to the Monikie Burn via the same outfall.

We would propose that treated sewage effluent from the proposed development, whether from individual sewage treatment plants, or one communal treatment plant be discharged to the Monikie Burn via the same drain as currently conveys effluent from the primary school septic tank to the Monikie Burn and would seek the Council's view on that proposal. At this stage we cannot be specific about the exact point of connection to the existing drain, we are simply seeking comment on the principle of making the discharge. Should the actual location of the point of connection become pertinent to the Council's response then please advise accordingly and we will revert to our client for advice on that matter.

An alternative solution would be to make the discharge as outlined above to the Monikie Burn via the other drain, i.e. that which conveys treated sewage effluent from the houses in Camus Place, to the Monikie Burn. This is the other drain shown in the attached photo. This is the less attractive of the two options from the point of view of ease of access to the two drains. In the event the option above is not considered acceptable by the Council, we would be obliged to receive your comment on this alternative solution.

- **Surface Water**

As for the foul drainage it would be the preferred option to discharge surface water from the development to the Monike Burn via the drain used to convey s.t. effluent from Monikie Primary School to the Monikie Burn.

It would be the intent to provide an appropriate level of SUDS for surface water arising from the development (as derived from the use of the Simple Index tool). Surface water arising from roofs etc will be treated by way of individual filter trenches contained within the curtilage of each property while run off from the access road will also receive a single level of treatment in accordance with the Council's requirements (it being intended that the road and associated drainage will be adopted and thus built to adoptable standards). It is assumed some level of control may be required in respect of the storage and attenuation of surface water prior to discharge to the Monikie Burn and the intent would be to provide this by way of a detention basin (as shown on the attached plan) and suitably throttled outlet. It is assumed Scottish Water will have no involvement in either the surface water or foul drainage treatment and disposal arrangements. We would be grateful for any comment you may wish to make on the criteria to be used to determine the capacity of the detention basin.

We look forward to receiving your responses to the proposals outlined above. Should you wish to discuss matters further, or require further information, please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

T: +44 (0) 141 227 2300 | F: +44 (0) 141 227 2301 | DD: +44 (0) 141 227 2327 | Mobile: +44 (0) 773 998 5991  
[corner@mabbett.eu](mailto:corner@mabbett.eu) [www.mabbett.eu](http://www.mabbett.eu)

---

**From:** Janice Corrigan [corriganj@angus.gov.uk](mailto:corriganj@angus.gov.uk)  
**Sent:** 02 December 2019 15:00  
**To:** Ian Corner [ian.corner@mabbett.eu](mailto:ian.corner@mabbett.eu)  
**Subject:** Proposed residential development (10-12 houses) at a site at Craigton of Monikie

Hi Ian,

Please see my responses to the questions you have raised highlighted in yellow. I hope this is self-explanatory but please contact me by e mail if you need clarification.

Kind Regards,

Janice

*Janice Corrigan  
Team Leader – Flood Risk and Structures  
Infrastructure Services  
Angus Council  
Angus House  
Forfar  
DD8 1AN*

*Tel – 01307 491880*  
Janice,

I've attached this e-mail to the one below in order to link with what follows with our previous discussions.

I'm also making the rash assumption that, in terms of the decision making that may be needed to reach a conclusion on the proposal that follow, that you are the best person to respond. If this is incorrect could you please either advise who we should be consulting with, or alternatively pass this e-mail to the relevant person.

Since our initial contact with you we have been advised, via Neil Anderson, that the effluent from Monikie Primary School's septic tank (s.t.) is discharged to the Monike Burn. The actual response stated;

As we thought the outflow from the septic tank connects into the storm water from the road gulley's, which then flows into the Burn through a 150 clay pipe as in photo 3, apologies it's not very clear but was balancing precariously over the edge!! But you can clearly see the green dye form the discharge.

We have reached the stage now where we now require to progress solutions for the disposal of treated sewage effluent and surface water from the proposed development. To that end we would make the following proposals;

- **Foul Drainage**

Following consultation with SEPA agreement in principle was reached on allowing a discharge of treated sewage effluent to the Monikie Burn (see extract from SEPA response in red below).

I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA

In order to achieve a discharge to the Monikie Burn two possible routes have been identified, namely; via the existing drain that conveys the effluent from the Monikie Primary School s.t. to the burn or via the other drain that exists in the NW verge of the B961 (both as shown in the attached photo).

It is known that the "other drain" conveys treated foul drainage from the various sewage treatment plants serving the houses in Camus Place to the Monike Burn via the same outfall as it used by the drain that conveys effluent from the school s.t. to the Monike Burn, i.e. both drains convey treated sewage effluent to the Monikie Burn via the same outfall.

We would propose that treated sewage effluent from the proposed development, whether from individual sewage treatment plants, or one communal treatment plant be discharged to the Monikie Burn via the same drain as currently conveys effluent from the primary school septic tank to the Monikie Burn and would seek the Council's view on that proposal. At this stage we cannot be specific about the exact point of connection to the existing drain, we are simply seeking comment on the principle of making the discharge. Should the actual location of the point of connection become pertinent to the Council's response then please advise accordingly and we will revert to our client for advice on that matter.

The Council will not accept a connection to facilitate the discharge of sewage effluent from a private development to our infrastructure.

An alternative solution would be to make the discharge as outlined above to the Monikie Burn via the other drain, i.e .that which conveys treated sewage effluent from the houses in Camus Place, to the Monikie Burn. This is the other drain shown in the attached photo. This is the less attractive of the two options from the point of view of ease of access to the two drains. In the event the option above is not considered acceptable by the Council, we would be obliged to receive your comment on this alternative solution.

I would advise that ownership, condition and capacity of this pipe would have to be established and then agreement sought from owners prior to making a legal connection of sewage effluent from a private development to this existing pipe.

- **Surface Water**

As for the foul drainage it would be the preferred option to discharge surface water from the development to the Monike Burn via the drain used to convey s.t. effluent from Monikie Primary School to the Monikie Burn.

It would be the intent to provide an appropriate level of SUDS for surface water arising from the development (as derived from the use of the Simple Index tool). Surface water arising from roofs etc will be treated by way of individual filter trenches contained within the curtilage of each property while run off from the access road will also receive a single level of treatment in accordance with the Council's requirements (it being intended that the road and associated drainage will be adopted and thus built to adoptable standards). It is assumed some level of control may be required in respect of the storage and attenuation of surface water prior to discharge to the Monikie Burn and the intent would be to provide this by way of a detention basin (as shown on the attached plan) and suitably throttled outlet. It is assumed Scottish Water will have no involvement in either the surface water or foul drainage treatment and disposal arrangements. We would be grateful for any comment you may wish to make on the criteria to be used to determine the capacity of the detention basin.

## Design criteria for any surface water system are :-

1 in 30 year RP +30% climate change incorporated in underground infrastructure

1 in 200 year RP + 30% climate change incorporated within the site

Full design calculations incorporating trial pit/percolation test results for the site.

Maintenance details required in perpetuity for all pipes and SUDS infrastructure

Flood routing through the site identified

If a request is made to discharge to Angus Council surface water infrastructure then details of the connection point and condition and capacity survey/assessment of the carrying pipe is required. This should be submitted along with application for outline planning permission what may be forthcoming. This information will identify if the addition of a development at this location will increase flood risk.

Angus Council reserves the right to refuse an application for connection to our existing system should any of the above information demonstrate an increased risk of flooding from the connection.

We look forward to receiving your responses to the proposals outlined above. Should you wish to discuss matters further, or require further information, please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

T: +44 (0) 141 227 2300 | F: +44 (0) 141 227 2301 | DD: +44 (0) 141 227 2327 | Mobile: +44 (0) 773 998 5991  
[corner@mabbett.eu](mailto:corner@mabbett.eu) [www.mabbett.eu](http://www.mabbett.eu)



## Appendix 4: Correspondence with SEPA

**From:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)  
**Sent:** 21 June 2019 10:38  
**To:** Scott Leith [scott.leith@sepa.org.uk](mailto:scott.leith@sepa.org.uk)  
**Subject:** Criagton of Monikie, Angus

Scott,

As of last night we have been appointed by our client to progress a solution for the treatment and disposal of foul and surface water from the site referred to below. I've attached a location plan and an indicative layout (this was prepared by another architect who is not likely to be involved in this project) for the site which is located at Craigton of Monikie at NGR NO51077 38248.

Our client has had preliminary contact with Scottish Water (SW) (Brian Stephenson, Team Leader, Development, East Region) who commented as below:

Looking at the area there are no sewers in that area, the closest is on the other side of the water around 1km away so would be an extensive amount of sewers required to reach our network. If there are sewers around your site they may be private; we don't have visibility of this unfortunately. If going to our network It's a combined system and a very small catchment so I would say a PDE is critical to ensure that we are able to assess the capacity available for your foul discharge.

With that response it appears that a connection to the SW network is not likely to be a workable or cost effective option for this development, albeit we intend to submit a PDE to SW. It should be noted, however, that SW will not comment on the practicality of connection, only on whether there is capacity within its network or not to accept the foul flow from the development. In that regard it's likely that SW's response would not alter our position which is that we believe at this stage that a private sewage treatment solution to be the most viable option for the development. I should add that initial estimates of cost to achieve a connection to the public sewer are of the order of £300,000 at the very least. This cost does not include any requirement to pump sewage or not costs associated with traffic management over a period of at least a month while works would be ongoing. Realistically the actual cost will be more likely to be closer to £400,000. This would equate to approximately £30,000 to £40,000 /house. Clearly an unacceptable amount of money, especially when private sewage treatment has been costed at approximately £30,000 - £40,000 installed.

With that in mind, we would seek comment from SEPA on the principle of a discharge of appropriately treated sewage effluent to the Monikie Burn at or about NGR **NO 51220 38417** which is somewhat to the NE of the development site and adjacent to the B961. We would wish SEPA to consider a development consisting of approximately 10 – 12, 3-bedroom dwellings generating a total PE of approximately 60 (48 when British Water guidance is used??). It is intended that the development be served by way of a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of the order of 10mg/l BOD and 10mg/l ammonia, as a mean.

We would be obliged if SEPA would give our proposal due consideration and indicate whether the effluent quality, in principle, is of a standard that may be considered acceptable for discharge to the Monikie Burn at the location specified.

Should you wish to discuss this matter further please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

T: +44 (0) 141 227 2300 | F: +44 (0) 141 227 2301 | DD: +44 (0) 141 227 2327 | Mobile: +44 (0) 773 998 5991  
[corner@mabbett.eu](mailto:corner@mabbett.eu) [www.mabbett.eu](http://www.mabbett.eu)

**From:** Scott Leith [scott.leith@sepa.org.uk](mailto:scott.leith@sepa.org.uk)  
**Sent:** 25 July 2019 16:43  
**To:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)  
**Subject:** RE: Craigton of Monikie, Angus

Hi Ian

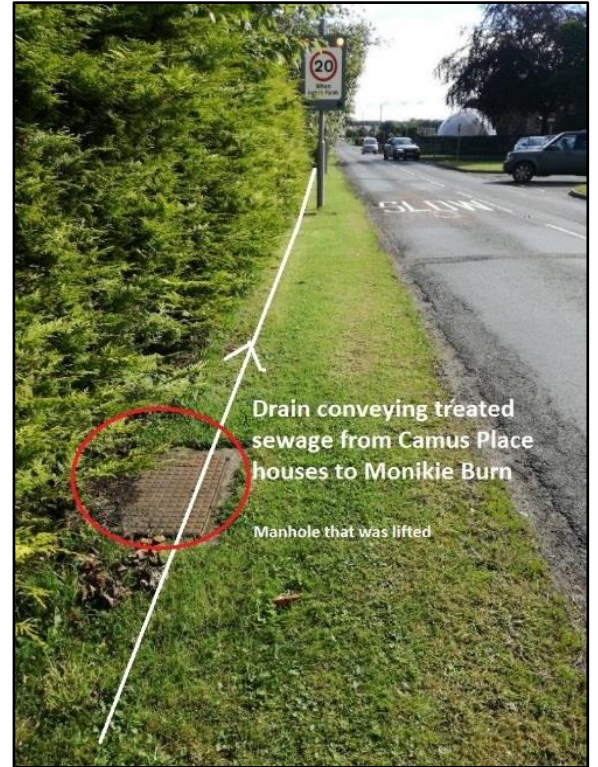
Sorry for not replying earlier but just got back to work on Tuesday (after a 3 week break). So after looking at the flow data from SEPA's hydrology department and attending the area yesterday, I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA on the proviso that prior to connection after treatment into the final discharge pipe as much seepage is utilised as possible. I would also ensure that you gain the correct permissions prior to connecting into this pipe. Not sure who is responsible for this.

Finally as you are fully aware, this discharge will require authorisation by SEPA (Simple Licence) where the application forms can be found on SEPA'S web site

Regards

Scott

## Appendix 5: Photographs





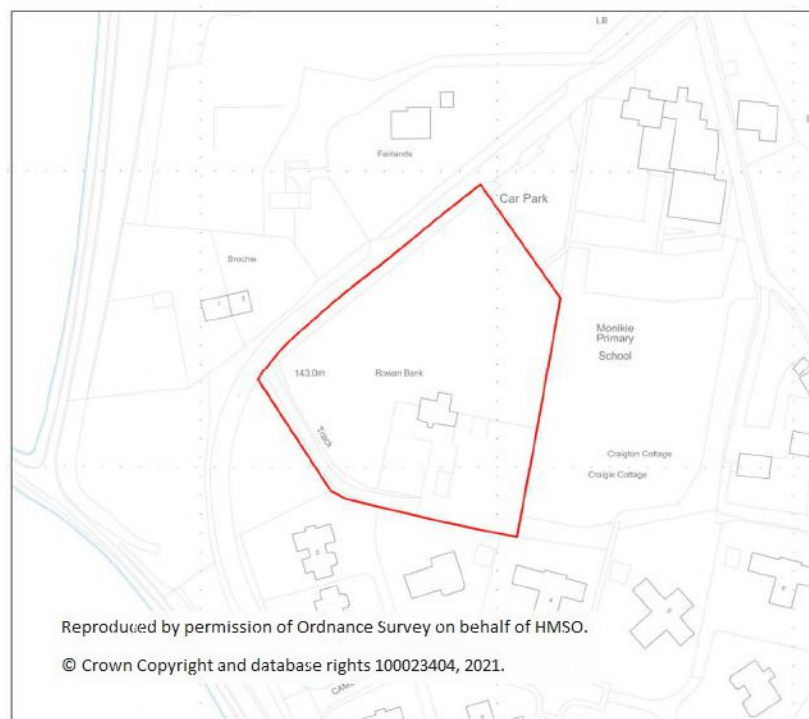
JON FRULLANI  
ARCHITECT

Job 6256

## Planning Application Statement

### **DEMOLITION OF DWELLINGHOUSE AND ERECTION OF 7 DWELLINGHOUSES AT ROWANBANK, CRAIGTON OF MONIKIE**

#### ***PLANNING STATEMENT***



#### **CONTENTS**

**1.0 | Introduction**

**2.0 | Site**

**3.0 | Proposal**

**4.0 | Policy Framework**

**5.0 | Evaluation**

**6.0 | Conclusi**



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ARCHITECT

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## 1. INTRODUCTION

This statement has been prepared to support a planning application for the demolition of an existing dwellinghouse and erection 7 houses in its place at Rowanbak, Craigton of Monikie.

Section 25 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 directs that all planning decisions should accord with the development plan unless material considerations indicate otherwise:

Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 37 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, re-affirms the above direction and confirms that in Determining planning applications, the Planning Authority "shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations".

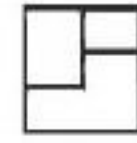
The Scottish Planning Policy stipulates that in considering planning applications planning authorities should adopt a presumption in favour of development that contributes to sustainable development. Scottish Government Planning Policy states:

"The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost."

In addition the Scottish Planning Policy also states:

"Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations."

This statement shall demonstrate the proposal's compliance with the objectives of the Development Plan as well as highlight material considerations that support the approval of planning permission.

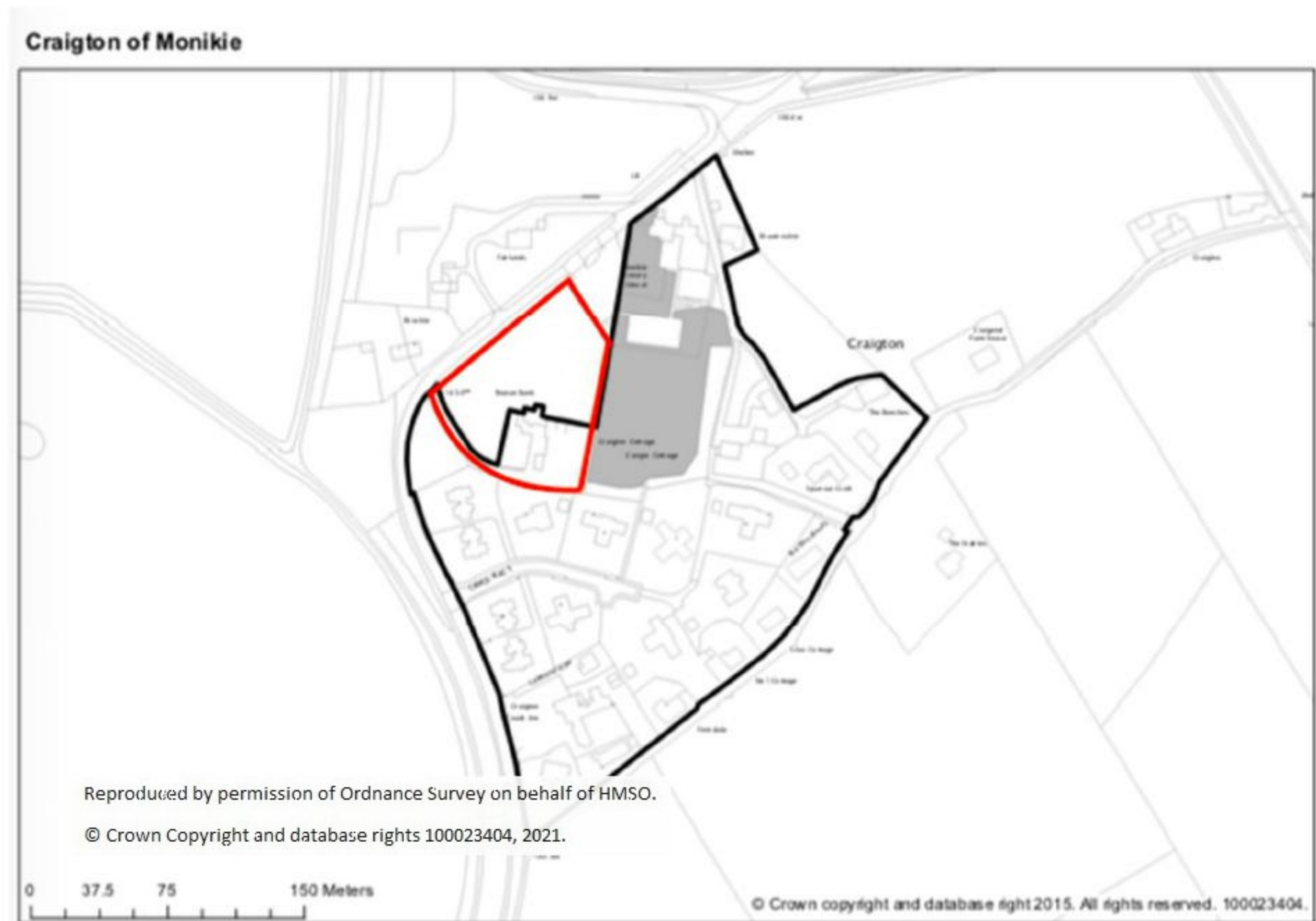


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## 2. SITE

The development site is situated both within and to the north west of the Craigton of Monikie settlement boundary as defined by the Angus Local Development Plan 2016 and illustrated by Figure 1.



**Figure 1: Angus Local Development Plan Craigton of Monikie Settlement Boundary**

The site comprises of Rowanbank Cottage and the associated paddocks to the immediate north. The site is situated on the settlement boundary and is bound to the east by Monikie Primary School and associated car park and playing fields. To the south the site is bound by housing on Camus Place and to the west and north the site is enclosed by the B961. To the north and north west of the site on the opposing side of the B961 there is detached housing. The location of the site and the surrounding context is illustrated by the aerial photograph in Figure 2.

The site forms a paddock area beyond the immediate curtilage of the house at Rowanbank. The site is enclosed by post and wire fencing to the north, south, west and east boundaries. The northern, eastern and western boundaries are supplemented by hedging while the southern boundary is supplemented by mature trees. The immediate curtilage of the house at Rowanbank is enclosed by hedging.



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The existing house at Rowanbank takes the form of a single storey cottage with an “L” shaped floor plate. The house has roughcast walls and slate pitched roofs.



**Figure 2: Aerial Photograph Showing Site Location and Context**

Access to Rowanbank is taken from Camus Place.

The house at Rowanbank is situated within the defined settlement boundary of Craigton of Monikie but the associated and adjoining paddock is situated outwith the boundary.

The photographs in Figures 3-6 show the proposed development site, its relationship with neighbouring properties and the context within which the site is situated.

  
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Figure 3: Photograph from North East of Site Looking West Along B961





Figure 4: Photograph from North West of Site Looking East Along B961



Figure 5: Photograph from North West of Site Looking South East



**Figure 6: Photograph from North West of Site Looking North West**

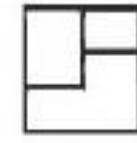
### **3. PROPOSAL**

The proposal is for a residential led development with associated access, infrastructure, and landscaping. The Indicative Site Layout Plan in Figure 7, illustrates that the site capable of accommodating 7 housing units.

