

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 7 JULY 2022

CATS HOTEL, BALRUDDERY, INVERGOWRIE

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 for demolition of existing dwellinghouse and cattery and erection of 3 No detached dwellinghouses, application No 21/00508/FULL, at Cats Hotel, Balruddery, Invergowrie.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**); and
- (ii) review the case submitted by the Applicant (**Appendix 2**);

2. ALIGNMENT TO THE COUNCIL PLAN

This report contributes to the following local outcomes contained within the Angus Council Plan:

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

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.

List of Appendices:

Appendix 1 – Submission by Planning Authority

Appendix 2 – Submission by Applicant

ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL

APPLICATION NUMBER – 21/00508/FULL

APPLICANT- MR DAVID HAGAN

**PROPOSAL & ADDRESS – DEMOLITION OF EXISTING DWELLING HOUSE AND
CATTERY AND ERECTION OF 3NO DETACHED DWELLING HOUSES AT CATS HOTEL
BALRUDDERY INVERGOWRIE DUNDEE**

CONTENTS

AC1	Report of Handling	
	Policy Tests (Angus Local Development Plan 2016)	
	Policy DS1, DS3, DS4, TC2, PV7, PV8 & PV15 Countryside Housing Supplementary Guidance - Please click on the link below: - https://www.angus.gov.uk/media/countryside_housing_supplementary_guidance Design Quality & Placemaking Supplementary Guidance – https://www.angus.gov.uk/media/design_quality_and_placemaking_supplementary_guidance	
	Consultation Responses	
AC2	Scottish Water – 26.07.21	
AC3	Roads Traffic – 29.07.21, 28.09.21, 25.11.21 & 04.02.22	
AC4	Archaeology – 11.08.21	
AC5	Muirhead, Birkhill and Liff Community Council – 14.08.21	
	Letters of Representations	
AC6	Mrs Jennifer Milliken - 13.08.21, 20.12.21	
AC7	Dr B Wefers – 06.08.21, 20.12.21	

AC8	Ms Barbara Tulloch – 03.01.22	
AC9	Mr P Bayley - 13.08.21 & 13.08.21	
AC10	Owner of Nooliville - 15.08.21, 07.12.21 & 22.12.21	
AC11	Mr Euan Campbell – 13.08.21 & 31.12.21	
AC12	Ms Eleanor Feltham – 10.08.21, 01.12.21, 07.12.21 & 21.12.21	
AC13	Dr Scott Cameron - 15.09.21	
AC14	Mr Nial Chapman - 16.08.21	
	Application Drawings	
AC15	Refused Location Plan	
AC16	Refused Drawings	
	Further Information Relevant to Assessment	
AC17	Site Photos and plan provided by agent	
AC18	Decision Notice	
	Angus Council Advice Note 14 – Small Housing Sites https://www.angus.gov.uk/sites/default/files/Small%20housing%20sites.pdf	
	Supporting Information	
AC19	Design and Access Statement	
AC20	Vehicle Movements	
AC21	Covering Letter	

Angus Council

Application Number:	21/00508/FULL
Description of Development:	Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses
Site Address:	Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ
Grid Ref:	331266 : 732203
Applicant Name:	Mr David Hagan

Report of Handling

Site Description

The application site which measures 3066 square metres incorporates a former cattery business and associated buildings. The buildings on the site are single storey, vacant and in a state of disrepair. Boundary treatments are a mix of trees / hedging, fencing and walls. Residential properties bound the site to the north, south and east. An access road is located to the west.

Proposal

Planning permission is sought for the removal of the existing buildings and the erection of 3no. dwellinghouses.

The site would be accessed from the west with a new road serving the three proposed houses running along the northern boundary. Plot sizes are indicated to be in the range of 800 - 858sqm. The proposed dwellings would be 7.8metres in height and would have pitched roofs with ridges running north to south. The dwellings would be finished in natural slate on the roof and a mix of off white render and brick on the walls. Parking and amenity space would be provided for each plot.

The application form indicates that that there would be a connection to the public water supply, SUDS for surface water and that private drainage (septic tanks).

Amendments

Amended Proposed Site Layout Plan (drawing number 028 Rev C); Plot 2 Plans and Elevations (drawing number 033 Rev -); Plots 1 & 3 Plans and Elevations Plan (drawing number 032 Rev -); Access Road Layout Plan (drawing number 031 Rev B); submitted on 18/11/21 supersedes the drawings previously submitted. These drawings show changes to the design of the dwellinghouses and provide additional information on works to the access road.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 30 July 2021 for the following reasons:

- Affecting Setting of Listed Building

A site notice was posted for Setting of Listed Building on 27 July 2021.

Planning History

21/00167/FULL for Demolition of Existing Dwelling House and Cattery and Erection of 4No Detached

Dwelling Houses was determined as "Application Withdrawn" on 10 May 2021.

04/00651/FUL for Alterations and Extension to Dwellinghouse was determined as "approved subject to conditions" on 23 June 2004.