The proposal involves the removal of Rowanbank Cottage and the erection of 7 detached single storey houses. An existing access to the paddocks from the B961 shall be altered to form an access to the proposed houses.

The plots serving the proposed housing units will have an average areas of 787sqm and private gardens exceeding 300sqm in area. Each of the proposed houses will have a detached garage with parking for up to 3 vehicles.

The layout and design of the proposed development seeks to replicate the development pattern established by the modern housing development on Camus Place adjoining the site to the south. However, the proposed housing development has been afforded generous plot sizes and garden grounds commensurate with the low density character of the surrounding built form. The layout and design of the proposed development is illustrated by Figure 7: Site Layout Plan.



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Figure 7: Site Layout Plan

**4. POLICY FRAMEWORK**

**TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017**

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

**Angus Local Development Plan - Approved September 2016**

- Policy DS1 : Development Boundaries and Priorities
- Policy DS3 : Design Quality and Placemaking
- Policy DS4 : Amenity
- Policy TC1: Housing Land Supply/Release
- Policy PV15: Drainage Infrastructure



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## 5. EVALUATION

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.

Policy DS1 of the Angus Local Development Plan (ALDP) indicates that all proposals will be expected to support delivery of the Development Strategy. It indicates that proposals for development outwith development boundaries will be supported where they are of a scale and nature appropriate to the location and are in accordance with the relevant policies of the ALDP. However, Policy DS1 also states that proposals for sites outwith but contiguous with a settlement boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm that there is a need for the proposed development that cannot be met within a development boundary.

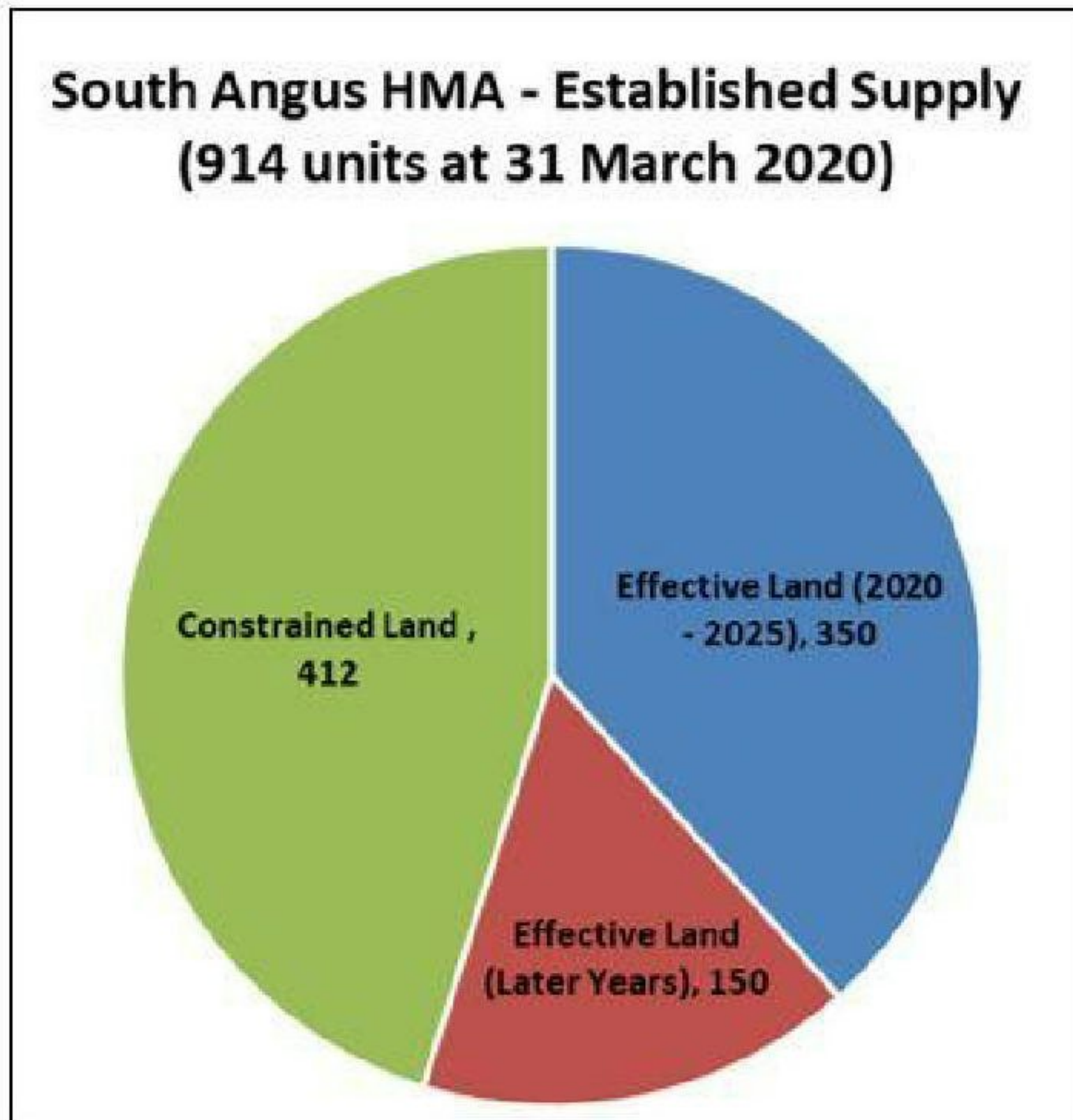
As shown in Figure 1 the settlement boundary of Craigton of Monikie is wrapped tightly around the existing built form meaning that there is no allowance for new housing development within the settlement boundary. However, Policy DS1 makes an exception for housing proposals outwith settlement boundaries where they fulfil an operational need that is of public, economic and social benefit.

Craigton of Monikie is located in the South Angus Housing Market Area where the Draft Angus Housing Land Audit Local demonstrates that there is lack of supply in effective deliverable housing land (land that is free from constraint) for developments of 5 or more housing units. This is evidenced by Figure 8: Housing Land Supply in Southern Angus which illustrates an established land supply in the South Angus HMA of 914 units. This includes an effective land supply of 532 units, comprising 365 units effective in the next 5-years (40% of established supply in the HMA) and 167 units effective in Later Years (18% of established supply). Two significant sites (Shank of Omachie and Strathmartine Hospital) remain constrained and deny the housing market area of a further 382 units (42% of established supply).



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**Figure 8: Housing Land Supply in Southern Angus**

The TAYplan Housing Offer dated May 2017 concludes that a driving factor of market exclusion from house prices in countryside and the outer suburban parts of principal settlements is the housing profile of type, size and tenure within principal settlements. This is illustrated by concentrations of flats and smaller properties, mostly for rent, within inner urban areas meaning that purchasers must look to outer suburbs, specific neighbourhoods or the countryside to buy homes. Purchasers must then make choices based on their perceptions of place quality. However, the market commentary accompanying the Housing Offer suggests that this has the effect of inflating house prices in specific neighbourhoods and the countryside.

The proposed development would help address the above issues of housing land supply and market exclusion by modestly increasing the supply of housing within Craigton of Monikie. The provision of high quality, energy efficient modern single storey housing will contribute significantly to the mix of available housing in the local area meeting local housing need. The modest increase in population generated by the proposed development will also



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help sustain the local economy and community of Craigton of Monikie through an increase in the use of local services and facilities. In addition our client is a local developer employing Angus residents with the proposed development providing job security as well as generating employment opportunities for local trades people.

While the site has contiguous boundaries with the settlement of Craigton of Monikie there are clear operational, economic and social benefits that will be realised by the proposed development and such the principle of housing development on the development site accords with Policy DS1.

Policy TC1 Housing Land Supply/Release states that where the annual housing land audit identifies a shortfall in either the five years' or the seven years' effective housing land supply, the council will work with landowners, developers and infrastructure providers to bring forward additional housing land. The early release of sites planned for later phases of the plan, as well as sites identified as constrained or non-effective in the audit, will be considered first. If the shortfall is not met from existing sites, proposals for housing development on other housing sites may be supported where they are consistent with the policies of the plan.

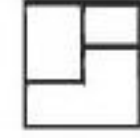
The draft Angus Housing Land Audit demonstrates that there is a shortfall in the existing housing land supply in the South Angus Housing Market Area due to sites with planning permission for 412 units being constrained and therefore undeliverable within the current plan period. In addition we have also demonstrated that the proposed development through compliance with Policy DS1 will deliver social, economic and environmental benefits through the logical and sustainable extension of the Craigton of Monikie settlement. The proceeding paragraphs will illustrate the ways in which the proposed development is of a significantly high quality design and complies with Policies DS3 and DS4 of the adopted Local Development Plan.

The scale of development proposed is commensurate with the size of the site. The site has clearly defined boundaries which restrict further development and future encroachment on to Greenfield land to the north of the B961. The plot sizes, footprint of the houses and areas of private garden ground have been designed in accordance with the requirements of Policies DS3 and DS4 of the ALDP and the Design and Placemaking Supplementary Guidance. The key elements underpinning the evolution of the proposed design solution accord with the principles of successful places detailed within Scottish Planning Policy for the following reasons:

**Distinct Character and Identity** - the layout and design of the proposed development provides for a low density mix of single storey housing units that complement the layout, design, scale and massing of the existing housing to the south of the site. The proposed housing units while of a contemporary design will have traditional finishing materials that complement the appearance of the new development in relation to the surrounding built form. There is clear definition between private and public spaces within the new development with the wooded character of the site that contributes to the amenity of neighbouring properties maintained through the retention of some of the existing tree cover on site. The existing tree cover reinforcing the northern boundary of the site will be retained to provide screening of private gardens to the B961.

**Safe and Pleasant** - The layout of the proposed development has evolved to comprise of single storey dwellings to ensure that the housing mix provides for an accessible development that meets the needs of local residents. In addition the separation between public and private spaces through building positioning, retention of existing trees and shrubbery not only contributes to the character and high quality residential environment but also the creation of safe and accessible spaces. The areas of open space within the proposed development are overlooked by windows serving the principal rooms of the proposed houses on Plots 1 and 2.

**Well Connected** - The layout and design of the proposed development has sought to create safe spaces. Rather than attempting to create peripheral footpath connections that would not be overlooked we have positioned Plots



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5-7 to create a perimeter block style development where the private gardens of these plots adjoins the private gardens of neighbouring houses and the curtilage of the primary school. In terms of connectivity the proposed development will connect to the local road network on the B961 and a footpath will be formed along the frontage of the site.

**Adaptable** - The proposal involves the erection of single storey houses to meet the changing needs of its residents. The proposed development has been designed to be DDA compliant. The sustainable drainage system that will serve the proposed development will be designed to take into account the effects of climate change also.

**Resource Efficient** - The layout of the proposed development involves the retention of as many of the existing trees on site as possible to minimise any environment impact while also maintaining the wooded character that contributes significantly to the high quality residential environment. The proposed houses will utilise renewable technology to ensure that they are resource and energy efficient.

In terms of drainage infrastructure a Drainage Impact Assessment (DIA) has been provided in support of the proposed development. The DIA concludes that the site has no history of flooding which has been corroborated through SEPA flood maps. It is proposed that surface water arising from roof areas would be treated, e.g. by way of individual filter trenches contained within the curtilage of each property. Surface water arising from the access road would be subject to a single level of treatment, by virtue of a filter trench, in accordance with Angus Council roads department requirements. It is proposed that surface water from both sources would, in accordance with Angus Council requirements, be directed to an attenuation detention basin, that will be sized to accommodate up to the 1 in 200 year return period critical rainfall event plus 30% climate change and equipped with a throttle that would be designed to limit the discharge from the basin to the calculated greenfield release rate for the pre-development site. In this regard we believe the proposed development to satisfy the requirements of Policy PV15.

In summary we have demonstrated that the proposed development complies in full with Policies DS1, DS3, DS4, TC1 and PV15 of the adopted Angus Local Development Plan.

#### **MATERIAL CONSIDERATIONS-NATIONAL POLICY AND GUIDANCE**

The Scottish Government sets out the national planning context in both National Planning Framework 3 and in Scottish Planning Policy (SPP) 2014.

The National Planning Framework outlines the long-term strategy for Scotland and provides a spatial representation of the Government's economic strategy, and plans for delivery of infrastructure.

SPP sets out Scottish Government policy on how nationally important land use planning matters should be addressed across the country.

Together the application of the National Planning Framework and Scottish Planning Policy at the national, strategic and local levels will enable the planning system to deliver the Scottish Government's vision and outcomes for Scotland that include:

- \* A successful, sustainable place;
- \* A low carbon place;
- \* A natural, resilient place;
- \* A connected place.



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SPP sets out the principal overarching policies on Sustainability and Placemaking and reaffirms that these policies should be applied to all development.

As well as the National Planning Framework and SPP the following Scottish Government planning policy documents are also relevant to the proposed development:

- Creating Places, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- Designing Streets, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance.

The location of the application site accords with the broad approach of the above national policy and guidance statements to direct new development to settlements and to brownfield land, together with supporting the creation of sustainable communities and economic growth. Therefore, the proposed development is considered to positively contribute to placemaking objectives and will provide for new housing of a high-quality design in a location that is appropriate for housing provision.

## 6. CONCLUSION

Taking cognisance of the above reasoning we have concluded that the proposed development clearly satisfies the requirements of the Angus Local Development Plan. We have demonstrated that the scale of development proposed accords with the requirements of Policies DS1, DS3, DS4 TC1 and PV15 as well as the guidance contained in the Design and Placemaking Supplementary Guidance document and is not only of a scale that is commensurate with the size of the development site but the design solution is also of high quality that will contribute to character and quality of Craigton of Monikie.

We have demonstrated that the proposed development amongst other benefits will address a shortfall in the effective housing land supply in the South Angus Housing Market Area, meet local housing need and provide social and economic benefits to the local area in the form of job security, employment opportunity and investment in local services and facilities. We have demonstrated that the proposal will contribute to the high quality residential environment that characterises the settlement of Craigton of Monikie.

Therefore, we believe that the strength of proposal's compliance with the Angus Local Development Plan justifies support for the proposal and as such the approval of planning permission.



**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW**

**ROWANBANK COTTAGE, CRAIGTON, MONIKIE**

**APPLICATION NO 20/00636/PPPL**

**APPLICANT'S SUBMISSION**

**Page No**

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<b>ITEM 7</b>	Proposed Site Plan
<b>ITEM 8</b>	Planning Permission in Principle Application
<b>ITEM 9</b>	Planning Application Statement
<b>ITEM 10</b>	Bat Survey
<b>ITEM 11</b>	Drainage Report



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100178165-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:	JON FRULLANI ARCHITECT		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	JON	Building Name:	UNIT 5, DISTRICT 10,
Last Name: *	FRULLANI	Building Number:	
Telephone Number: *	01382224828	Address 1 (Street): *	25 GREENMARKET
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	DUNDEE
Fax Number:		Country: *	UNITED KINGDOM
		Postcode: *	DD1 4QB
Email Address: *	jon@jfarchitect.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="37"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Coupar Angus Road"/>
Company/Organisation	<input type="text" value="Strathmore Homes (Scotland) Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dundee"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD2 3HX"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="jon@jfarchitect.co.uk"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Angus Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="ROWANBANK"/>
Address 2:	<input type="text" value="PANMURE ROAD"/>
Address 3:	<input type="text" value="MONIKIE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUNDEE"/>
Post Code:	<input type="text" value="DD5 3QA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="738470"/>	Easting	<input type="text" value="350005"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Demolition of existing dwellinghouse and erection of seven dwellinghouses

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see enclosed supporting statement setting out full reasoning for the appeal enclosed.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Written Appeal Statement

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00636/PPPL

What date was the application submitted to the planning authority? \*

29/09/2020

What date was the decision issued by the planning authority? \*

11/01/2021

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

Can the site be clearly seen from a road or public land? \*

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

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 (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr JON FRULLANI

Declaration Date: 15/03/2021

**DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF 7 DWELLINGHOUSES AT ROWANBANK, CRAIGTON OF MONIKIE**



**APPEAL STATEMENT**

Town and Country Planning(Scotland) Act 1997 as amended  
Planning Application Ref: 20/00636/PPPL  
Appellant: Strathmore Homes (Scotland) Ltd  
Date: March 2021

## **Contents**

1.0 Introduction

2.0 Application Site and Context

3.0 Proposed Development

4.0 Evaluation of Council's Assessment of Planning Application Ref: 20/00636/PPPL

5.0 Conclusion



## 1.0 INTRODUCTION

This notice of review has been submitted on behalf of Strathmore Homes (Scotland) Ltd and relates to an application for Planning Permission in Principle for the demolition of an existing dwellinghouse and erection 7 houses in its place at Rowanbak, Craigton of Monikie.

Angus Council registered the application on 10 March 2020 under planning application reference: 20/00636/PPPL.

The planning application was validated on 14 September 2020 and determined on 11 January 2021. The Planning Decision Notice cites the following reasons for refusal of planning permission:

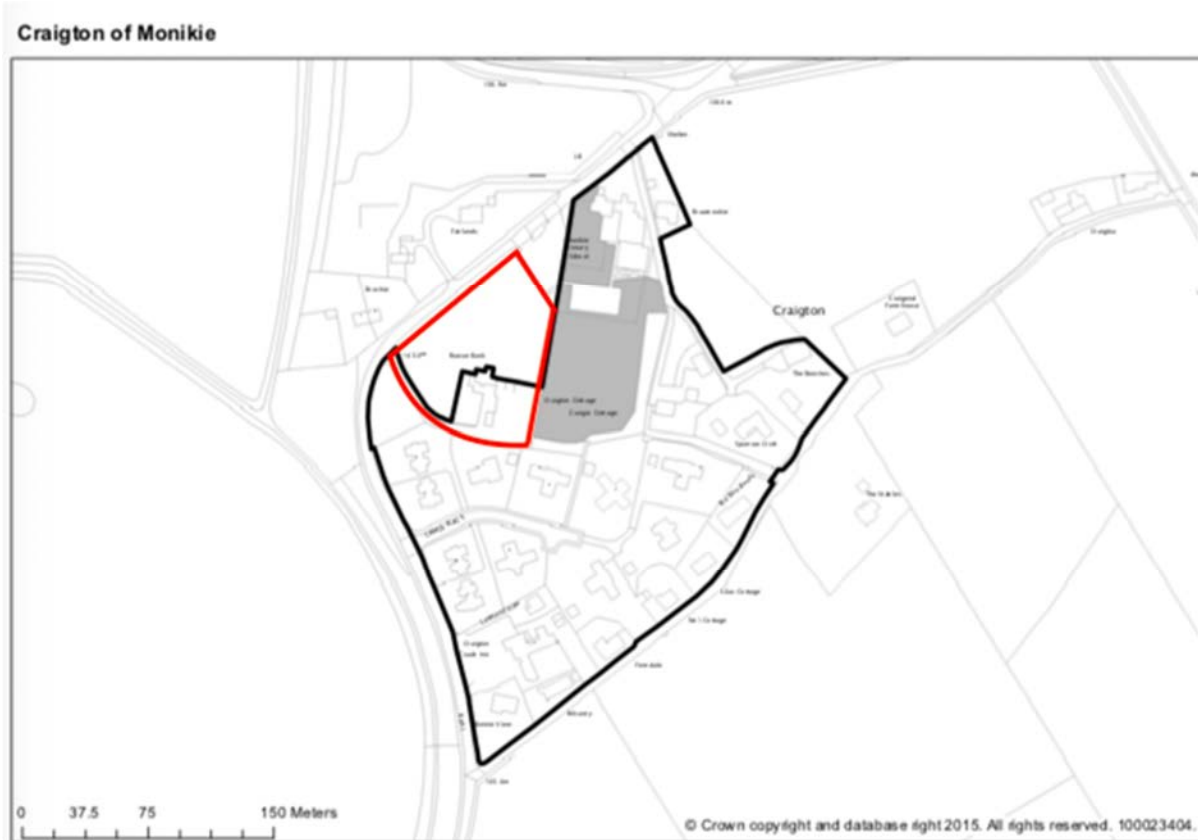
- 1. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.*
- 2. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.*

In determining the planning application, the Planning Authority is required, under Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act, 1997 (as amended) (the "Act") to determine the application in accordance with the Development Plan unless material considerations indicate otherwise. The appellant disagrees with the Case Officer's Decision and respectfully requests that the Review is considered in light of the material considerations detailed within this statement which we believe to justify approval of the proposal having regard to the requirements of Sections 25 and 37(2) of the Act.

It is respectfully requested that this Review is supported and planning permission in principle granted for the reasons provided in this statement.

## 2.0 APPLICATION SITE AND CONTEXT

The development site is situated both within and to the north west of the Craigton of Monikie settlement boundary as defined by the Angus Local Development Plan 2016



and illustrated by Figure 1.

### **Figure 1: Angus Local Development Plan Craigton of Monikie Settlement Boundary**

The site comprises of Rowanbank Cottage and the associated paddocks to the immediate north. The site is situated on the settlement boundary and is bound to the east by Monikie Primary School and associated car park and playing fields. To the south the site is bound by housing on Camus Place and to the west and north the site is enclosed by the B961. To the north and north west of the site on the opposing side of the B961 there is detached housing. The site is therefore landlocked and its development would not lead to a further expansion of the Craigton of Monikie Development Boundary beyond the existing B961 public road. In this respect the proposal can be considered infill development. The location of the site and the surrounding context is illustrated by the aerial photograph in Figure 2.

The site forms a paddock area beyond the immediate curtilage of the house at Rowanbank. The site is enclosed by post and wire fencing to the north, south, west and

east boundaries. The northern, eastern and western boundaries are supplemented by hedging while the southern boundary is supplemented by mature trees. The immediate curtilage of the house at Rowanbank is enclosed by hedging.

The existing house at Rowanbank takes the form of a single storey cottage with an “L”



shaped floor plate. The house has roughcast walls and slate pitched roofs.

### **Figure 2: Aerial Photograph Showing Site Location and Context**

Access to Rowanbank is taken from the B961 public road.

The house at Rowanbank is situated within the defined settlement boundary of Craighton of Monikie but the associated and adjoining paddock is situated outwith the boundary.

The photographs in Figures 3-6 show the proposed development site, its relationship with neighbouring properties and the context within which the site is situated.



**Figure 3: Photograph from North East of Site Looking West Along B961**



**Figure 4: Photograph from North West of Site Looking East Along B961**



**Figure 5: Photograph from North West of Site Looking South East**

**Figure 6: Photograph from North West of Site Looking North West**



### 3.0 PROPOSAL

The proposal is for a residential led development with associated access, infrastructure, and landscaping. The Site Layout Plan in Figure 7, illustrates that the site is capable of accommodating 7 housing units.

The proposal involves the removal of Rowanbank Cottage and the erection of 7 detached single storey houses. An existing access to the paddocks from the B961 shall be altered to form an access to the proposed houses.

The plots serving the proposed housing units will have average areas of 787sqm and private gardens exceeding 300sqm in area. Each of the proposed houses will have a detached garage with parking for up to 3 vehicles.

The layout and design of the proposed development seeks to replicate the development pattern established by the modern housing development on Camus Place adjoining the site to the south. However, the proposed housing development has been afforded generous plot sizes and garden grounds commensurate with the low density character of the surrounding built form. The layout and design of the proposed devel-



opment is illustrated by Figure 7: Site Layout Plan.  
**Figure 7: Site Layout Plan**

#### **4.0 EVALUATION OF COUNCIL'S ASSESSMENT OF PLANNING APPLICATION REF: 20/00636/PPPL**

In assessing planning application ref: 20/00636/PPPL the Planning Case Officer has refused planning permission for the following reasons:

- 3. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.*
- 4. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.*

In relation to Reason for Refusal 1, the Case Officer's Report of Handling states:

*The majority of the application site (around 70% of the site) is located outside but contiguous with the Craighton of Monikie development boundary. The applicant acknowledges that but suggests that there is a public interest in allowing the development outside but adjacent to the development boundary because it would help address a shortfall in the effective housing land supply in the South Angus Housing Market Area. However, there is no shortfall in the effective housing land supply in South Angus. The Angus Housing Land Audit 2020 identifies that there is a generous 5-year effective supply of housing land within the South Angus Housing Market Area (HMA). Table 2 of the Housing Land Audit indicates that the TAYplan 2 housing land requirement in the South Angus HMA (2016-2025) is 640 units. There have been 576 house completions in South Angus in the period up to March 2020 and in addition there is an effective 5 year supply of 350 units, which equates to a surplus of 286 units in the 5 year land supply and not a shortfall, as suggested by the applicant.*

The supporting statement accompanying planning application ref: 20/00636/PPPL referred to the information detailed within the draft Angus Housing Land Audit 2020 and concluded that at that point there was an undersupply of effective housing land in South Angus. Despite the Case Officers best efforts to demonstrate that there is a generous surplus of effective housing land in South Angus the approved Housing Land Audit 2020 demonstrates that the maintenance of a minimum 5 year effective land supply is marginal with the identified effective land supply only yielding 80 units and unidentified small sites (5 units or less) yielding 94 units during the period of 2020-2025- a total of 174 units. Recognising that TAYplan 2 has identified a housing land requirement in the South Angus HMA (2016-2025) of 640 units and that 576 housing units have been completed up to the period March 2020 the effective land

supply will provide a surplus of 110 units not the 286 units stipulated by the Case Officer. This equates to 17% flexibility in the effective housing land supply not the 20% flexibility recommended by the Scottish Planning Policy 2020.

A difference of 3% in surplus land supply may not be considered significant but when viewed in context with the rising cost of infrastructure provision, build costs, economic uncertainty impacting upon funding, current market conditions and rising unemployment resulting from the Coronavirus Pandemic the effectiveness of the current housing land supply is at best uncertain and at worst undeliverable. This is primarily because there is no way to prevent the effective land supply from becoming constrained at any given time due to the number of factors influencing effectiveness that are outwith the control of the Council. As such to maintain a sustainable surplus of housing land in order to maintain an effective housing land supply the Scottish Planning Policy 2020 advocates that Local Authorities should adopt a flexible approach to maintaining an effective 5 year land supply.

The proposed development would contribute to the maintenance of the effective 5 year housing land supply through the provision of a deliverable shovel ready housing site free from constraint. The proposed development would be delivered by a local developer employing local people and that is self-funded meaning that the impact of the Pandemic on the economy and reduced ability to finance development would not prevent the development of 7 energy efficient new build properties on the application site.

The Report of Handling further states:

*While it is accepted that development of the site would provide short term economic benefit associated with the construction of the houses, that is true of any housing development in any location. The alleged housing shortfall the applicant relies on in support of their case does not exist and there is no wider public interest in allowing the development, particularly where the evidence suggests that housing need and the economic and social benefits associated with the construction of new houses can be met by existing sites within development boundaries. Accordingly, the proposal is contrary to Policy DS1.*

The Case Officer has dismissed the information supporting the approval of planning permission contained within the Planning Statement accompanying planning application ref: 20/00636/PPPL on the basis of the perceived oversupply of effective housing land in the South Angus HMA and failed to take cognisance of the social and economic benefits that the proposed development would afford the local community.

It is true that the construction phase of housing development generates a short-term spike in local economic activity through supply chain and use of local services and facilities. It is well documented that local economies benefit from short-term housing construction on a ratio of 1:3. In this particular instance the local economy will benefit from £6M in investment during the construction phase of the proposed development. However, while the short-term benefits are indeed lucrative the long-term social and economic benefits are of greater significance as outlined in the paragraphs below:



The TAYplan Housing Offer Report dated May 2017 concludes that a driving factor of market exclusion from house prices in countryside and the outer suburban parts of principal settlements is the housing profile of type, size and tenure within principal settlements. This is illustrated by concentrations of flats and smaller properties, mostly for rent, within inner urban areas meaning that purchasers must look to outer suburbs, specific neighbourhoods or the countryside to buy homes. Purchasers must then make choices based on their perceptions of place quality. However, the market commentary accompanying the Housing Offer suggests that this has the effect of inflating house prices in specific neighbourhoods and the countryside.

The proposed development would address the above issues of market exclusion by modestly increasing the supply and variety of available housing within Craigton of Monikie. The provision of high quality, energy efficient modern, accessible housing will contribute significantly to the mix of available housing in the local area meeting local housing need. Not only will the proposal provide opportunity for existing residents within the village to change their housing options depending on their current situation but this will also create housing options for future generations and new residents attracted to the village.

The modest increase in population generated by the proposed development will also help sustain the local economy and community of Craigton of Monikie through an increase in the use of local services and facilities such as the Primary School and Byzantium Cafe. In addition our client is a local developer employing Angus residents with the proposed development providing job security as well as generating employment opportunities for local trades people.

While the site has contiguous boundaries with the settlement of Craigton of Monikie there are clear operational, economic and social benefits as detailed in the preceding paragraphs that will be realised by the proposed development and as such the principle of housing development on the development site accords with Policy DS1.

Our client recognises that the proposed development is contrary to Policy TC2 of the Angus Local Development Plan on the basis that it is located outwith but contiguous to the Craigton of Monikie development boundary and that the proposal involves the erection of 7 houses. However, the Report Handling also states:

*The Macaulay Land Capability for Agriculture (LCA) maps identify that the site contains Class 3.1 prime quality agricultural land. Policy PV20 indicates that development proposals on prime quality agricultural land will only be supported where (amongst other things) they support delivery of the development strategy and policies in the local development plan. While available information suggests that the greenfield land within the site is categorised as prime quality, it is a relatively small area not in productive agricultural use and as such the proposal raises no significant issues against what Policy PV20 is seeking to achieve.*

*In terms of the other aspects of Policy TC2, the site is located in a predominantly residential area and there are no conflicting land uses which would render residential use of the site unsuitable. The site would be capable of provid-*

*ing a satisfactory residential environment for housing in a manner which safeguards the amenity of neighbouring property. There would be space to provide private garden ground, vehicle parking and turning and bin and recycling storage.*

*The site contains no designation for natural or built heritage interests and notwithstanding the indicative plan provided, there is no reason to consider a suitable design in accordance with the Design Quality and Placemaking Supplementary Guidance could not be brought forward on the site. Having regard to the mitigation measures contained within the bat survey, there is no reason to consider that the development would result in any significant direct or indirect impacts on bats or other natural or built heritage interests. New landscaping and wildlife friendly features could be incorporated into the development as part of a detailed application if the proposal was otherwise in accordance with policy.*

These extracts from the Report of Handling confirm that the application site is of limited agricultural value, its redevelopment for housing would not conflict with surrounding land uses and the proposed housing units would be afforded a high quality amenity. Therefore, the Report of Handling highlights that while contrary to Policy TC2 the proposed development is fully compliant with the overarching aim of the Scottish Planning Policy-to achieve the right development in the right place and as such is in full alignment with the Development Strategy for Angus. Therefore, we believe that the approval of planning permission in principle contrary to Policy TC2 is justified on the basis that the proposed development will not impact on the amenity of adjoining properties or conflict with surrounding land uses. This is further compounded by the context in which the application site is located in that it is surrounded by development associated with a residential setting and as such the proposed development takes on the form of infill development.

Taking these matters into consideration the Report of Handling clearly confirms that the principle of the proposed housing development is acceptable.

For the reasons outlined in the preceding paragraphs it has been irrevocably demonstrated that the social and economic benefits to the settlement of Craigton of Monikie generated by the proposed development clearly align with Policy DS1 while the explanation of housing land supply in the South Angus HMA further demonstrates the proposed development's contribution and alignment with the Development Strategy for Angus. By virtue of the context within which the site is located the proposed housing development will not conflict with surrounding land uses nor will be impacted by them. As such the proposed development is the right development in the right place merits support contract to Policy TC2.

## **5.0 CONCLUSION**

The purpose of this statement has been to demonstrate that the proposal aligns with the aspirations of the Scottish Planning Policy as well as the Development Strategy for Angus articulated by the adopted Angus Local Development Plan 2016.

Taking cognisance of the reasoned justification supporting the approval of planning permission detailed within this statement we have concluded that the proposed development clearly contravenes Policy TC2 of the Angus Local Development Plan due to the number of housing units proposed on what is clearly a gap site albeit outwith the development boundary of Craigton of Monikie. Nevertheless, we have demonstrated that the proposed development accords with the aspirations of the Local Development Plan with the Report of Handling for application ref: 20/00636/PPPL confirming that the site is of limited agricultural value, the proposed development does not conflict with surrounding land uses and the housing units will be afforded a high quality amenity.

We have demonstrated that the proposed development amongst other benefits will address a shortfall in the effective housing land supply in the south Angus housing market area, meet local housing need and provide social and economic benefits to the local area in the form of job security, employment opportunity, investment in local services and facilities and the provision of variety in the available housing stock. We have also demonstrated that the proposal will contribute to the high quality residential environment that characterises the settlement of Craigton of Monikie.

Therefore, we believe that the strength of the proposal's compliance with the Angus Local Development Plan development strategy as well as alignment with the overarching aim of the Scottish Planning Policy to achieve the right development in the right place justifies support for the proposal contrary to Policy TC2.

Taking these matters into consideration it is respectfully requested that, having regard to the requirements of Section 25 and 37 of the Town and Country Planning (Scotland) Act, 1997, as amended, this appeal is supported and planning permission granted.

**Angus Council**

<b>Application Number:</b>	20/00636/PPPL
<b>Description of Development:</b>	Demolition of existing dwellinghouse and erection of seven dwellinghouses
<b>Site Address:</b>	Rowanbank Cottage Craigton Monikie Dundee DD5 3QN
<b>Grid Ref:</b>	351081 : 738246
<b>Applicant Name:</b>	Strathmore Homes (Scotland) Ltd

**Report of Handling****Proposal**

Planning permission in principle is sought for the demolition of the existing house and the erection of seven houses on land at Rowanbank Cottage, Craigton of Monikie.

The site measures around 0.75ha and consists of Rowanbank Cottage and an adjacent area of field/paddock. The site is bound by the B961 Dundee - Friockheim road at the north west, Monikie Primary School to the north and east and Camus Place to the south.

An indicative layout is provided showing the removal of the existing dwelling and seven house plots arranged in a cul-de-sac. Access would be taken from a new road connecting to the public road to the north of the site, with a surface water drainage system adjacent. The application form indicates that the houses would connect to the public water supply with private arrangements for foul drainage.

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 2 October 2020 for the following reasons:

- Neighbouring Land with No Premises

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

**Planning History**

19/00680/PRIORN for Prior Notification for Demolition of Buildings - Rowanbank Cottage and Associated Building in Curtilage was determined as "Prior Approval Required" on 14 February 2020.

**Applicant's Case**

The Planning Statement indicates that the draft Angus Housing Land Audit demonstrates that there is a shortfall in the existing housing land supply in the South Angus Housing Market Area and suggests that the proposed development would therefore deliver social, economic and environmental benefits through the logical and sustainable extension of the Craigton of Monikie settlement. It indicates the layout and design of the proposed development replicates the development pattern established by the modern housing development on Camus Place adjoining the site to the south.

The Drainage Impact Assessment sets out the proposed arrangements for the management of wastewater and surface water and suggests that surface water could be managed on site and suitable

private drainage arrangements could be formed to serve the development.

The Bat Survey consists daytime, dawn and dusk assessments of buildings and ground-based assessments of trees. The dusk and dawn activity surveys confirmed the presence of a single soprano pipistrelle bat roost in the barn. The tree survey found that five out of the seven trees had no bat roosting potential and the remaining two had only limited or 'low' potential for small numbers of roosting bats. The survey indicates that provided mitigation recommendations outlined in the Bat Protection Plan (Section 5) are followed, the loss of the identified bat roost identified in the barn is not considered to have a significant impact on the survival of the individual bat or affect the favourable conservation status of the species in their natural range.

## **Consultations**

**Angus Council - Flood Prevention** - Offered no objection subject to the attachment of conditions relating to the means of drainage from the development (both foul and surface water).

**Aberdeenshire Council Archaeology Service** - Offered no objection subject to the attachment of a condition requiring a photographic survey of the existing buildings and structures on the application site.

**Angus Council Housing Service** - Indicated that the 25% affordable housing requirement would apply to the development.

**Angus Council - Parks and Burial Grounds** - Indicated a minimum of 60.75 square metres per dwelling of usable open space provision is required. A contribution of £518 per residential unit for public park and amenity open space; and £490 per residential unit for formal and informal play space is required. For a development of 7 residential units the total contribution would be £7,056.00.

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

**Scottish Environment Protection Agency** - Offered no objection to the proposal.

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

**Angus Council - Roads** - Offered no objection subject to the attachment of conditions regulating visibility splays, requiring the provision of a footway on the B961 Dundee - Friockheim road, parking and all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage.

**Scottish Water** - Offered no objection to the proposal.

## **Representations**

8 letters of representation were received, of which 1 offered comments which neither supported nor objected to the proposal, 5 objected to the proposal and 2 supported the proposal.

The main points of concern were as follows:

- Impacts on the amenity of neighbouring housing by way of noise pollution, light pollution and construction activity;
- Impacts on services including internet provision/capacity;
- Impacts on trees, wildlife and protected species;
- Impacts on drainage;
- The design and layout of the proposal;
- Impacts on the school and car park;
- Insufficient gardens/parking/amenity space;
- Impacts on traffic, road and pedestrian safety;

The main points of support were as follows:

- The development would provide a path linking the school to the village and provide pedestrian/cyclist/school pupil and road safety improvements;
- The development would have good access to the school and country park.

The point of representation neither in objection nor support was:

- Supports Angus Council's requirement for the provision of a footway on the B961 Dundee - Friockheim Road.

The matters are address in the Assessment Section below.

## **Development Plan Policies**

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

Policy DS1 : Development Boundaries and Priorities  
Policy DS3 : Design Quality and Placemaking  
Policy DS4 : Amenity  
Policy DS5 : Developer Contributions  
Policy TC1 : Housing Land Supply / Release  
Policy TC2 : Residential Development  
Policy TC3 : Affordable Housing  
Policy PV2 : Open Space Protection and Provision within Settlements  
Policy PV5 : Protected Species  
Policy PV7 : Woodland, Trees and Hedges  
Policy PV8 : Built and Cultural Heritage  
Policy PV15 : Drainage Infrastructure  
Policy PV20 : Soils and Geodiversity

### **TAYplan Strategic Development Plan**

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

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 local development plan contains development boundaries around established settlements to protect their landscape setting and to prevent the uncontrolled spread of development. Policy DS1 states that the focus of development will be sites allocated or otherwise identified for development in the local development plan. Where a site is outwith but contiguous with a development boundary, the policy indicates that proposals 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.

The majority of the application site (around 70% of the site) is located outside but contiguous with the Craigton of Monikie development boundary. The applicant acknowledges that but suggests that there is a public interest in allowing the development outside but adjacent to the development boundary because it would help address a shortfall in the effective housing land supply in the South Angus Housing Market Area. However, there is no shortfall in the effective housing land supply in South Angus. The Angus Housing Land Audit 2020 identifies that there is a generous 5-year effective supply of housing land within the South Angus Housing Market Area (HMA). [Table 2](#) of the Housing Land Audit indicates that the TAYplan 2 housing land requirement in the South Angus HMA (2016-2025) is 640 units. There have been 576 house completions in South Angus in the period up to March 2020 and in addition there is an

effective 5 year supply of 350 units, which equates to a surplus of 286 units in the 5 year land supply and not a shortfall, as suggested by the applicant.

Were a shortfall to exist, Policy TC1 indicates that consideration will be given first to the early release of sites planned for later phases of the plan as well as sites identified as constrained or non-effective in the audit. If an identified shortfall is not met from these existing sites, it states that proposals for housing on other sites may be supported where they are consistent with the policies of the plan. In those circumstances, were a shortfall in housing land supply to exist, the local development plan directs that other planned sites would be targeted to meet that shortfall.

While it is accepted that development of the site would provide short term economic benefit associated with the construction of the houses, that is true of any housing development in any location. The alleged housing shortfall the applicant relies on in support of their case does not exist and there is no wider public interest in allowing the development, particularly where the evidence suggests that housing need and the economic and social benefits associated with the construction of new houses can be met by existing sites within development boundaries. Accordingly, the proposal is contrary to Policy DS1.

The majority of the site is located outside of a development boundary within a Category 1 Rural Settlement Unit (RSU) which is defined as an area that is not remote from towns. The policy approach towards new housing in Category 1 areas is more restricted with development directed to locations within development boundaries. The policy allows for single houses on greenfield sites in Category 1 areas and the proposal for multiple houses on greenfield land within the site is therefore contrary to Policy TC2 and the Countryside Housing Supplementary Guidance (2016).

The proposal does not comply with policies DS1 and TC2 because it proposes multiple houses on a site which is outwith but contiguous with the Craighton of Monikie Development boundary and the proposal is therefore contrary to the development plan. For completeness, an assessment against other relevant policies is provided below.

The Macaulay Land Capability for Agriculture (LCA) maps identify that the site contains Class 3.1 prime quality agricultural land. Policy PV20 indicates that development proposals on prime quality agricultural land will only be supported where (amongst other things) they support delivery of the development strategy and policies in the local development plan. While available information suggests that the greenfield land within the site is categorised as prime quality, it is a relatively small area not in productive agricultural use and as such the proposal raises no significant issues against what Policy PV20 is seeking to achieve.

In terms of the other aspects of Policy TC2, the site is located in a predominantly residential area and there are no conflicting land uses which would render residential use of the site unsuitable. The site would be capable of providing a satisfactory residential environment for housing in a manner which safeguards the amenity of neighbouring property. There would be space to provide private garden ground, vehicle parking and turning and bin and recycling storage.

The site contains no designation for natural or built heritage interests and notwithstanding the indicative plan provided, there is no reason to consider a suitable design in accordance with the Design Quality and Placemaking Supplementary Guidance could not be brought forward on the site. Having regard to the mitigation measures contained within the bat survey, there is no reason to consider that the development would result in any significant direct or indirect impacts on bats or other natural or built heritage interests. New landscaping and wildlife friendly features could be incorporated into the development as part of a detailed application if the proposal was otherwise in accordance with policy.

The Roads Service has reviewed the proposal and has indicated that it would result in no unacceptable impacts in respect of road traffic and pedestrian safety subject to appropriate planning conditions which would secure a footway along the site frontage, amongst other things.

Having regard to the advice provided by SEPA and the Roads Service, precise details of the proposed drainage arrangements could be dealt with in a subsequent detailed application were the proposal otherwise acceptable.

The site exceeds 0.5HA in size and as such policies DS5, TC3 and PV2 apply and require affordable housing and open space provision. Parks and Burial Grounds and the Housing Services have indicated that developer contributions for open space provision and affordable housing would be required should planning permission in principle be granted and that matter could be dealt with by planning condition were the proposal otherwise acceptable.

In relation to material considerations, it is relevant to note that representations have been submitted in relation to the proposal primarily offering objections to the development. The representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report.

Matters relating to the detailed design and layout of the development (including the provision of streetlighting and biodiversity protection) are noted but the application is for planning permission in principle and had the principle of development on the site been compatible with the development plan, those matters could have been fully considered and impacts addressed in a subsequent detailed application. Issues relating to the availability and speed of internet provision are a matter for the internet service provider. The Roads Service is satisfied that an access to the site could be formed in a safe manner and the provision of a footway along the site frontage would improve access to the primary school, but that in itself does not represent a material consideration of sufficient weight to override the development plan position.

The application proposes the erection of seven houses on a site which is primarily outwith but contiguous with the Craighton of Monikie development boundary. The housing land audit identifies a surplus in the effective supply of housing land in South Angus, not a shortfall. There are no social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary and the development is not in the public interest. The proposal is contrary to policies DS1 and TC2 of the Angus Local Development Plan (2016) and there are no material considerations that justify the approval of planning permission contrary to the provisions of the development plan.

### **Human Rights Implications**

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

### **Decision**

The application is refused.

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

1. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.
2. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.

### **Notes:**



Case Officer: Fraser MacKenzie  
Date: 6 January 2021

## **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 DS5 : Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- o Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- o Education;
- o Community Facilities;
- o Waste Management Infrastructure; and
- o Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on

how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

#### Policy TC1 : Housing Land Supply / Release

The Angus Local Development Plan allocates land to meet the housing land requirements set out in the TAYplan Strategic Development Plan for the period to 2026. Where appropriate, sites are released over two phases of the plan: 2016 - 21 and 2021 - 26. However, land allocated in the latter phase of this plan (2021-2026) may be released for earlier development, unless a delay is justified.

The scale and distribution of housing land release across the four Angus Housing Market Areas is set out in Table 1 (below). A schedule of all sites identified by the Angus Local Development Plan which contribute to meeting the housing requirements set out in TAYplan Strategic Development Plan is included in Appendix 3.

To support delivery of a generous supply of effective housing sites and introduce additional flexibility Angus Council will support proposed residential development on appropriate sites as set out in Policy TC2 Residential Development Principles.

To ensure that a 7 year effective land supply is maintained at all times, land identified for residential development will be safeguarded from development for other uses. The continued effectiveness of sites will be monitored through the annual Housing Land Audit process.

Where the annual housing land audit identifies a shortfall in either the five years' or the seven years' effective housing land supply, the council will work with landowners, developers and infrastructure providers to bring forward additional housing land. The early release of sites planned for later phases of the plan, as well as sites identified as constrained or non-effective in the audit, will be considered first. If the shortfall is not met from existing sites, proposals for housing development on other housing sites may be supported where they are consistent with the policies of the plan.

#### 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 TC3 : Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- o local housing needs (set out in the current Housing Needs and Demand Assessment);
- o physical characteristics of the site;
- o development viability; and
- o availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

#### Policy PV2 : Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- o the proposed development is ancillary to the principal use of the site as a recreational resource;
- or
- o it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- o the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- o replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided\*. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

\*In line with the Six Acre Standard (National Playing Fields Association)

#### 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 PV7 : Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- o protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- o be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- o ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- o ensure new woodland is established in advance of major developments;

- o undertake a Tree Survey where appropriate; and
- o identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

#### 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 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 PV20 : Soils and Geodiversity

Development proposals on prime agricultural land will only be supported where they:

- o support delivery of the development strategy and policies in this local plan;
- o are small scale and directly related to a rural business or mineral extraction; or
- o constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements.

Design and layout should minimise land required for development proposals on agricultural land and should not render any farm unit unviable.

Development proposals affecting deep peat or carbon rich soils will not be allowed unless there is an overwhelming social or economic need that cannot be met elsewhere. Where peat and carbon rich soils are present, applicants should assess the likely effects of development proposals on carbon dioxide emissions.

All development proposals will incorporate measures to manage, protect and reinstate valuable soils, groundwater and soil biodiversity during construction.

## ANGUS COUNCIL

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



PLANNING PERMISSION IN PRINCIPLE REFUSAL  
REFERENCE : 20/00636/PPPL

To **Strathmore Homes (Scotland) Ltd**  
c/o Jon Frullani  
Unit 5  
District 10  
Greenmarket  
Dundee  
DD1 4QB

With reference to your application dated 21 September 2020 for Planning Permission in Principle under the above mentioned Acts and Regulations for the following development, viz:-

**Demolition of existing dwellinghouse and erection of seven dwellinghouses at Rowanbank Cottage Craigton Monikie Dundee DD5 3QN for Strathmore Homes (Scotland) Ltd**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission in Principle (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**

1. The application is contrary to Policy DS1 of the Angus Local Development Plan 2016 because it proposes development outwith but contiguous with the development boundary and there is no public interest or social, economic, environmental or operational considerations that confirm there is a need for the proposed development that cannot be met within a development boundary.
2. The application is contrary to Policy TC2 of the Angus Local Development Plan 2016 and the Angus Council Countryside Housing Supplementary Guidance because the proposal is for the erection of multiple houses on greenfield land and it does not comply with any of the circumstances that allow for residential development outside of a development boundary.

**Amendments:**

The application has not been subject of variation.



Dated this **11 January 2021**



Kate Cowey  
Service Leader  
Planning & Communities  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN



## 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.	DPEA ( <i>appeal to Scottish Ministers</i> ) – See details on attached Form 1
<b>Delegated Decision</b>	Local developments determined by 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.	Local Review Body – See details on attached Form 2
<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.	DPEA ( <i>appeal to Scottish Ministers</i> ) – See details on attached Form 1

## NOTICES

### **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  
Angus House  
Orchardbank Business Centre  
Forfar  
DD8 1AN

Telephone 01307 492076 / 492533  
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 The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, 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.

# PLANNING

## 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.



350900m 351000m 351100m 351200m 351300m  
 738400m 738400m

738300m 738300m

738200m 738200m

738100m 738100m

350900m 351000m 351100m 351200m 351300m



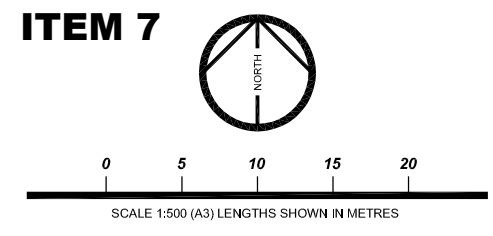
Project Proposed Residential Development		 <b>JON FRULLANI</b> ARCHITECT	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monikie Dundee, DD5 3QA		Drawing Title Location Plan	
Designer BS/JF		Issue Status Planning	Drawing No. 6256_P_111
Date 03.09.2020	Scale 1:1250 (A3)	Revision -	
<small>                     t: 01382 224828 m: 07808 726306                      e: jon@jfrarchitect.co.uk w: jfrarchitect.co.uk f: facebook.com/jfrarchitect                      a: unit 5, district 10, greenmarket, Dundee, dd1 4qb                      this drawing is protected by copyright. It may not be reproduced in any form or by any means for any purpose                      without getting prior written permission from Jon Frullani Architect Ltd.                 </small>			

**ITEM 6**



Project Proposed Residential Development		 <b>JON FRULLANI</b> <b>ARCHITECT</b>	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monikie Dundee, DD5 3QA		Drawing Title Existing Site Plan	
Designer BS/JF		Date 03.09.2020	Issue Status Planning Drawing No. 6256_P_112 Revision -
Scale 1:500 (A3)		t: 01382 224828 m: 07808 726306 e: jon@jfrarchitect.co.uk w: jfrarchitect.co.uk f: facebook.com/jfrarchitect a: unit 5, district 10, greenmarket, dundee, dd1 4qb <small>This drawing is protected by copyright. It may not be reproduced in any form or by any means for any purpose without getting prior written permission from Jon Frullani Architect Ltd.</small>	





**Plot 1 - 3 Bed Bungalow**  
 Total site area:- 620m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 303m<sup>2</sup>

**Plot 2 - 3 Bed Bungalow**  
 Total site area:- 655m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 314m<sup>2</sup>


**Plot 3 - 3 Bed Bungalow**  
 Total site area:- 704m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 350m<sup>2</sup>

**Plot 4 - 3 Bed Bungalow**  
 Total site area:- 709m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 330m<sup>2</sup>

**Plot 5 - 3 Bed Bungalow**  
 Total site area:- 845m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 401m<sup>2</sup>

**Plot 6 - 3 Bed Bungalow**  
 Total site area:- 1224m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 768m<sup>2</sup>

**Plot 7 - 3 Bed Bungalow**  
 Total site area:- 753m<sup>2</sup>  
 Footprint:  
 Dwelling - 125m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 334m<sup>2</sup>

Project Proposed Residential Development		 <b>JON FRULLANI</b> <b>ARCHITECT</b>	
Client Strathmore Homes (Scotland) Ltd			
Address Rowan Bank Monikie Dundee, DD5 3QA		Drawing Title Proposed Site Plan	
Designer BS/JF		Issue Status Planning	Drawing No. 6256_P_113
Date 03.09.2020	Scale 1:500 (A3)	Revision -	
<small>         t: 01382 224828 m: 07808 726306          e: jon@jfrarchitect.co.uk w: jfrarchitect.co.uk f: facebook.com/jfrarchitect          a: unit 5, district 10, greenmarket, Dundee, dd1 4qb          This drawing is protected by copyright. It may not be reproduced in any form or by any means for any purpose without getting prior written permission from Jon Frullani architect Ltd.       </small>			



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100178165-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

### Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Demolition of Existing Dwellinghouse & Erection of 7no. Dwellinghouses

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

- No  Yes – Started  Yes - Completed

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)  Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	JON FRULLANI ARCHITECT		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	JON	Building Name:	UNIT 5, DISTRICT 10,
Last Name: *	FRULLANI	Building Number:	
Telephone Number: *	01382224828	Address 1 (Street): *	25 GREENMARKET
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	DUNDEE
Fax Number:		Country: *	UNITED KINGDOM
		Postcode: *	DD1 4QB
Email Address: *	jon@jfarchitect.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	37
Last Name: *		Address 1 (Street): *	Coupar Angus Road
Company/Organisation	Strathmore Homes (Scotland) Ltd	Address 2:	
Telephone Number: *		Town/City: *	Dundee
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	DD2 3HX
Fax Number:			
Email Address: *	jon@jfarchitect.co.uk		

## Site Address Details

Planning Authority:

Angus Council

Full postal address of the site (including postcode where available):

Address 1:

ROWANBANK

Address 2:

PANMURE ROAD

Address 3:

MONIKIE

Address 4:

Address 5:

Town/City/Settlement:

DUNDEE

Post Code:

DD5 3QA

Please identify/describe the location of the site or sites

Northing

738470

Easting

350005

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Title:

Mr

Other title:

First Name:

Fraser

Last Name:

McKenzie

Correspondence Reference Number:

19/00685/PREAPP

Date (dd/mm/yyyy):

04/09/2019

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

7497.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Dwelling House & Paddock

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? \*

- Discharge to land via soakaway.  
 Discharge to watercourse(s) (including partial soakaway).  
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Please see enclosed supporting document outlining proposed strategy.

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*  Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*  Yes  No

Is any of the land part of an agricultural holding? \*  Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: JON FRULLANI

On behalf of: Strathmore Homes (Scotland) Ltd

Date: 09/09/2020

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)



Provide copies of the following documents if applicable:

- |  |   |   |
|--|---|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr JON FRULLANI

Declaration Date: 14/09/2020

## Payment Details

Online payment: 332119

Payment date: 14/09/2020 10:22:49

Created: 14/09/2020 10:22



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Planning Application Statement

**DEMOLITION OF DWELLINGHOUSE AND ERECTION OF 7 DWELLINGHOUSES AT ROWANBANK,  
CRAIGTON OF MONIKIE**

***PLANNING STATEMENT***



**CONTENTS**

**1.0 | Introduction**

**2.0 | Site**

**3.0 | Proposal**

**4.0 | Policy Framework**

**5.0 | Evaluation**

**6.0 | Conclusi**



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## 1. INTRODUCTION

This statement has been prepared to support a planning application for the demolition of an existing dwellinghouse and erection 7 houses in its place at Rowanbak, Craigton of Monikie.

Section 25 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 directs that all planning decisions should accord with the development plan unless material considerations indicate otherwise:

Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 37 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, re-affirms the above direction and confirms that in Determining planning applications, the Planning Authority "shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations".

The Scottish Planning Policy stipulates that in considering planning applications planning authorities should adopt a presumption in favour of development that contributes to sustainable development. Scottish Government Planning Policy states:

"The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost."

In addition the Scottish Planning Policy also states:

"Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations."

This statement shall demonstrate the proposal's compliance with the objectives of the Development Plan as well as highlight material considerations that support the approval of planning permission.

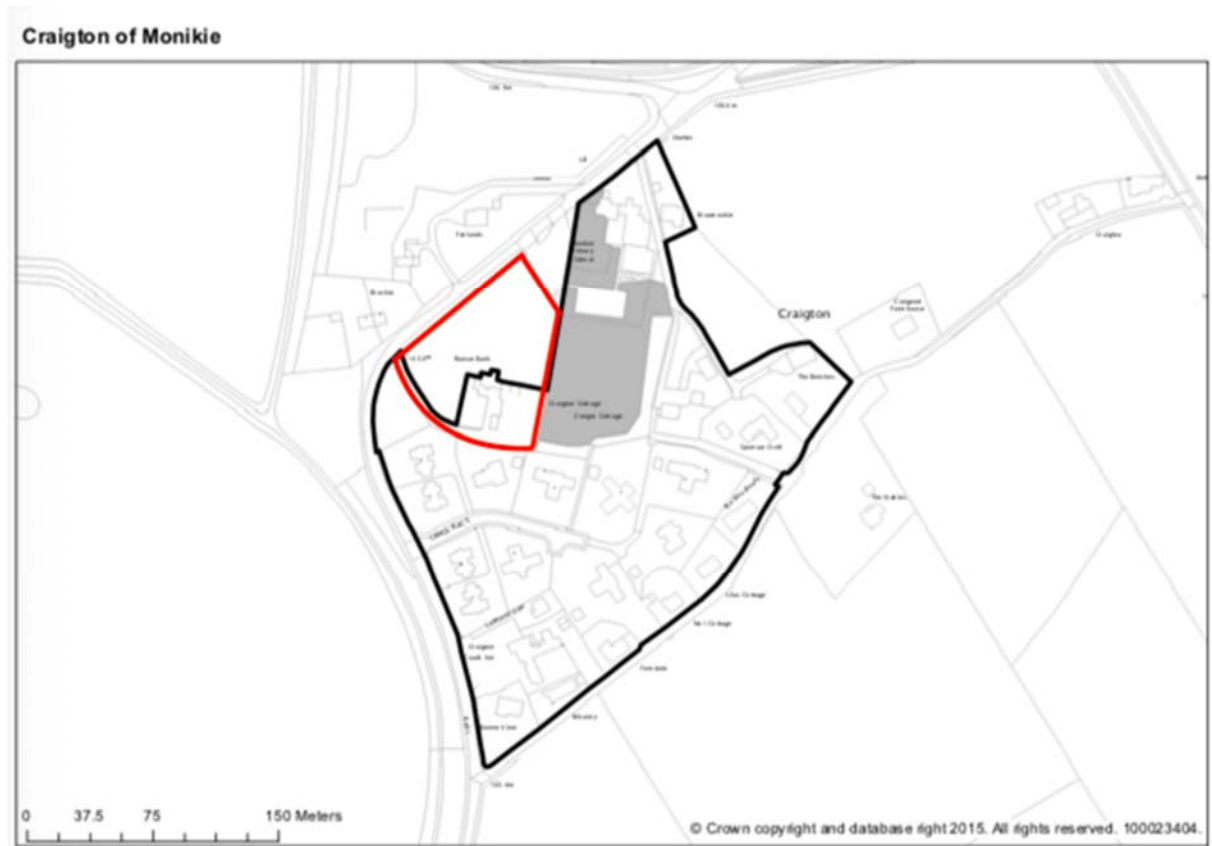


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## 2. SITE

The development site is situated both within and to the north west of the Craigton of Monikie settlement boundary as defined by the Angus Local Development Plan 2016 and illustrated by Figure 1.



**Figure 1: Angus Local Development Plan Craigton of Monikie Settlement Boundary**

The site comprises of Rowanbank Cottage and the associated paddocks to the immediate north. The site is situated on the settlement boundary and is bound to the east by Monikie Primary School and associated car park and playing fields. To the south the site is bound by housing on Camus Place and to the west and north the site is enclosed by the B961. To the north and north west of the site on the opposing side of the B961 there is detached housing. The location of the site and the surrounding context is illustrated by the aerial photograph in Figure 2.

The site forms a paddock area beyond the immediate curtilage of the house at Rowanbank. The site is enclosed by post and wire fencing to the north, south, west and east boundaries. The northern, eastern and western boundaries are supplemented by hedging while the southern boundary is supplemented by mature trees. The immediate curtilage of the house at Rowanbank is enclosed by hedging.



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The existing house at Rowanbank takes the form of a single storey cottage with an “L” shaped floor plate. The house has roughcast walls and slate pitched roofs.



**Figure 2: Aerial Photograph Showing Site Location and Context**

Access to Rowanbank is taken from Camus Place.

The house at Rowanbank is situated within the defined settlement boundary of Craigton of Monikie but the associated and adjoining paddock is situated outwith the boundary.

The photographs in Figures 3-6 show the proposed development site, its relationship with neighbouring properties and the context within which the site is situated.



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Figure 3: Photograph from North East of Site Looking West Along B961



**Figure 4: Photograph from North West of Site Looking East Along B961**



**Figure 5: Photograph from North West of Site Looking South East**



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**Figure 6: Photograph from North West of Site Looking North West**

### **3. PROPOSAL**

The proposal is for a residential led development with associated access, infrastructure, and landscaping. The Indicative Site Layout Plan in Figure 7, illustrates that the site capable of accommodating 7 housing units.

The proposal involves the removal of Rowanbank Cottage and the erection of 7 detached single storey houses. An existing access to the paddocks from the B961 shall be altered to form an access to the proposed houses.

The plots serving the proposed housing units will have an average areas of 787sqm and private gardens exceeding 300sqm in area. Each of the proposed houses will have a detached garage with parking for up to 3 vehicles.

The layout and design of the proposed development seeks to replicate the development pattern established by the modern housing development on Camus Place adjoining the site to the south. However, the proposed housing development has been afforded generous plot sizes and garden grounds commensurate with the low density character of the surrounding built form. The layout and design of the proposed development is illustrated by Figure 7: Site Layout Plan.





**Figure 7: Site Layout Plan**

#### 4. POLICY FRAMEWORK

##### TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

##### Angus Local Development Plan - Approved September 2016

- Policy DS1 : Development Boundaries and Priorities
- Policy DS3 : Design Quality and Placemaking
- Policy DS4 : Amenity
- Policy TC1: Housing Land Supply/Release
- Policy PV15: Drainage Infrastructure



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## 5. EVALUATION

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.

Policy DS1 of the Angus Local Development Plan (ALDP) indicates that all proposals will be expected to support delivery of the Development Strategy. It indicates that proposals for development outwith development boundaries will be supported where they are of a scale and nature appropriate to the location and are in accordance with the relevant policies of the ALDP. However, Policy DS1 also states that proposals for sites outwith but contiguous with a settlement boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm that there is a need for the proposed development that cannot be met within a development boundary.

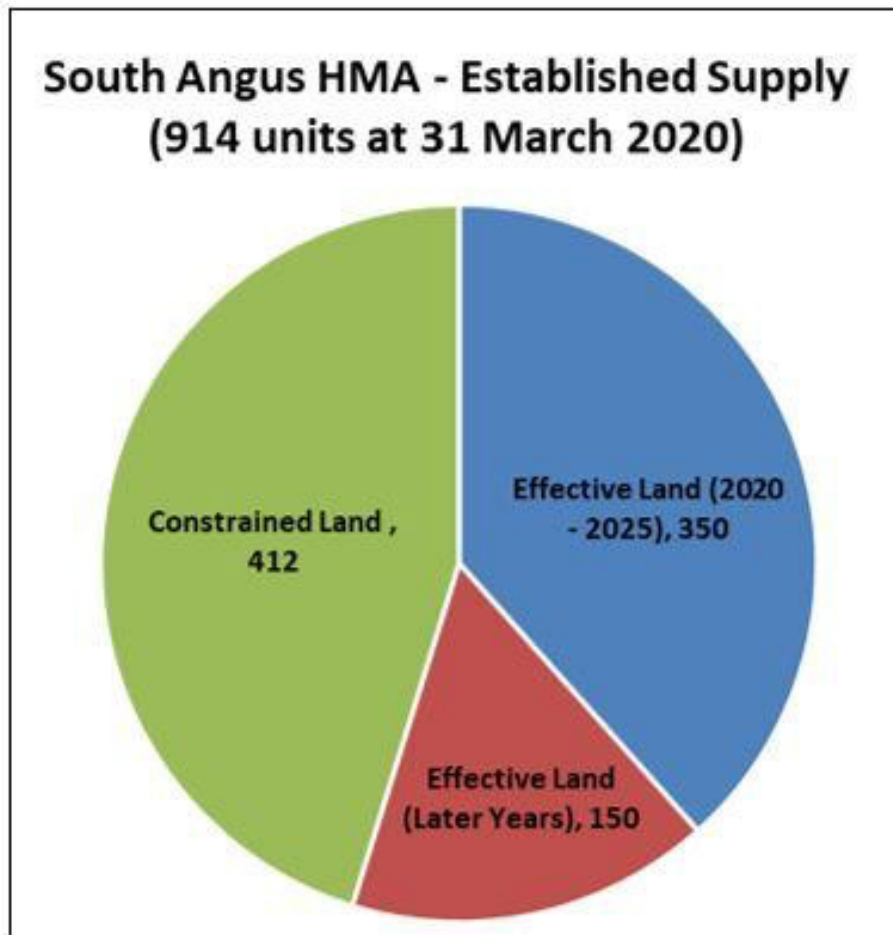
As shown in Figure 1 the settlement boundary of Craigton of Monikie is wrapped tightly around the existing built form meaning that there is no allowance for new housing development within the settlement boundary. However, Policy DS1 makes an exception for housing proposals outwith settlement boundaries where they fulfil an operational need that is of public, economic and social benefit.

Craigton of Monikie is located in the South Angus Housing Market Area where the Draft Angus Housing Land Audit Local demonstrates that there is lack of supply in effective deliverable housing land (land that is free from constraint) for developments of 5 or more housing units. This is evidenced by Figure 8: Housing Land Supply in Southern Angus which illustrates an established land supply in the South Angus HMA of 914 units. This includes an effective land supply of 532 units, comprising 365 units effective in the next 5-years (40% of established supply in the HMA) and 167 units effective in Later Years (18% of established supply). Two significant sites (Shank of Omachie and Strathmartine Hospital) remain constrained and deny the housing market area of a further 382 units (42% of established supply).



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**Figure 8: Housing Land Supply in Southern Angus**

The TAYplan Housing Offer dated May 2017 concludes that a driving factor of market exclusion from house prices in countryside and the outer suburban parts of principal settlements is the housing profile of type, size and tenure within principal settlements. This is illustrated by concentrations of flats and smaller properties, mostly for rent, within inner urban areas meaning that purchasers must look to outer suburbs, specific neighbourhoods or the countryside to buy homes. Purchasers must then make choices based on their perceptions of place quality. However, the market commentary accompanying the Housing Offer suggests that this has the effect of inflating house prices in specific neighbourhoods and the countryside.

The proposed development would help address the above issues of housing land supply and market exclusion by modestly increasing the supply of housing within Craigton of Monikie. The provision of high quality, energy efficient modern single storey housing will contribute significantly to the mix of available housing in the local area meeting local housing need. The modest increase in population generated by the proposed development will also



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help sustain the local economy and community of Craigton of Monikie through an increase in the use of local services and facilities. In addition our client is a local developer employing Angus residents with the proposed development providing job security as well as generating employment opportunities for local trades people.

While the site has contiguous boundaries with the settlement of Craigton of Monikie there are clear operational, economic and social benefits that will be realised by the proposed development and such the principle of housing development on the development site accords with Policy DS1.

Policy TC1 Housing Land Supply/Release states that where the annual housing land audit identifies a shortfall in either the five years' or the seven years' effective housing land supply, the council will work with landowners, developers and infrastructure providers to bring forward additional housing land. The early release of sites planned for later phases of the plan, as well as sites identified as constrained or non- effective in the audit, will be considered first. If the shortfall is not met from existing sites, proposals for housing development on other housing sites may be supported where they are consistent with the policies of the plan.

The draft Angus Housing Land Audit demonstrates that there is a shortfall in the existing housing land supply in the South Angus Housing Market Area due to sites with planning permission for 412 units being constrained and therefore undeliverable within the current plan period. In addition we have also demonstrated that the proposed development through compliance with Policy DS1 will deliver social, economic and environmental benefits through the logical and sustainable extension of the Craigton of Monikie settlement. The proceeding paragraphs will illustrate the ways in which the proposed development is of a significantly high quality design and complies with Policies DS3 and DS4 of the adopted Local Development Plan.

The scale of development proposed is commensurate with the size of the site. The site has clearly defined boundaries which restrict further development and future encroachment on to Greenfield land to the north of the B961. The plot sizes, footprint of the houses and areas of private garden ground have been designed in accordance with the requirements of Policies DS3 and DS4 of the ALDP and the Design and Placemaking Supplementary Guidance. The key elements underpinning the evolution of the proposed design solution accord with the principles of successful places detailed within Scottish Planning Policy for the following reasons:

**Distinct Character and Identity** - the layout and design of the proposed development provides for a low density mix of single storey housing units that complement the layout, design, scale and massing of the existing housing to the south of the site. The proposed housing units while of a contemporary design will have traditional finishing materials that complement the appearance of the new development in relation to the surrounding built form. There is clear definition between private and public spaces within the new development with the wooded character of the site that contributes to the amenity of neighbouring properties maintained through the retention of some of the existing tree cover on site. The existing tree cover reinforcing the northern boundary of the site will be retained to provide screening of private gardens to the B961.

**Safe and Pleasant** - The layout of the proposed development has evolved to comprise of single storey dwellings to ensure that the housing mix provides for an accessible development that meets the needs of local residents. In addition the separation between public and private spaces through building positioning, retention of existing trees and shrubbery not only contributes to the character and high quality residential environment but also the creation of safe and accessible spaces. The areas of open space within the proposed development are overlooked by windows serving the principal rooms of the proposed houses on Plots 1 and 2.

**Well Connected** - The layout and design of the proposed development has sought to create safe spaces. Rather than attempting to create peripheral footpath connections that would not be overlooked we have positioned Plots



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5-7 to create a perimeter block style development where the private gardens of these plots adjoins the private gardens of neighbouring houses and the curtilage of the primary school. In terms of connectivity the proposed development will connect to the local road network on the B961 and a footpath will be formed along the frontage of the site.

**Adaptable** - The proposal involves the erection of single storey houses to meet the changing needs of its residents. The proposed development has been designed to be DDA compliant. The sustainable drainage system that will serve the proposed development will be designed to take into account the effects of climate change also.

**Resource Efficient** - The layout of the proposed development involves the retention of as many of the existing trees on site as possible to minimise any environment impact while also maintaining the wooded character that contributes significantly to the high quality residential environment. The proposed houses will utilise renewable technology to ensure that they are resource and energy efficient.

In terms of drainage infrastructure a Drainage Impact Assessment (DIA) has been provided in support of the proposed development. The DIA concludes that the site has no history of flooding which has been corroborated through SEPA flood maps. It is proposed that surface water arising from roof areas would be treated, e.g. by way of individual filter trenches contained within the curtilage of each property. Surface water arising from the access road would be subject to a single level of treatment, by virtue of a filter trench, in accordance with Angus Council roads department requirements. It is proposed that surface water from both sources would, in accordance with Angus Council requirements, be directed to an attenuation detention basin, that will be sized to accommodate up to the 1 in 200 year return period critical rainfall event plus 30% climate change and equipped with a throttle that would be designed to limit the discharge from the basin to the calculated greenfield release rate for the pre-development site. In this regard we believe the proposed development to satisfy the requirements of Policy PV15.

In summary we have demonstrated that the proposed development complies in full with Policies DS1, DS3, DS4, TC1 and PV15 of the adopted Angus Local Development Plan.

#### **MATERIAL CONSIDERATIONS-NATIONAL POLICY AND GUIDANCE**

The Scottish Government sets out the national planning context in both National Planning Framework 3 and in Scottish Planning Policy (SPP) 2014.

The National Planning Framework outlines the long-term strategy for Scotland and provides a spatial representation of the Government's economic strategy, and plans for delivery of infrastructure.

SPP sets out Scottish Government policy on how nationally important land use planning matters should be addressed across the country.

Together the application of the National Planning Framework and Scottish Planning Policy at the national, strategic and local levels will enable the planning system to deliver the Scottish Government's vision and outcomes for Scotland that include:

- \* A successful, sustainable place;
- \* A low carbon place;
- \* A natural, resilient place;
- \* A connected place.



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SPP sets out the principal overarching policies on Sustainability and Placemaking and reaffirms that these policies should be applied to all development.

As well as the National Planning Framework and SPP the following Scottish Government planning policy documents are also relevant to the proposed development:

- Creating Places, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- Designing Streets, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance.

The location of the application site accords with the broad approach of the above national policy and guidance statements to direct new development to settlements and to brownfield land, together with supporting the creation of sustainable communities and economic growth. Therefore, the proposed development is considered to positively contribute to placemaking objectives and will provide for new housing of a high-quality design in a location that is appropriate for housing provision.

## 6. CONCLUSION

Taking cognisance of the above reasoning we have concluded that the proposed development clearly satisfies the requirements of the Angus Local Development Plan. We have demonstrated that the scale of development proposed accords with the requirements of Policies DS1, DS3, DS4 TC1 and PV15 as well as the guidance contained in the Design and Placemaking Supplementary Guidance document and is not only of a scale that is commensurate with the size of the development site but the design solution is also of high quality that will contribute to character and quality of Craigton of Monikie.

We have demonstrated that the proposed development amongst other benefits will address a shortfall in the effective housing land supply in the South Angus Housing Market Area, meet local housing need and provide social and economic benefits to the local area in the form of job security, employment opportunity and investment in local services and facilities. We have demonstrated that the proposal will contribute to the high quality residential environment that characterises the settlement of Craigton of Monikie.

Therefore, we believe that the strength of proposal's compliance with the Angus Local Development Plan justifies support for the proposal and as such the approval of planning permission.

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**BAT SURVEY REPORT**

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**ROWANBANK DEVELOPMENT SITE, MONIKIE**

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**PREPARED FOR BILL GREEN**

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**ISSUED: 29<sup>TH</sup> AUGUST 2019**

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# 1 INTRODUCTION

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## 1.1 SCOPE

The following report outlines the results of a full bat survey undertaken at the proposed Rowanbank development site in Monikie, Angus. The site includes a bungalow cottage, a stand-alone barn and a number of trees which are likely to require felling as part of the proposals. The survey was commissioned by Bill Green at Bill Green Builders, following a request from Angus Council for a bat survey to be undertaken as part of the planning application.

## 1.2 PROPOSALS

A housing development is planned for the site which will include approximately ten houses, with associated gardens and infrastructure. This will involve the demolition of an unoccupied bungalow and barn, as well as the likely removal of six trees in order to facilitate development.

## 1.3 SITE LOCATION AND BUILDING DESCRIPTION

Rowanbank proposed development site is located in the small village of Monikie, approximately 5km north east of Dundee in Angus at NGR: NO 51079 38233. The site comprises an unoccupied bungalow and a separate barn which sit in the middle of the plot. They are surrounded by an area of rough grassland and a small overgrown garden with associated trees and shrubs. Mature trees line the site boundary to the east and a mature hedgerow separates the site from the road along the north-western boundary. Although the majority of trees along the eastern edge will be retained and unaffected by the development there are seven trees within the development area which are likely to require removal. These trees include two ash *Fraxinus excelsior* trees, three cypress *Cupressus sp.* trees and two smaller hawthorn *Crataegus monogyna* trees.

The bungalow is a detached, traditionally-built stone cottage with a slate roof and is single storey throughout. It is a T-shaped building with an extension on the north elevation which is harled and has a separate roof space. The majority of the roof area has stone coping tiles along the ridges with lead valleys. However, the sloping ridges on the extension section have zinc ridge pieces. The cottage has two accessible attic areas, accessed via ladder from the bathroom and bedroom. The extension roof does not have an access hatch and could not be surveyed internally.

The stand alone barn is located approximately 10m south west of the bungalow and is in a very poor condition (the northern gable is missing and has been patched with tarpaulin and the internal timbers appear to be very damp and unstable). It is also a traditional masonry building with a slate roof on sarking and appears to have been part of a larger steading complex at one time. It is single storey and has no enclosed attic area – it is an open structure inside, and the roof apex can be viewed from the ground.

## 1.4 SPECIES PROTECTION STATUS

All bat species in the UK are European Protected Species (EPS) and are fully protected under the EC Habitats and Species Directive 92/43/EEC. The Conservation (Natural Habitats,&c.) Regulations 1994 translates this law into European legislation in the UK. These regulations have been amended in Scotland by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 and 2007 and the Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2008. A summary of the legislation afforded to bats can be found in Appendix II.

## 2 SURVEY METHODS

---

This bat survey was carried out in line with methods outlined by current best practice guidance from the Bat Conservation Trust (Collins, 2016) which is endorsed by SNH and a requirement for planning.

### 2.1 PRELIMINARY DAYTIME ROOST ASSESSMENT OF BUILDINGS

A daytime roost assessment was undertaken by Jenny Wallace on 16<sup>th</sup> July 2019. The aim of this survey was to assess the bungalow and barn for their potential to support roosting bats and to search for any signs of use. The survey included a thorough inspection of both buildings, including access to all the internal ground floor and roof/attic areas (where access allowed) as well as an inspection of the external walls and roof areas.

Bats or any signs of use by bats such as bat droppings or urine staining were sought and an overall assessment of the suitability of the buildings and trees for roosting bats was made. Binoculars, a torch and a camera endoscope were used where required.

### 2.2 GROUND BASED ASSESSMENT OF TREES

A daytime walkover of the site was undertaken on 16<sup>th</sup> July 2019. The aim of this survey was to i) identify and locate all trees with bat roosting potential within the site boundary; and ii) make a general assessment of the quality of the habitat for foraging and commuting bats. Most of the trees within the site boundary are located around the site edges and it is understood that these will remain in the long-term, post development. However, there are seven trees located within the proposed development area and these will likely require removal to facilitate development.

All seven trees due for removal were grid referenced and the tree species and size were recorded against an assigned target note number from 1 to 7. As part of the survey, the bat roosting suitability of each tree on a scale from 'No Bat Roosting Potential (BRP)' to 'High BRP' was recorded, along with specific notes about features present. The suitability of each tree was assigned in line with descriptions provided in the Bat Conservation Trust's '*Bat Surveys for Professional Ecologists - Good Practice Guidelines*' (Collins, 2016)<sup>1</sup>. A simplified version of this table is shown in Table 1 on page 4 along with guidelines for assessing the suitability of the habitat on site for bat commuting and foraging.

### 2.3 DUSK AND DAWN BAT ACTIVITY SURVEYS ON BUILDINGS

Two bat activity surveys were carried out on the buildings on 31<sup>st</sup> July and 14<sup>th</sup> August 2019, with surveys undertaken more than two weeks apart as specified by guidance. The aim of the activity surveys was to watch the bungalow and barn for bat emergence at dusk and re-entry at dawn. Both the surveys were carried out in good weather conditions and within the key maternity period for bats, which runs from mid-May to the end of August. The surveys were carried out by three surveyors simultaneously, in order to provide full coverage of the buildings, as shown in Figure 3 in Appendix II.

The dusk survey commenced approximately 20 minutes before sunset and continued for 90 minutes after sunset in order to cover the emergence time of all species. The dawn survey commenced approximately 1.5 hours before sunrise and continued until sunrise and until no further activity was observed. All surveys were undertaken using *AnaBat* or *Pettersson* bat detectors, which allow bat sounds to be recorded to memory card for later analysis and species identification using *Analook* software.

### 2.4 PERSONNEL

Surveys were undertaken and managed by Jenny Wallace. She is an experienced ecologist, full member of the Chartered Institute of Ecology and Environmental Management (MCIEM) and has held an SNH bat roost visitor licence since January 2012 (Licence No: 17426). Jenny was assisted by Jean Oudney, Robin Dowse and Kirstin Stark for the dusk and dawn bat

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<sup>1</sup> Table 4.1 '*Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement*'. Page 35 of the Good Practice Guidelines

activity surveys. Jean Oudney and Robin are also SNH licensed bat workers and have many years of experience in undertaking bat surveys. Kirstin Stark is an experienced bat surveyor with over three years' experience in undertaking bat surveys across the Tayside region.

**Table 1: Guidelines for Assessing the Potential Suitability of Proposed Development Sites for Bats**

Suitability	Roosting Habitats	Commuting and Foraging Habitats
<b>Negligible</b>	Negligible habitat features likely to be used by roosting bats.	Negligible habitat features likely to be used by commuting or foraging bats.
<b>Low</b>	<p>A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.</p> <p>A tree of sufficient size and age to contain potential roost features but with none seen from the ground, or features seen but with very limited potential.</p>	<p>Habitat that could be used by small numbers of commuting bats, such as a gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding landscape by other habitats.</p> <p>Suitable, but isolated habitat that could be used by small numbers of foraging bats, such as a lone tree, or patch of scrub.</p>
<b>Moderate</b>	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.	<p>Continuous habitat, connected to the wider landscape that could be used by bats for commuting, such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging, such as trees, scrub, grassland or water.</p>
<b>High</b>	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	<p>Continuous, high quality habitat that is well connected to the wider landscape, that is likely to be used regularly by commuting bats, such as river valleys, streams hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats, such as broadleaved woodland, tree lined watercourses and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p>

## 3 RESULTS

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### 3.1 PRELIMINARY DAYTIME ROOST ASSESSMENT OF BUILDINGS

The preliminary daytime survey included an internal and external survey of the bungalow and barn buildings. The accessible areas of attic in the bungalow were accessed via hatches in the bathroom and bedroom but there was no access to the area above the extension on the north elevation. As a result, this area was not surveyed as part of the daytime assessment and it is possible that some evidence of bats exists inside this void that was overlooked. However, the dusk and dawn activity surveys focused on this section of the roof to ensure no bat roosts were missed and the limitation of access is not considered to have affected the overall results.

The roof void areas in the bungalow are approximately 1.75m to the apex and could be fully inspected to the wall heads. The water tank was well covered and there was insulation present on the joists throughout. In addition, the roof area was generally very cobwebbed, indicating that bats are not regularly flying around inside it. A few old scattered bat droppings were found inside the main roof space which was accessed via the bathroom but there were no bats present at the time of survey and no evidence to indicate current use by bats. No evidence at all was found in the smaller roof space accessed via the bedroom. Single or small numbers of independently roosting bats will often roost out of sight, underneath the slates or ridge pieces but on top of the sarking boards. Therefore, there are not always signs visible inside the roof space in a situation where only small numbers of bats are present. However, where larger roosts are located on gable wall heads or inside the roof space itself, bats and bat droppings can be found and are generally obvious to the trained eye. This indicates that there is no current use of Rowanbank bungalow by large numbers or a 'maternity' roost of bats, or indeed that it has been used in that capacity in recent years.

Again, no evidence of roosting bats was found in the barn during the internal and external survey. There were no bats found internally and no bat droppings scattered on the floor or walls.

Despite there being no obvious evidence of a large roost of bats in the bungalow or barn buildings, they were assessed as having moderate bat roosting potential for small numbers of non-maternity / independently roosting bats. This is due to the presence of a number of suitable roosting spaces and access points on the external roof areas of both buildings and the presence of old droppings in the bungalow roof. Specifically, the external assessment identified suitable roosting opportunities and access points at the wall heads under the guttering as well as under the ridge pieces on the roof pitches where they do not sit flush against the slates. The slates themselves are generally quite flush against each other (especially on the bungalow) providing limited opportunities, but there are some looser slates and large enough gaps for single bats. Gaps in the external stonework of the barn were also noted around the doorframe on the west elevation and in rubble walls of the damaged gable ends.

The buildings are currently unoccupied and unheated and there is insulation throughout the roof spaces of the bungalow. Given its unoccupied condition, internal areas of the bungalow are unlikely to fluctuate enormously, and conditions should remain reasonably stable throughout the winter months. In addition, some gaps in the internal and external stonewalls of the barn were identified. These are likely to be deep enough to provide the stability required for hibernating bats. For this reason, the bungalow and barn have been assessed as having moderate hibernation potential, with some potential for bats to hibernate inside the roof space or stone walls where access allows.

### 3.2 NESTING BIRDS

Nesting birds were observed on the site during the daytime assessment. Most notably, house sparrows *Passer domesticus* were seen to be nesting on the south elevation of the bungalow in a number of locations along the wall head. Good potential for nesting birds also exists in the barn building where there are vents on the roof and suitable gaps on the gables which could provide access. However, no active nests were noted inside this building and, most importantly, there was no evidence of barn owl *Tyto alba*. In addition, the trees and garden shrubs were all assessed as having excellent nesting bird potential and nests are likely to be present throughout the site area.

### 3.3 GROUND BASED ASSESSMENT OF TREES

All seven trees within the site boundary that are likely to require felling were assessed from the ground for their potential to support roosting bats. The trees were surveyed using a ladder, binoculars, torch and camera endoscope and any signs of use by bats were noted. The location of trees 1 to 7 within the development plot are shown on Figure 1 on page 7.

There were no obvious signs of roosting bats in any of the seven trees, as surveyed from the ground, and all were assessed as having 'no potential' or 'low' potential for roosting bats as detailed in the following Table 2:

Table 2: Ground Based Tree Survey Results

Tree #	Species and Tree Height/DBH	Grid Reference	Notes	Bat Roosting Potential
1	Ash <i>Fraxinus excelsior</i> Mature tree c.25m height, 0.45DBH	NO51111 38201	Surveyed thoroughly from the ground using binoculars and although very tall, the tree is in good health and there are no features present on the stem or limbs which could have potential for roosting bats. For example, no hazard beams, cracks, crevices or deadwood appear to be present in the tree.	No bat roosting potential identified from ground survey.
2	Cypress <i>Cupressus sp.</i> Mature tree c.25m height, 0.45m DBH	NO51108 38202	Surveyed from the ground with torch and binoculars. Tree very cluttered from approximately 3m height and considered to be unsuitable for roosting bats. Checked higher canopy with binoculars and still very cluttered at height with no obvious features.	No bat roosting potential identified from ground survey.
3	Cypress <i>Cupressus sp.</i> Mature tree c.25m height, 1m DBH	NO51102 38201	As with tree 2, surveyed from the ground with torch and binoculars. Tree very cluttered from approximately 3m height and considered to be unsuitable for roosting bats. Checked higher canopy with binoculars and still very cluttered at height with no obvious features.	No bat roosting potential identified from ground survey.
4	Ash <i>Fraxinus excelsior</i> Semi-mature, c.10m height, multi-stemmed	NO51096 38201	No features on tree with potential for roosting.	No bat roosting potential.
5	Hawthorn <i>Crataegus monogyna</i> c.3m height, 0.3m DBH – dead standing pole	NO51071 38215	No features on tree with potential for roosting.	No bat roosting potential.
6	Hawthorn <i>Crataegus monogyna</i> c.4m height. Multi-stemmed scrubby tree cluttered with <i>snowberry</i> <i>Symphoricarpos albus</i> shrub at base	NO51060 38214	Some rot holes at 2-4m. Checked with torch and no obvious evidence but some low potential for small numbers or individual bats to use features temporarily or infrequently.	<b>Low potential – recommend tree is re-checked prior to felling,</b>
7	Cypress <i>Cupressus sp.</i> c.6m height, 0.45m DBH. Dead tree	NO51061 38205	Tree cluttered in the higher canopy by branched but some potential features within the stem of the tree noted between 1.5-4m, where the tree has rotted in places providing shallow cavities. Some potential for small numbers or individual bats.	<b>Low potential – recommend tree is re-checked prior to felling.</b>

Overall the habitat on site was assessed as having good foraging and commuting potential for bats over the open grassland areas as well as along the hedgerows and treelines along the site boundaries. The garden area to the south and west of the barn would also provide suitable foraging around the small trees and overgrown shrubs.

Figure 1: Location of trees 1 to 7

\*Trees shown by green circles and buildings shaded in grey



### 3.4 BAT ACTIVITY SURVEYS

The following paragraphs summarise the results of the bat activity surveys and Table 3 below describes the survey times and the weather conditions at the time of the surveys. The confirmed roost location is shown in Figure 2 on page 8.

Table 3: Dusk and Dawn Activity Survey Summary

Survey	Date	Sunset / Sunrise	Temp (Av.)	Wind	Precipitation	Cloud Cover % (Av.)
Dusk	31.07.19	21.25	18°C	Calm	None	100%
Dawn	14.08.19	05.37	12°C	Calm	None	80%

During the dusk activity survey on 31<sup>st</sup> July, a single soprano pipistrelle *Pipistrellus pygmaus* bat was recorded entering the west elevation of the barn at roost location R1. The bat appeared from behind the surveyor at surveyor location 1 and flew into a small gap in the stonework to the right of the doorframe (see roost location in photo in Figure 2 on page 8). The bat did not emerge again during the survey and couldn't be seen with a torch at the end of the survey, indicating it is roosting deep within the stonework at this location. No other bats were seen to emerge from or enter any other roost locations on any elevations of the bungalow or barn during the survey and generally, foraging levels around the building were considered to be quite low given the good quality habitat on site and in the nearby area. Common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle and Daubenton's *Myotis daubentonii* bats were recorded in the vicinity during the survey but at low levels and were considered likely to primarily indicate bats passing through the site.

During the dawn survey on 14<sup>th</sup> August 2019, no bats were recorded entering or emerging from the buildings. The single bat which was seen to enter roost location R1 during the first dusk survey did not return and no additional roost locations

were identified in the bungalow or barn. Bat activity levels were slightly higher than those experienced during the dusk survey but again bats were not found to be constantly foraging on the site. Again, common pipistrelle, soprano pipistrelle and Daubenton's bats were recorded by the surveyors during the survey.

### 3.5 SUMMARY

The dusk and dawn activity surveys confirmed the presence of a single soprano pipistrelle bat roost in the barn at roost location R1. No evidence was found to indicate the presence of a maternity colony of bats and the roost identified is considered to be used by an individual male bat or non-breeding female. No bat roosts were identified in the bungalow building.

The tree survey found that five out of the seven trees had no bat roosting potential and the remaining two had only limited or 'low' potential for small numbers of roosting bats. In addition, these two trees were within the viewshed of the surveyors undertaking the bat activity surveys on the building and no bats were identified to emerge or enter them during the surveys.

Figure 2: Identified soprano pipistrelle bat roost location on west elevation of barn



## 4 IMPACT ASSESSEMENT

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### 4.1 INTRODUCTION

One non-maternity soprano pipistrelle bat roost location was confirmed in the barn building on the Rowanbank development site following the bat activity surveys. The barn building is due for demolition as part of the development and will lead to the permanent loss of the bat roost identified. The following paragraphs assess the impacts of the proposed works on the bat roost identified.

### 4.2 LOSS OF KNOWN BAT ROOST IN BARN BUILDING

Soprano pipistrelle bats are common and widespread throughout the UK and are numerous throughout the central belt of Scotland (Harris and Yalden, 2008).

The identified roost is located within the wall of the barn and will be permanently lost when the building is demolished. The roost was used by a single bat and was only observed during the first dusk activity survey. Bats use a number of different roost sites throughout the year (Deitz et al., 2007). Various hypotheses are proposed for this movement, including that it is a response to variation in temperature conditions within different roosts sites, as well as and for other lifestyle reasons such as setting up mating territories in the autumn (Altringham, 2011). Based on this information and the survey results, it can be assumed that the bat observed has several different roost sites that it uses throughout the year, on both a seasonal and nightly basis, and that it will have alternative roost sites that it can occupy during and following demolition of the building.

The bungalow and particularly the barn are in a deteriorating and disused condition and should they be left to remain this way, they will quickly worsen until they pose a considerable health and safety risk. Further deterioration in the condition of the barn is also likely to lead to the bat roost site becoming unsuitable to bats and eventually lost. Therefore, as long as suitable replacement roost provision is provided to compensate for the loss of the roost, works are not considered to have a negative impact on roosting bats on the site in the long term.

**In summary, provided mitigation recommendations outlined in the Bat Protection Plan (Section 5) are followed, the loss of the identified bat roost identified in the barn is not considered to have a significant impact on the survival of the individual bat or affect the favourable conservation status of the species in their natural range.**

### 4.3 LOSS OF TREES WITH BAT ROOSTING POTENTIAL

The trees on site which will be directly affected by the development were found to be largely unsuitable for roosting bats, with only two out of the seven trees due for removal having low or limited bat roosting potential). The trees were surveyed from the ground as well as being covered by the bat activity survey and no evidence of roosting was identified. Although the loss of the trees within the site boundary will lead to the loss of some potential bat roosting and foraging habitat, the majority of trees along the site boundary will remain in the long term and their removal is not considered to significantly reduce the suitability of the site for roosting and foraging bats.



## 5 BAT PROTECTION PLAN

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### 5.1 BAT LICENCE REQUIREMENT

The proposed demolition of the buildings on the Rowanbank site will lead to the loss of one known non-maternity soprano pipistrelle bat roost location, which will require licensing from Scottish Natural Heritage (SNH) before any works affecting the roost site can take place.

Until very recently, this situation would require application to Scottish Natural Heritage (SNH) for a site specific licence for the barn and this would need to be accompanied by a Bat Protection Plan (BPP) outlining all mitigation and compensation measures which must be adhered to as part of licence conditions. However, in recent months, SNH have developed a new licensing system called the '*Bat Low Impact Licence*' or '*BLIMP Licence*', which allows already licensed bat ecologists to carry out or oversee works to low significance roosts under their own 'BLIMP' licence without the need to apply for a separate site-specific licence. The bat ecologist's BLIMP licence can only be used to cover common pipistrelle and soprano pipistrelle bat roosts of fewer than five individuals; it does not extend to use for any other species or larger roosts, for which a site-specific licence would still be required.

The bat roost identified in the barn fits into this 'low impact' category, so it is recommended that the proposed works are carried out under Jenny Wallace's BLIMP licence (Licence number 143125) in conjunction with the Bat Protection Plan into which this section has been written. Jenny will need to be informed regarding proposed timings for demolition so that the licence details and protection plan can be kept up to date and amended where necessary and so that proposed mitigation can be put into place in time.

### 5.2 PRE-WORKS ROOST COMPENSATION

Prior to any demolition works commencing on the buildings, replacement roost provision in the form of at least one bat box, should be placed on a suitable tree on the site which will not be affected by works and which is preferably within 50m of the barn. Any selected features will be capable of supporting boxes at a height of at least 3m from the ground (mounted with the aid of a ladder) and the box will be placed with a clear flyway from the entrance, free of vegetation clutter. Appropriate recommended bat boxes include the Schwegler or woodcrete bat boxes which have a longer lifespan than wooden boxes and which can be purchased from online retailers such as [www.nhbs.com](http://www.nhbs.com).

### 5.3 TIMING OF WORKS

The cottage supports a single common pipistrelle non-maternity roost - no maternity colonies were identified. Therefore, timing of works to avoid the sensitive maternity period (May - September) is not critical for this site. However, moderate bat hibernation potential was identified in both the buildings, so it is recommended that demolition of the buildings takes place out-with the hibernation period (November to March).

Active sparrow nests were observed in the bungalow during the daytime survey and overall, the site was assessed as having good nesting bird potential. Therefore, any demolition, ground clearance and tree removal works should be undertaken out-with the nesting bird season (March-September). If any of these works are planned to take place within the breeding bird season, a thorough check will be required to be undertaken by an ecologist to check there are no active nests present before works begin.

### 5.4 MITIGATION PRIOR TO AND DURING DEMOLITION/CONSTRUCTION

The main aim of mitigation proposed during this stage is to minimise the likelihood of harm or disturbance to individual bats that might be present in the property whilst works are being carried out.:

1) **Pre-works meeting:** It is recommended that before any demolition works commence on the buildings, an on-site meeting is undertaken between the building contractors and the licensed bat ecologist in order to outline the roost location / sensitive areas of the roof/building for bats and to discuss methods for undertaking works whilst adhering to BLIMP licence conditions.

2) **Hand stripping of roof materials:** In order to ensure no bats are harmed or injured during the works, all slates and roof materials on the bungalow and barn should be stripped by the hand by the contractor. Should any bats be found during the roof stripping then the bat ecologist will be contacted and will provide advice on the best course of action. This will probably involve the bat ecologist attending site and removing the bat(s) to the bat box mounted in a nearby tree.

3) **Exclusion of Bat from Roost Location R1:** In order to ensure the bat roosting in the wall of the barn at roost location R1 is not harmed or blocked in during demolition, a one-way excluding device will be fitted to the gap at least two weeks prior to works taking place. The exclusion device will allow the bat to leave the roost site but prevent it from re-entering the building at this location in the long term. The exclusion device will be left in situ for a minimum of 14 days. Following that period, provided the bat has left the roost location, the gap can be either be temporarily or permanently blocked whilst demolition works take place.

4) **Pre-felling check of two trees with low roosting potential:** It is recommended that prior to the felling of trees 6 and 7, the features are checked again to ensure there are no bats present at the time of felling. This should be done by a licensed bat surveyor with the aid of a torch and endoscope and should be carried out on the day of felling. If any bats are discovered during the pre-felling check, felling would need to be delayed until suitable licensing and mitigation can be put in place.

## 5.5 ANY CHANGES TO CIRCUMSTANCES AND EMERGENCY PROCEDURE

If more than 5 bats are found to be roosting in either of the buildings at the time of works or if a different species is discovered, then works will stop and SNH / the licensed bat ecologist will be consulted on how best to proceed.

All site workers must be fully informed of the presence of bats on site and the requirements of the licence conditions. An emergency procedure should be in place should any additional bats be found during the works when the licensed bat worker is not on site. In this instance, all works should be stopped in the immediate area around the bat and the licensed bat ecologist (or SNH) be contacted for advice.

## 5.6 LONG TERM ROOST COMPENSATION

Long term bat roost compensation will be required for the loss of the bat roost identified, as well as for the loss of roosting potential within the two buildings which will be demolished. This will be required in addition to the placing of a bat box on a nearby tree. Ideally long term provision would be achieved by incorporating a number of replacement roost sites into the new buildings on site through the provision of a minimum of two in-built bat boxes in a number of the new houses on site. There are a number of suitable boxes that can be incorporated into the design of the new buildings, including those which can be built into the structure and rendered over to leave only a small letter box entrance visible (these tend to work well on gable ends) as well as boxes made of bricks or block materials which can also be built into the fabric of the building whilst it is being constructed. Many options are available and can be viewed on the following website:

[https://www.nhbs.com/4/bat-boxes?q=&fR\[hide\]\[0\]=false&fR\[live\]\[0\]=true&fR\[shops.id\]\[0\]=4&hFR\[subjects\\_equipment.lvl1\]\[0\]=Bat%20Boxes](https://www.nhbs.com/4/bat-boxes?q=&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=4&hFR[subjects_equipment.lvl1][0]=Bat%20Boxes)

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## APPENDIX I – PHOTOS

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Photo 1: South elevation and west gable of bungalow



Photo 2: East elevation of bungalow



Photo 3: North elevation and west gable of bungalow



Photo 4: North and east elevations of bungalow



Photo 5: Typical gaps under ridge pieces in bungalow



Photo 6: Gaps at wall head of bungalow under guttering



Photo 7: Inside main attic space of bungalow



Photo 8: Cobwebbed sarking boards and apex inside bungalow



Photo 9: South and east elevations of barn



Photo 10: North and east elevations of barn



Photo 11: Inside barn



Photo 12: Inside barn showing roof structure



Photo 13: Trees 1 to 3 (looking south) showing cluttered cypresses



Photo 14: Trees 1 to 4 (looking north)



Photo 15: Site looking north west from bungalow



Photo 16: Tree 5, dead hawthorn with tree 6 in background



Photo 17: Tree 7 dead cypruss with low BRP

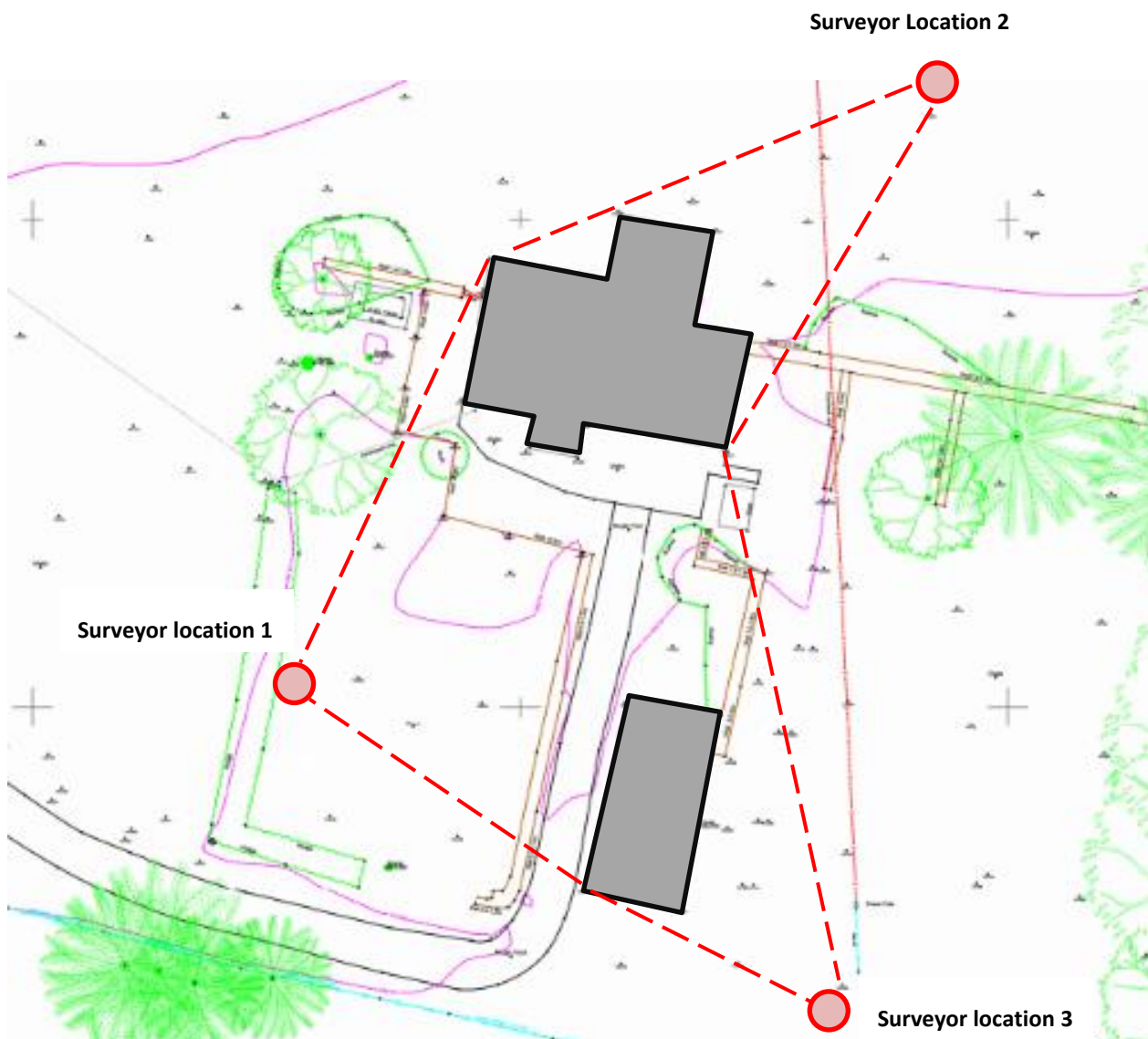


Photo 18: Site, looking towards eastern boundary



## APPENDIX II – SURVEYOR LOCATIONS

Figure 3: Surveyor Locations and Viewsheds for Activity Surveys



## APPENDIX III - SPECIES PROTECTION STATUS

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All bat species in the UK are European Protected Species (EPS) and are fully protected under the EC Habitats and Species Directive 92/43/EEC. The Conservation (Natural Habitats,&c.) Regulations 1994 translates this law into European legislation in the UK. These regulations have been amended in Scotland by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 and 2007 and the Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2008.

These Regulations make it an offence to deliberately or recklessly:

- capture, injure or kill an EPS
- harass an EPS or group of EPS
- to disturb such an EPS while it is occupying a structure or place it uses for shelter or protection
- to disturb an EPS while it is rearing or otherwise caring for its young
- to obstruct access to a breeding site or resting place of an EPS or to otherwise deny an EPS use of a breeding site or resting place
- to disturb an EPS in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs
- to disturb an EPS in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- to disturb such an animal while it is migrating or hibernating

It is also an offence to:

- damage or destroy a breeding site or resting place of such an animal
- keep, transport, sell or exchange or offer for sale or exchange any wild animal or plant EPS or any part or derivative of one.

Derogation licences may be granted for certain purposes that would otherwise be illegal; such licences for development work must now be applied for from Scottish Natural Heritage. There is no provision for development licences as such, however; under Regulation 44 (2e) of the Conservation (Natural Habitats, &c.) Regulations 1994 licences may be granted for:

- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

However a licence will not be granted unless, importantly under 44 (3), the appropriate licensing authority is satisfied:

- That there is no satisfactory alternative
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.



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07 September 2020

Project No: P304563.001

## CRAIGTON OF MONIKIE, RESIDENTIAL DEVELOPMENT – DRAINAGE STRATEGY REPORT

Prepared for:

### STRATHMORE HOMES (SCOTLAND) LTD

37 Coupar Angus Road  
Dundee  
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#### Contents Amendment Record

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**Institute  
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## Acknowledgement

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This report has been prepared for the sole and exclusive use of Strathmore Homes (Scotland) Ltd in accordance with the scope of work presented from Mabbett & Associates Ltd (Mabbett) by way of e-mail dated 20 June 2019. This report is based on information and data collected by Mabbett. Should any of the information be incorrect, incomplete or subject to change, Mabbett may wish to revise the report accordingly.

This report has been prepared by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



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David Clark  
Environmental Coordinator

This report has been reviewed and approved by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



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Ian Corner C.WEM MCIWEM  
Principal Environmental Consultant,

Mabbett & Associates Ltd (Mabbett) was retained by Strathmore homes (Scotland) Ltd to produce a Drainage Strategy Report covering both foul & surface water treatment and disposal to support a planning application in respect of a proposed residential development likely to consist of five, 3-bedroom detached houses and six semi-detached 2-bedroom houses on a greenfield site at Craighton of Monikie, Angus (NGR NO 51077 38242).

A comprehensive assessment was undertaken which included reference to the SUDS Working Party Assessment and Drainage Assessment guide, Regulatory Method (WAT-RM-08) Sustainable Urban Drainage Systems (SUDS or SUD Systems), Version v6.4 July 2019, Regulatory Method (WAT-RM-03) Sewage Discharges to Surface Waters, Version v8.2 Oct 2019, and Angus Council's design criteria for any surface water system (see Appendix 3 – Correspondence with Angus Council) and other best practice guidance such as CIRIA SUDS Manual (C753). For the critical aspects to the study Mabbett followed good practice to help ensure the proposed development would be “viable” as regards drainage matters.

Site investigations were undertaken and Scottish Water, Angus Council and SEPA consulted on their requirements.

### ***Flooding***

The Scottish Environment Protection Agency's (SEPA) Indicative Flood Map indicates the site is not identified as being at risk from either fluvial or pluvial flooding.

Reference to correspondence with Angus Council, see Appendix 3, indicates that all onsite drainage should be designed to accommodate the 1 in 30 year plus climate change rainfall event without flooding from the system. Any flows in excess of the 1 in 30 year event, up to and including the 1 in 200-year event plus climate change rainfall event, should be accommodated within the site without resulting in flooding of properties. In the event this is not practicable, provision of storage calculated to store up to surface water arising from up to the 1 in 200 year critical rainfall event should be provided. It is assumed the attenuated release rate in any event from the developed site should not exceed that from the predevelopment site, i.e. the greenfield release rate.

As storage and attenuation in order to restrict the surface water run-off rate from the developed site to that of the pre-development runoff rate is proposed, there should be no issues regarding flooding downstream as a result of the development.

### ***Surface Water and Sustainable Urban Drainage Systems***

As the development will be served by a surface water drainage system serving more than a single dwelling the incorporation of Sustainable Urban Drainage (SUDS) in accordance with the requirements of SEPA and following the principles of CIRIA SUDS Manual (C753) will be a legal requirement.

It is proposed the surface water arising from roof areas would be treated, e.g. by way of individual filter trenches contained within the curtilage of each property. Surface water arising from the access road would be subject to a single level of treatment, most likely a swale or filter trench, in accordance with Angus Council roads department requirements. It is proposed that surface water from both sources would, in accordance with Angus Council requirements, be directed to a form of storage, e.g. a detention basin, that will be sized to accommodate up to the 1 in 200 year return period critical rainfall event plus 30% climate change and equipped with a throttle that would be designed to limit the discharge from the basin to the calculated greenfield release rate for the pre-development site.

The Simple Index Approach (SIA) indicates the use of filtration systems and the inclusion of a detention basin, albeit primarily for flood control purposes, would ensure compliance with General Binding Rule 10 of the Controlled Activities (Scotland) Regulations 2011. No formal or informal approval is required from SEPA for the solution being proposed.

## ***Sewage Treatment /Wastewater Treatment***

Foul drainage would be treated by way of a private sewage treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean, as advised to and agreed in principle by SEPA, with the effluent being discharged to the Monikie Burn at or about NGR NO 51220 38417, see Appendix 2. As a result of SEPA's positive response it is not envisaged that SEPA would object to any subsequent planning application.

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## Section 1.0 Waste Water

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The Building (Scotland) Regulations 2004 must be adhered to when a construction project is being undertaken. Regulation 3.7 of the Regulations, as reproduced below, states that:

*Every wastewater drainage system serving a building must be designed and constructed in such a way as to ensure the removal of wastewater from the building without threatening the health and safety of the people in and around the building, and:*

- (a) That facilities for the separation and removal of oil, fat, grease and volatile substances from the system are provided;*
- (b) That discharge is to a public sewer or public wastewater treatment plant, where it is reasonably practicable to do so; and*
- (c) Where discharge to a public sewer or public wastewater treatment plant is not reasonably practicable that discharge is to a private wastewater treatment plant or septic tank.*

**Limitation**

*Standard 3.7(a) does not apply to a dwelling.*

## Section 2.0 Surface Water

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With regard to surface water treatment and dispersal, Regulation 3.6 of the Building (Scotland) Regulations 2004, as reproduced below, states that:

*Every building and hard surface within the curtilage of a building, must be designed and constructed with a surface water drainage system that will:*

- (a) ensure the disposal of surface water without threatening the building and the health and safety of the people in and around the building; and*
- (b) have facilities for the separation and removal of silt, grit and pollutants.*

Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements of the authorities.

With regard to SEPA's requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), states that a sustainable urban drainage system (SUDS) is required unless the discharge is from a single house or if the discharge is to be made to coastal waters. GBR10 and the relevant associated rules are outlined below.

### **GBR10:**

#### **a) Discharge of surface water run-off from a surface water drainage system to water environment from:**

- i. up to 60 hectares of land used for residential premises;*
- ii. land used for non-residential premises or yards, except where the buildings or yards are in an industrial estate;*
- iii. land used as a motorised vehicle parking area with up to 1,000 parking spaces*
- iv. metalled roads other than motorways and A roads;*
- v. waterbound roads*

With regard to SEPA's requirements for the dispersal of surface water from developments, General Binding Rule (GBR) 11 must be adhered to:

### **GBR11: Discharge into a surface water drainage system**

#### **Rules:**

- a) Oil, paint thinners, pesticides, detergents, disinfectants or other pollutants must not be disposed of into a surface water drainage system or onto any surface that drains into a surface water drainage system;*
- b) Any matter liable to block, obstruct or otherwise impair the ability of the surface water drainage system to avoid pollution of the water environment must not be disposed of into a surface water drainage system or onto a surface that drains into a surface water drainage system;*
- c) Sewage or trade effluent must not be discharged into any surface water drainage system; and*
- d) On construction sites, any area of exposed soil from which the discharge of water run-off to the water environment is authorized under activity 10, and the period of time during which such soil is exposed, must be the minimum required to facilitate the construction works being undertaken at that site.*

(Source; SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019

## Section 3.0 Construction Method Statement

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Often the construction process can give rise to unavoidable waste, however, controlling the mess and minimising the waste can lead to better and easier environmental protection, an improved working environment, and direct and indirect project cost savings.

Recent changes to the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) now require that a Construction Site Licence must be obtained prior to any work commencing on site if the construction site:

- exceeds 4 hectares in area;
- contains a road or track length in excess of 5km; or
- includes any area of more than 1 hectares or any length of more than 500 metres on ground with a slope in excess of 25 degrees.

None of these constraints apply to this site or development.

Potential impacts on the water environment include alterations to the well-being of aquatic habitat to support life, changes to hydrological processes, exacerbated flood risk and visual degradation. Impacts to land may constitute contamination, unsightliness, and danger presented to public health.

### ***The Main Receptors at Risk of Impairment***

The main receptors at risk of being impacted by the works proposed have been summarised as follows:

- Watercourse.
- Drainage runs.
- Groundwater.
- Land without licence or exemption where wastes may be deposited.
- Atmosphere.

### ***The Potential Pollutants***

The main potential pollutants and waste identified are as follows:

- Surface water contaminated with suspended solid and/ or hydrocarbon residues.
- Excess concrete, tarmacadam.
- Excess cementacious wash-water.
- Uncontained oil/ fuel spillage.
- Controlled waste “escaping” the Duty of Care and being dumped, deposited or managed inappropriately.
- Fugitive dust emissions giving rise to nuisance.
- Paper and plastic packaging, coverings and wrappings to construction products and food and drink.

### ***Higher Risk Works/Practices***

- Concrete delivery and application processes.
- Clean-up of plant and equipment associated with delivery and application of concrete.
- Refuelling of vehicles and generators.
- Removal of inert or contaminated material from site.
- Contractor staff handling of plastic and paper.

### ***Advised Management and Mitigation Measures***

#### *General Items:*

- Adherence to SEPA’s Pollution Prevention Guidelines and, in particular, PPG6 Working at Construction and Demolition Sites.
- Periodic monitoring of works for “pollution” by trained site staff and periodic audit monitoring.
- Toolbox Talk - Site staff training in pollution from construction sites.



*Specific Items:*

- Suitable provision will be made for the washing-out of concrete mixing plant and all ancillary equipment and the washings generated will not be allowed to flow into any drain or watercourse.
- High risk drains and drainage runs will be equipped with suitable protection (bunds, bentomats, filters, etc).
- Particular attention to minimising the contamination of clean incident rainfall by not allowing it to enter working areas.
- Construction vehicles and plant will be maintained to reduce the risk of hydrocarbon contamination.
- Other construction materials will be managed in such a way as to effectively minimise the risk posed to the aquatic environment.
- Dust suppression techniques (spraying) may need to be applied as necessary.

## Section 4.0 Flooding Risk Statement

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The Scottish Environment Protection Agency's (SEPA) Indicative Flood Map indicates the site is not identified as being at risk from either fluvial or pluvial flooding. Surface water arising from the site will be subject to a form of storage and attenuation compliant with Angus Council's guidance to limit the post-development. Additionally, run off associated with up to the 1 in 200-year rainfall event plus 30% climate change should be contained within the site without causing any flooding risk to buildings or critical roads, or increasing flood risk elsewhere. In the event this does not prove possible, the storage facility provided shall be increased in capacity to account for up to the 1 in 200-year event plus 30% climate change.

These measures should ensure there are no issues regarding increased flooding risk downstream of the development.

## Section 5.0 SUDS Statement

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The Water Environment (Controlled Activities) (Scotland) Regulations 2011 states that the installation of SUDS is a legal requirement for all developments draining to the water environment other than a single dwelling or for a discharge to coastal waters.

The rural nature of the development and scale of the development were considered in deciding upon a SUDS Strategy as were the different potential risks to the aquatic environment presented by housing and roads.

In pursuit of compliance with the Regulation, Section 3.6.3 of the Technical Handbook provides methods of discharging surface water that, if employed, would meet the requirements:

- a. a storage container with an overflow discharging to any of the 4 following options, or
- b. a SUD system designed and constructed in accordance with clause 3.6.4, or
- c. a soakaway constructed in accordance with:
  - clause 3.6.5, or
  - the guidance in BRE Digest 365, 'Soakaway Design', or
  - National Annex NA 4 of BS EN 752: 2008, or
- d. a public sewer provided under the Sewerage (Scotland) Act 1968, or
- e. an outfall to a watercourse, such as a river, stream or loch or coastal waters, that complies with any notice and/or consent by SEPA.

Option a. is the preferred method for treatment and disposal of surface water from the proposed development. With regard to SEPA's requirements, General Binding Rule (GBR) 10, in pursuance of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 applies. GBR 10 requires the provision of a level of SUDS proportional to the perceived risk posed to the aquatic environment by the development. In this case, assuming surface water is dealt with at source by way of filter trenches or permeable paving, a single level of SUDS would be appropriate, and this is accounted for in this report. It should be noted that, as a result of the proposed detention basin, two levels of treatment will be provided.

### 5.1 Residential Development and Roads - SUDS Strategy

SEPA policy document WAT-RM-08 - Sustainable Urban Drainage Systems (SUDS) indicates that for the scale of the development proposed the level of SUDS to be applied should be assessed using the Simple Index Approach as outlined in the CIRIA SuDS Manual (C753). This approach was followed in this report, see Table 1 below.

**Table 1**

SIMPLE INDEX APPROACH: TOOL		SEPA Scottish Environment Protection Agency	HR Wallingford Working with water	ciria	<small>HRW shall not be liable for any direct or indirect damage claim, loss, cost, expense or liability howsoever arising out of the use or impossibility to use the tools, even when HRW has been informed of the possibility of the same. The user hereby indemnifies HRW from and against any damage claim, loss, expense or liability resulting from any action taken against HRW that is related in any way to the use of the tool or any reliance made in respect of the output of such use by any person whatsoever. HRW does not guarantee that the tool's functions meet the requirements of any person, nor that the tool is free from errors.</small>			
<b>STEP 1:</b>	<b>Determine the Pollution Hazard Index for the runoff area discharging to the proposed SuDS scheme</b>							
<b>This step requires the user to select the appropriate land use type for the area from which the runoff is occurring</b>								
If the land use varies across the 'runoff area', either:								
- use the land use type with the highest Pollution Hazard Index								
- apply the approach for each of the land use types to determine whether the proposed SuDS design is sufficient for all. If it is not, consider collecting more hazardous runoff separately and providing additional treatment.								
If the generic land use types suggested are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in the row below the drop down lists.								
					<b>Pollution Hazard Indices</b>			
				<b>Hazard Level</b>	<b>Suspended Solids</b>	<b>Metals</b>	<b>Hydrocarbons</b>	
<b>Runoff Area Land Use Description</b>								
Select land use type from the drop down list (or 'Other' if none applicable): →				Residential roofing	Very low	0.2	0.2	0.05
If the generic land use types in the drop down list above are not applicable, select 'Other' and enter a description of the land use of the runoff area and agreed user defined indices in this row:								
<b>Landuse Pollution Hazard Index</b>				<b>Very low</b>	<b>0.2</b>	<b>0.2</b>	<b>0.05</b>	

<b>STEP 2A: Determine the Pollution Mitigation Index for the proposed SuDS components</b>			
<p><b>This step requires the user to select the proposed SuDS components that will be used to treat runoff - before it is discharged to a receiving surface waterbody or downstream infiltration component</b></p> <p><b>If the runoff is discharged directly to an infiltration component, without upstream treatment, select 'None' for each of the 3 SuDS components and move to Step 2B</b></p>			
<p>This step should be applied to evaluate the water quality protection provided by proposed SuDS components for discharges to receiving surface waters or downstream infiltration components (note: in England and Wales this will include components that allow any amount of infiltration, however small, even where infiltration is not specifically accounted for in the design).</p>			
<p>If you have fewer than 3 components, select 'None' for the components that are not required</p>			
<p>If the proposed component is bespoke and/or a proprietary treatment product and not generically described by the suggested components, then 'Proprietary treatment system' or 'User defined indices' should be selected and a description of the component and agreed user defined indices should be entered in the rows below the drop down lists</p>			
			<b>Pollution Mitigation Indices</b>
	<b>SuDS Component Description</b>	<b>Suspended Solids</b>	<b>Metals</b>
		<b>Hydrocarbons</b>	
<p>Select SuDS Component 1 (i.e. the upstream SuDS component) from the drop down list: →</p>	Filter strip	0.4	0.4
<p>Select SuDS Component 2 (i.e. the second SuDS component in a series) from the drop down list: →</p>	Detention basin	0.5	0.5
<p>Select SuDS Component 3 (i.e. the third SuDS component in a series) from the drop down list: →</p>	None	0	0
	are bespoke/proprietary and/or the generic indices above are not considered appropriate, select 'Proprietary treatment system' or 'User defined indices' and enter component descriptions and agreed user defined indices in these rows:		
	<b>Aggregated Surface Water Pollution Mitigation Index</b>	<b>0.65</b>	<b>0.65</b>
		<b>0.8</b>	

<b>STEP 2C:</b>	<b>Determine the Combined Pollution Mitigation Indices for the Runoff Area</b>					
<b>This is an automatic step which combines the proposed SuDS Pollution Mitigation Indices with any Groundwater Protection Pollution Mitigation Indices</b>						
				<i>Combined Pollution Mitigation Indices</i>		
				Total Suspended	Metals	Hydrocarbons
<b>Combined Pollution Mitigation Indices for the Runoff Area</b>				<b>0.65</b>	<b>0.65</b>	<b>0.8</b>
<b>STEP 2D:</b>	<b>Determine Sufficiency of Pollution Mitigation Indices for Selected SuDS Components</b>					
<b>This is an automatic step which compares the Combined Pollution Mitigation Indices with the Land Use Hazard Indices, to determine whether the proposed components</b>						
<small>When the combined mitigation index exceeds the land use pollution hazard index, then the proposed components are considered sufficient in providing pollution risk mitigation.</small>						
<small>In England and Wales, where the discharge is to protected surface waters or groundwater, an additional treatment component (ie over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Protected surface waters are those designated for drinking water abstraction. In England and Wales, protected groundwater resources are defined as Source Protection Zone 1. In Northern Ireland, a more precautionary approach may be required and this should be checked with the environmental regulator on a site by site basis.</small>						
				<i>Sufficiency of Pollution Mitigation Indices</i>		
				Suspended Solids	Metals	Hydrocarbons
<small>Note: In order to meet both Water Quality criteria set out in the SuDS Manual (Chapter 4), Interception should be delivered for all impermeable areas wherever possible. Interception delivery and treatment may be met by the same components, but Interception requires separate evaluation.</small>				Sufficient	Sufficient	Sufficient

Surface water from roof areas could be directed to individual filter trenches or via the sub-base of permeable paving constructed within the curtilage of the individual dwellings while surface water from private driveways and the access road could be treated by way of permeable pavements or the like.

Following initial treatment of both the in-curtilage drainage and the drainage from the access road this would be conveyed to a storage and attenuation system, or systems depending on the topography of the site, to be designed in accordance with good practice to provide the necessary degree of attenuation and throttled release as required by Angus Council. A detention basin is proposed in this report. The installation of such a system would result in the discharge of a managed run-off rate from the post development site.

The SUDS scheme would be compliant with the General Binding Rules of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and thus SEPA should be fully supportive of the scheme.

## 5.2 Surface Water Storage and Attenuation

The storage and attenuation of surface water arising from the site will be in accordance with Angus Council's guidance. The installation of a detention basin and a Hydrobrake could serve the development well with the discharge being directed to the Monikie Burn.

With regard to the sizing of the attenuation storage and the control mechanism elements of the SUDS, these could be modelled by using MicroDrainage WinDes Source Control Software. The calculations and outputs for up to the 1 in 200-year event, would generate the release rate and the necessary storage volume. It is anticipated this level of detail would be provided by way of a condition on any planning permission that may be granted.

## Section 6.0 Overland Flowpaths

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The new use of the site should not place any of the buildings or facilities on-site or downstream of the site at any increased risk of flooding. Extreme events, greater than the 1 in 200 year event, should be able to migrate from the site to the nearby Monikie Burn as before without posing a risk of flooding more significant than the pre-development risk.

## Section 7.0 SUDS and Land Ownership and Maintenance

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If the surface water drainage system was to be vested in Scottish Water then a Section 7 agreement would need to be reached with Angus Council as to the demarcation of ownership of the SUDS system. This is generally apportioned such that all below ground structures remain under the auspices of SW while ownership of above ground structures falls to the local Council.

Maintenance of SUDS is essential to ensure continued performance and that no pollution or blockage persists unnoticed. The means by which maintenance will be achieved will, in part, be determined by whether the SUD system remains private or is vested in Scottish Water / Angus Council. It could, for example, remain in private ownership and be controlled by way of a factoring agreement between all the homeowners. If the SUDS facility became the subject of a Section 7 Agreement between the Council and SW, then maintenance would fall to these authorities.



## Section 8.0 Foul Drainage Treatment and Disposal

Communication was initiated with SEPA by way of an e-mail proposal submitted on 21 July 2019 outlining a solution based on treating the foul drainage by way of a suitable sized package biological treatment plant, or individual plants, and discharging the treated effluent to the Monikie Burn at or about NGR NO 51220 38417. SEPA responded by way of an e-mail dated 25 July 2019, see Appendix 4, to advise the Agency would, in principle, support this proposal.

There are two existing drains within the solum of, or immediately adjacent to, the B961 that are used to convey treated sewage effluent arising from, in one instance Monikie Primary School, and in the other instance the various sewage treatment plants that serve houses in Camus Place, to the Monikie Burn.

Angus Council indicated it would not accept a connection to facilitate the discharge of sewage effluent from a private development to its infrastructure, see Appendix 3. Similarly, Angus Council indicated the ownership, condition and capacity of the pipe used to service the houses in Camus Place would have to be established and then agreement sought from the owners prior to making a connection of treated sewage effluent from the proposed development to this existing pipe.

As a result of these responses, a new pipe may have to be laid to the Monikie Burn to convey treated sewage effluent from the proposed development.

- **Foul Drainage**

It would be necessary, under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 to obtain authorisation from SEPA by way of a relevant level of authorisation (multiple Registrations or a single Licence) prior to making any discharge of treated sewage effluent from the development. The level of authorisation will be dependent on the population equivalent (PE) being served by the treatment system, or systems. A Registration would apply for a PE of 15 or less while a Licence would apply where the PE is >15.

- **Water Supply**

Consent would be required from Scottish Water to make a connection to the public water main.

- **Surface Water**

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) it is a legal requirement to provide a sustainable surface water drainage system for any discharge of surface water arising from more than a single dwelling or where the discharge of surface water is made to tidal waters. The level of control exerted by SEPA is dependent on the source and scale of the proposed discharge. The discharge of surface water arising from developments of <1000 residential houses or <1000 car park spaces is considered to be “authorised” if the discharge is compliant with General Binding Rule (GBR) No 10. As the appropriate level of SUDS will be put in place at this development and thus the GBR will be complied with, there would be no requirement to obtain formal “authorisation” from SEPA.

## Section 10.0 Disclaimer

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The content of this assessment is for internal use only and should not be distributed to third parties unless under the expressed authority of our client. The designs, recommendations and outline proposals shall remain the property of Mabbett & Associates Ltd and shall not be plagiarised in any form without authority to do so. The comments and recommendations stipulated are solely those expressed by Mabbett & Associates Ltd, and both parties understand that the comments and recommendations expressed are not binding. Mabbett & Associates Ltd confirms that reasonable skill, care, and diligence have been applied and that any design element has been carried out using verifiable and approved reference documentation. No responsibility shall be assumed by Mabbett & Associates Ltd for system failure as a result of incorrect installation work by contractors assigned by the client or incorrect or inappropriate implementation of Mabbett & Associates Ltd's recommendations.

## Section 11.0 References

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Building (Scotland) Regulations 2004

CIRIA SuDS Manual (C753)

CIRIA, Sustainable drainage systems. Hydraulic, structural and water quality advice, C609. London. 2004

Environment Act 1995

Water Assessment and Drainage Assessment - SUDS Working Party

SEPA, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 - A Practical Guide) Version 8.4, October 2019

The Scottish Building Standards: Technical Handbook 2019: Domestic.

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

Regulatory Method (WAT-RM-03) Sewage Discharges to Surface Waters, Version v8.2 Oct 2019

Regulatory Method (WAT-RM-08) Sustainable Urban Drainage Systems (SUDS or SUD Systems), Version v6.4 July 2019

# Appendix 1: Site Layout



**Plot 1 - 3 Bed Bungalow**  
 Total site area - 620m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 300m<sup>2</sup>

**Plot 2 - 3 Bed Bungalow**  
 Total site area - 650m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 314m<sup>2</sup>

**Plot 3 - 3 Bed Bungalow**  
 Total site area - 704m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 360m<sup>2</sup>

**Plot 4 - 3 Bed Bungalow**  
 Total site area - 709m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 365m<sup>2</sup>

**Plot 5 - 3 Bed Bungalow**  
 Total site area - 665m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 401m<sup>2</sup>

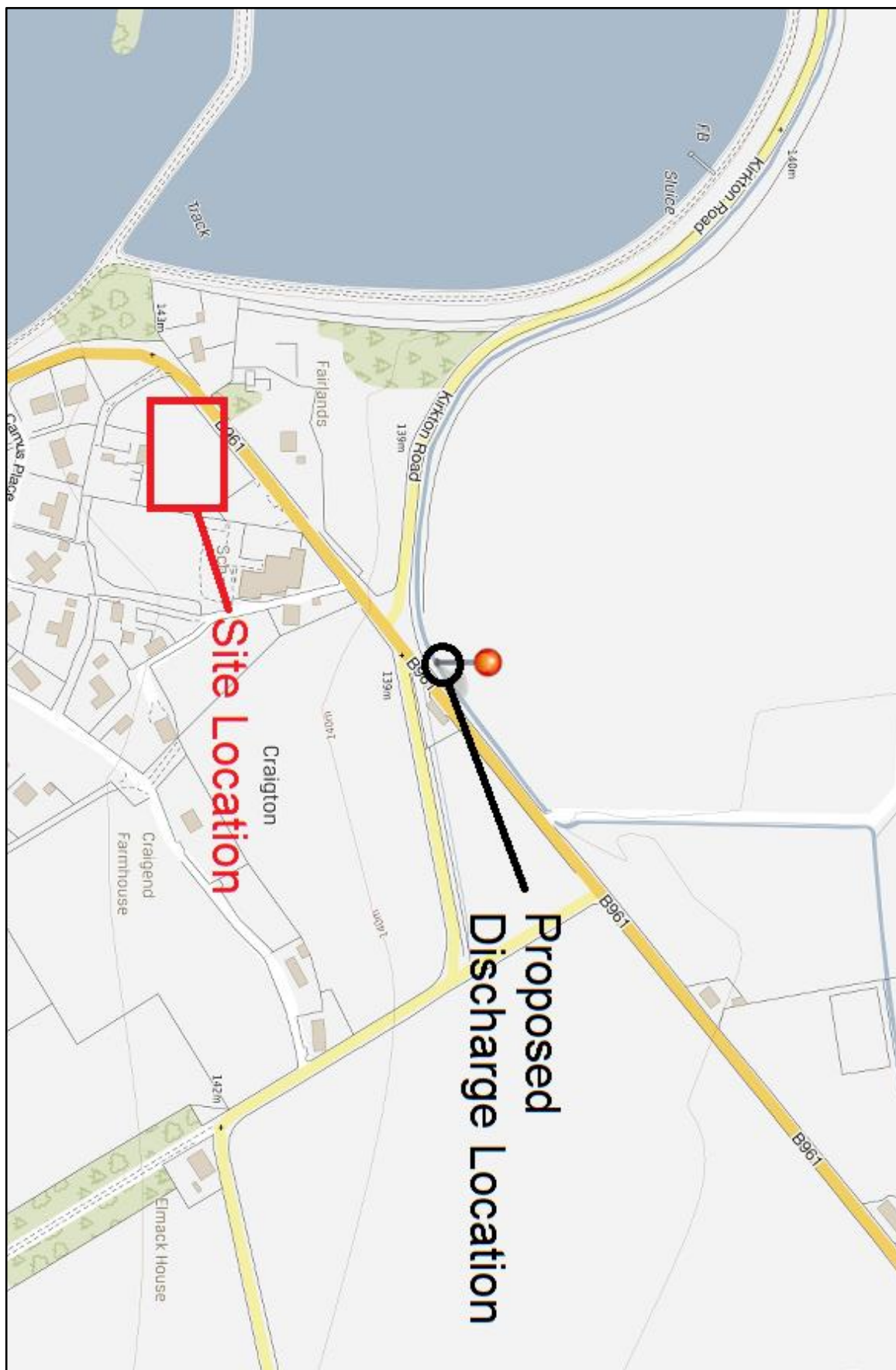
**Plot 6 - 3 Bed Bungalow**  
 Total site area - 1224m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 384m<sup>2</sup>

**Plot 7 - 3 Bed Bungalow**  
 Total site area - 759m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 359m<sup>2</sup>

**Plot 8 - 3 Bed Bungalow**  
 Total site area - 584m<sup>2</sup>  
 Footprint - 120m<sup>2</sup>  
 Garage - 24m<sup>2</sup>  
 Amenity garden ground - 340m<sup>2</sup>

<b>Proposed Residential Development</b> Site Name: <b>Jon Frullani Architects</b> Address: <b>Jon Frullani Architects</b> 100, High Street, Dundee, DD1 1JG		<b>Proposed 3 Bed Bungalow</b> Plot No: <b>Plot 1</b> Area: <b>620m<sup>2</sup></b> Date: <b>03/08/2020</b>	
Client: <b>Jon Frullani Architects</b> Address: <b>100, High Street, Dundee, DD1 1JG</b> Contact: <b>01307 200000</b>		Date: <b>03/08/2020</b> Scale: <b>1:500 (A3)</b>	

## Appendix 2: Proposed Discharge Location



## Appendix 3: Correspondence with Angus Council

**From:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)

**Sent:** 20 September 2019 10:34

**To:** Janice Corrigan [corriganj@angus.gov.uk](mailto:corriganj@angus.gov.uk)

**Subject:** Proposed residential development (10-12 houses) at a site at Craigton of Monikie

Janice,

I've attached this e-mail to the one below in order to link with what follows with our previous discussions. I'm also making the rash assumption that, in terms of the decision making that may be needed to reach a conclusion on the proposal that follow, that you are the best person to respond. If this is incorrect could you please either advise who we should be consulting with, or alternatively pass this e-mail to the relevant person.

Since our initial contact with you we have been advised, via Neil Anderson, that the effluent from Monikie Primary School's septic tank (s.t.) is discharged to the Monike Burn. The actual response stated;

As we thought the outflow from the septic tank connects into the storm water from the road gully's, which then flows into the Burn through a 150 clay pipe as in photo 3, apologies it's not very clear but was balancing precariously over the edge!! But you can clearly see the green dye form the discharge.

We have reached the stage now where we now require to progress solutions for the disposal of treated sewage effluent and surface water from the proposed development. To that end we would make the following proposals;

- **Foul Drainage**

Following consultation with SEPA agreement in principle was reached on allowing a discharge of treated sewage effluent to the Monikie Burn (see extract from SEPA response in red below).

I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA

In order to achieve a discharge to the Monikie Burn two possible routes have been identified, namely; via the existing drain that conveys the effluent from the Monikie Primary School s.t. to the burn or via the other drain that exists in the NW verge of the B961 (both as shown in the attached photo).

It is known that the "other drain" conveys treated foul drainage from the various sewage treatment plants serving the houses in Camus Place to the Monike Burn via the same outfall as it used by the drain that conveys effluent from the school s.t. to the Monike Burn, i.e. both drains convey treated sewage effluent to the Monikie Burn via the same outfall.

We would propose that treated sewage effluent from the proposed development, whether from individual sewage treatment plants, or one communal treatment plant be discharged to the Monikie Burn via the same drain as currently conveys effluent from the primary school septic tank to the Monikie Burn and would seek the Council's view on that proposal. At this stage we cannot be specific about the exact point of connection to the existing drain, we are simply seeking comment on the principle of making the discharge. Should the actual location of the point of connection become pertinent to the Council's response then please advise accordingly and we will revert to our client for advice on that matter.

An alternative solution would be to make the discharge as outlined above to the Monikie Burn via the other drain, i.e. that which conveys treated sewage effluent from the houses in Camus Place, to the Monikie Burn. This is the other drain shown in the attached photo. This is the less attractive of the two options from the point of view of ease of access to the two drains. In the event the option above is not considered acceptable by the Council, we would be obliged to receive your comment on this alternative solution.

- **Surface Water**

As for the foul drainage it would be the preferred option to discharge surface water from the development to the Monike Burn via the drain used to convey s.t. effluent from Monikie Primary School to the Monikie Burn.

It would be the intent to provide an appropriate level of SUDS for surface water arising from the development (as derived from the use of the Simple Index tool). Surface water arising from roofs etc will be treated by way of individual filter trenches contained within the curtilage of each property while run off from the access road will also receive a single level of treatment in accordance with the Council's requirements (it being intended that the road and associated drainage will be adopted and thus built to adoptable standards). It is assumed some level of control may be required in respect of the storage and attenuation of surface water prior to discharge to the Monikie Burn and the intent would be to provide this by way of a detention basin (as shown on the attached plan) and suitably throttled outlet. It is assumed Scottish Water will have no involvement in either the surface water or foul drainage treatment and disposal arrangements. We would be grateful for any comment you may wish to make on the criteria to be used to determine the capacity of the detention basin.

We look forward to receiving your responses to the proposals outlined above. Should you wish to discuss matters further, or require further information, please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

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**From:** Janice Corrigan [corriganj@angus.gov.uk](mailto:corriganj@angus.gov.uk)  
**Sent:** 02 December 2019 15:00  
**To:** Ian Corner [ian.corner@mabbett.eu](mailto:ian.corner@mabbett.eu)  
**Subject:** Proposed residential development (10-12 houses) at a site at Craigton of Monikie

Hi Ian,

Please see my responses to the questions you have raised highlighted in yellow. I hope this is self-explanatory but please contact me by e mail if you need clarification.

Kind Regards,

Janice

*Janice Corrigan  
Team Leader – Flood Risk and Structures  
Infrastructure Services  
Angus Council  
Angus House  
Forfar  
DD8 1AN*

*Tel – 01307 491880*  
Janice,

I've attached this e-mail to the one below in order to link with what follows with our previous discussions.



I'm also making the rash assumption that, in terms of the decision making that may be needed to reach a conclusion on the proposal that follow, that you are the best person to respond. If this is incorrect could you please either advise who we should be consulting with, or alternatively pass this e-mail to the relevant person.

Since our initial contact with you we have been advised, via Neil Anderson, that the effluent from Monikie Primary School's septic tank (s.t.) is discharged to the Monike Burn. The actual response stated;

As we thought the outflow from the septic tank connects into the storm water from the road gulley's, which then flows into the Burn through a 150 clay pipe as in photo 3, apologies it's not very clear but was balancing precariously over the edge!! But you can clearly see the green dye form the discharge.

We have reached the stage now where we now require to progress solutions for the disposal of treated sewage effluent and surface water from the proposed development. To that end we would make the following proposals;

- **Foul Drainage**

Following consultation with SEPA agreement in principle was reached on allowing a discharge of treated sewage effluent to the Monikie Burn (see extract from SEPA response in red below).

I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA

In order to achieve a discharge to the Monikie Burn two possible routes have been identified, namely; via the existing drain that conveys the effluent from the Monikie Primary School s.t. to the burn or via the other drain that exists in the NW verge of the B961 (both as shown in the attached photo).

It is known that the "other drain" conveys treated foul drainage from the various sewage treatment plants serving the houses in Camus Place to the Monike Burn via the same outfall as it used by the drain that conveys effluent from the school s.t. to the Monike Burn, i.e. both drains convey treated sewage effluent to the Monikie Burn via the same outfall.

We would propose that treated sewage effluent from the proposed development, whether from individual sewage treatment plants, or one communal treatment plant be discharged to the Monikie Burn via the same drain as currently conveys effluent from the primary school septic tank to the Monikie Burn and would seek the Council's view on that proposal. At this stage we cannot be specific about the exact point of connection to the existing drain, we are simply seeking comment on the principle of making the discharge. Should the actual location of the point of connection become pertinent to the Council's response then please advise accordingly and we will revert to our client for advice on that matter.

The Council will not accept a connection to facilitate the discharge of sewage effluent from a private development to our infrastructure.

An alternative solution would be to make the discharge as outlined above to the Monikie Burn via the other drain, i.e .that which conveys treated sewage effluent from the houses in Camus Place, to the Monikie Burn. This is the other drain shown in the attached photo. This is the less attractive of the two options from the point of view of ease of access to the two drains. In the event the option above is not considered acceptable by the Council, we would be obliged to receive your comment on this alternative solution.

I would advise that ownership, condition and capacity of this pipe would have to be established and then agreement sought from owners prior to making a legal connection of sewage effluent from a private development to this existing pipe.

- **Surface Water**

As for the foul drainage it would be the preferred option to discharge surface water from the development to the Monike Burn via the drain used to convey s.t. effluent from Monikie Primary School to the Monikie Burn.

It would be the intent to provide an appropriate level of SUDS for surface water arising from the development (as derived from the use of the Simple Index tool). Surface water arising from roofs etc will be treated by way of individual filter trenches contained within the curtilage of each property while run off from the access road will also receive a single level of treatment in accordance with the Council's requirements (it being intended that the road and associated drainage will be adopted and thus built to adoptable standards). It is assumed some level of control may be required in respect of the storage and attenuation of surface water prior to discharge to the Monikie Burn and the intent would be to provide this by way of a detention basin (as shown on the attached plan) and suitably throttled outlet. It is assumed Scottish Water will have no involvement in either the surface water or foul drainage treatment and disposal arrangements. We would be grateful for any comment you may wish to make on the criteria to be used to determine the capacity of the detention basin.

**Design criteria for any surface water system are :-**

1 in 30 year RP +30% climate change incorporated in underground infrastructure

1 in 200 year RP + 30% climate change incorporated within the site

Full design calculations incorporating trial pit/percolation test results for the site.

Maintenance details required in perpetuity for all pipes and SUDS infrastructure

Flood routing through the site identified

If a request is made to discharge to Angus Council surface water infrastructure then details of the connection point and condition and capacity survey/assessment of the carrying pipe is required. This should be submitted along with application for outline planning permission what may be forthcoming. This information will identify if the addition of a development at this location will increase flood risk.

Angus Council reserves the right to refuse an application for connection to our existing system should any of the above information demonstrate an increased risk of flooding from the connection.

We look forward to receiving your responses to the proposals outlined above. Should you wish to discuss matters further, or require further information, please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

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## Appendix 4: Correspondence with SEPA

**From:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)  
**Sent:** 21 June 2019 10:38  
**To:** Scott Leith [scott.leith@sepa.org.uk](mailto:scott.leith@sepa.org.uk)  
**Subject:** Criagton of Monikie, Angus

Scott,

As of last night we have been appointed by our client to progress a solution for the treatment and disposal of foul and surface water from the site referred to below. I've attached a location plan and an indicative layout (this was prepared by another architect who is not likely to be involved in this project) for the site which is located at Craigton of Monikie at NGR NO51077 38248.

Our client has had preliminary contact with Scottish Water (SW) (Brian Stephenson, Team Leader, Development, East Region) who commented as below:

Looking at the area there are no sewers in that area, the closest is on the other side of the water around 1km away so would be an extensive amount of sewers required to reach our network. If there are sewers around your site they may be private; we don't have visibility of this unfortunately. If going to our network It's a combined system and a very small catchment so I would say a PDE is critical to ensure that we are able to assess the capacity available for your foul discharge.

With that response it appears that a connection to the SW network is not likely to be a workable or cost effective option for this development, albeit we intend to submit a PDE to SW. It should be noted, however, that SW will not comment on the practicality of connection, only on whether there is capacity within its network or not to accept the foul flow from the development. In that regard it's likely that SW's response would not alter our position which is that we believe at this stage that a private sewage treatment solution to be the most viable option for the development. I should add that initial estimates of cost to achieve a connection to the public sewer are of the order of £300,000 at the very least. This cost does not include any requirement to pump sewage or not costs associated with traffic management over a period of at least a month while works would be ongoing. Realistically the actual cost will be more likely to be closer to £400,000. This would equate to approximately £30,000 to £40,000 /house. Clearly an unacceptable amount of money, especially when private sewage treatment has been costed at approximately £30,000 - £40,000 installed.

With that in mind, we would seek comment from SEPA on the principle of a discharge of appropriately treated sewage effluent to the Monikie Burn at or about NGR **NO 51220 38417** which is somewhat to the NE of the development site and adjacent to the B961. We would wish SEPA to consider a development consisting of approximately 10 – 12, 3-bedroom dwellings generating a total PE of approximately 60 (48 when British Water guidance is used??). It is intended that the development be served by way of a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of the order of 10mg/l BOD and 10mg/l ammonia, as a mean.

We would be obliged if SEPA would give our proposal due consideration and indicate whether the effluent quality, in principle, is of a standard that may be considered acceptable for discharge to the Monikie Burn at the location specified.

Should you wish to discuss this matter further please do not hesitate to contact me directly.

Regards

Ian Corner, C.WEM, MCIWEM  
Principal Environmental Consultant

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**From:** Scott Leith [scott.leith@sepa.org.uk](mailto:scott.leith@sepa.org.uk)  
**Sent:** 25 July 2019 16:43  
**To:** Ian Corner [corner@mabbett.eu](mailto:corner@mabbett.eu)  
**Subject:** RE: Craigton of Monikie, Angus

Hi Ian

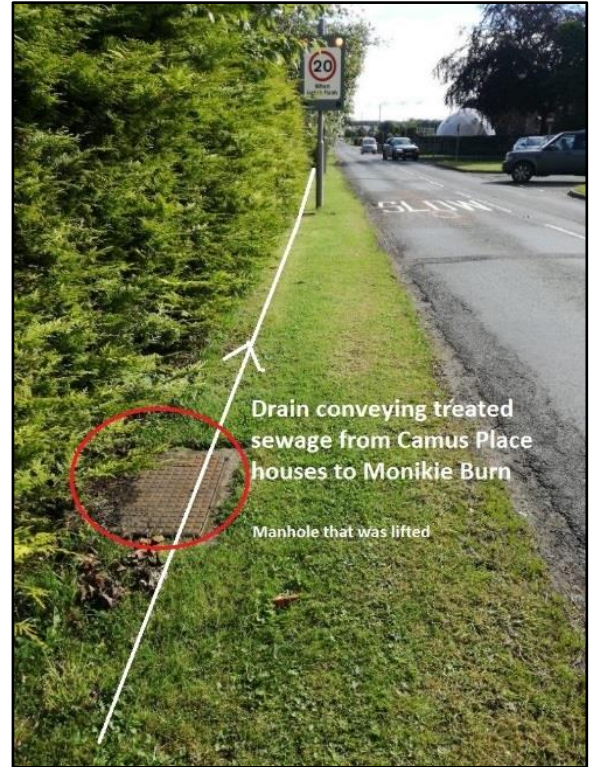
Sorry for not replying earlier but just got back to work on Tuesday (after a 3 week break). So after looking at the flow data from SEPA's hydrology department and attending the area yesterday, I can now confirm that your proposal of utilising a communal EN12566 compliant package biological treatment plant capable of achieving an effluent quality of 10mg/l BOD and 10mg/l ammonia, as a mean should be acceptable to SEPA on the proviso that prior to connection after treatment into the final discharge pipe as much seepage is utilised as possible. I would also ensure that you gain the correct permissions prior to connecting into this pipe. Not sure who is responsible for this.

Finally as you are fully aware, this discharge will require authorisation by SEPA (Simple Licence) where the application forms can be found on SEPA'S web site

Regards

Scott

## Appendix 5: Photographs



## **APPENDIX 3**

### **FURTHER LODGED REPRESENTATIONS**

## Jane Conley

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**From:** [REDACTED]  
**Sent:** 09 April 2021 12:16  
**To:** ForsythSL  
**Subject:** Application review Rownbank cottage, Craigton, Monikie

Dear Sarah

I have just tried calling with reference to the above. I take from what you have stated that our previous representations are still very much considered.

The developer in question had almost a full page in the Courier about 3 weeks ago now giving a one sided representation - obviously for his benefit only!! The people who live in this hamlet of detached houses were in no way considered at all in the article. We do not want 7 houses crammed into a tiny field purely to line his pockets. The old lady who lived in the cottage did not want the little field taken over and developed. Obviously the cottage is in need of a lot of work but it would make a lovely home with a little bit land for ponies, or any animals! We live in the countryside here for a reason.

Kind regards  
Kate Fairlie

Sent from my iPad

## **APPENDIX 4**

# **APPLICANT RESPONSE TO FURTHER LODGED REPRESENTATIONS**



## Jane Conley

---

**From:** Jon Frullani <Jon@jfarchitect.co.uk>  
**Sent:** 16 April 2021 10:30  
**To:** ForsythSL  
**Subject:** Re: Application for Review - Rowanbank Cottage, Craigton, Monikie

Please see below my clients response:

***"Our development will provide a natural link from the village to the primary school, which currently does not have a pedestrian pavement - not even a footpath, the public are forced to walk along the road. We would be providing a safe pedestrian route for the parents and their young children, at no cost to Angus Council or the people of Monikie "***

Regards,

Jon

Jon Frullani Architect Ltd  
Unit 5,  
District 10,  
Greenmarket.  
Dundee  
DD1 4QB  
E: [jon@jfarchitect.co.uk](mailto:jon@jfarchitect.co.uk)  
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T: [01382224828](tel:01382224828)  
M: 07808726306



On 15 Apr 2021, at 12:07, ForsythSL <ForsythSL@angus.gov.uk> wrote:

Dear Sir

**Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013**  
**Application for Review – Refusal of Planning Permission in Principle for Demolition of Existing Dwellinghouse and Erection of Seven Dwellinghouses at Rowanbank Cottage, Craigton, Monikie – Strathmore Homes (Scotland) Ltd**  
**Application No 20/00636/PPPL - DMRC-4-21**

I refer to the above application for review and to previous correspondence, and write to advise you that I have received a further representation from one of the interested parties.

In accordance with the legislation, I am now forwarding a copy of this to you.

You have the right to make comment on the representation and, should you wish to do so, you have 14 days from the date of receipt of this correspondence to make any such representation which should be sent directly to me.

Kind regards

Sarah

Sarah Forsyth | Committee Officer | Angus Council | T: 01307 491985 | [ForsythSL@angus.gov.uk](mailto:ForsythSL@angus.gov.uk)  
| [www.angus.gov.uk](http://www.angus.gov.uk)

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