00/01018/FUL for Erection of dwellinghouse (Re-placement) and conversion of cats accommodation block to dwellinghouse was determined as "approved subject to conditions" on 29 May 2001.

99/01123/FUL for Construction of Driveway and Turning Area (Retrospective) was determined as "approved subject to conditions" on 17 January 2000.

99/00874/FUL for Construction of Driveway and Turning Area was determined as "Application Withdrawn" on 8 November 1999.

97/00768/FULL for ACCESS ROAD TO SMALL PROPOSED CAR PARK AND ALTERATIONS TO WALL was determined as "Refused" on 11 February 1998.

97/00767/FULL for THE CATS HOTEL BALRUDDERY INVERGOWRIE EXTENSION TO CAT/FELINE ACCOMMODATION BLOCK was determined as "approved" on 19 June 1997.

Applicant's Case

Design and Access Statement:

- Describes the relevant policy documents including the Angus Local Development Plan and opines that the application complies with policy;
- The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units;
- The 'Cats Hotel' closed in August 2020 due to a lack of business at that time related to the Coronavirus pandemic;
- The site is a brownfield site of 3,052sq.m;
- The existing house is a static caravan with a single brick skin and a large conservatory making it very hot in summer and very cold in winter; It is more prudent and sensible to redevelop the site for an appropriate use;
- Each of the development plots exceeds the required 800sq.m minimum.
- Removal of the 'noisy / inappropriate neighbour' use and confirms that no trees are proposed to be removed for the purpose of this development. Existing trees will be suitably protected during the construction phase of the development. The cattery is surrounded by wooden fencing on the north and east, brick walling to the south and shrubs to west along the roadside. Existing boundaries will be retained and upgraded;
- Traffic Matters - Note traffic concerns but states that the cattery removal will effectively result in a traffic reduction of 80%;
- Confirms the passing places have been created as per Angus Council Planning Application Approval. The Applicant is the owner of the road but has also previously expressed a willingness to enter into a 'factoring' type arrangement for the maintenance of the road, the verges, the passing places and the hedges;
- Refers to design and states the existing boundaries of the site are clearly defined and will be retained and improved. The houses have been designed in accordance with policy advice and are appropriate for their rural location in terms of scale, form and appearance;
- The three proposed houses will decrease the current carbon footprint using efficient boilers, better insulation, solar collectors, water reducing facilities and efficient lighting;
- States there will be no detrimental impact on amenity and one issue that will also be resolved to a high degree by this development is the current rat and other vermin problem;
- The new development has been designed in such a manner that the residential amenity of each new home is respected in relation to overlooking, loss of privacy, outlook, sunlight, daylight;
- Do not believe there to be any protected species resident on the site. Removal of the cats (a predatory species which actively discourage many types of wildlife) will encourage wildlife back into the new landscaped garden areas.

Further information from agent (dated 18/11/21):

- States that the meeting with the Roads Service indicated that the proposals will significantly reduce the number of car journeys and that the access road is in good condition. The existing passing places (approved as part of 13/01098/FULL) are appropriate; the road is viable subject to

- tidying (and then maintaining) undergrowth at the extant passing places at the entrance to the C Road (Angus / Perth border);
- States the roads service concern was visibility compromised by overgrowth at various points and he suggested that after verges had been cleared, maintenance of passing places and verges could be added as an ongoing condition. Also suggested improving passing places by erecting signage;
 - States that there is no alternative housing layout to that already proposed for 3 houses. Any other layout would result in multiple access points;
 - Plot sizes are in accordance with ALDP requirements and configuration of houses reflect the layout approved as part of 13/01098/FULL;
 - States that the material palette on houses has been altered to better reflect area and the designs amended to ensure compliance with Advice Note 14.

Data relating to car journey information and vehicle movements associated with the cattery was also provided.

Consultations

Environmental Health (Forfar) - There was no response from this consultee at the time of report preparation.

Aberdeenshire Council Archaeology Service - No archaeological mitigation is required.

Community Council – object to the proposal and identify concern relating to overdevelopment of the site. They indicate the residents concern regarding the access roads are a real worry unless the planning authority can put in place conditions whereby the roads are upgraded before any works on site are allowed to commence. They indicate that this may go some way to alleviate residents' fears and without such a condition the community council ask that this application be refused.

Roads (Traffic) – has considered additional information submitted relating to vehicle movements associated with the existing use of the site and has visited the site. They consider the surface of the access track to be in reasonable condition and offer no objection to the proposal subject to the improvements identified to passing places and visibility splays identified on the Access Road Plan being carried out prior to the commencement of any other development.

Scottish Water - No objections. States sufficient capacity available for water supply but indicate that there is no Scottish Water wastewater infrastructure in the vicinity.

Representations

18 letters of representation were received, of which 1 offered comments which neither supported nor objected to the proposal, 17 objected to the proposal and 0 supported the proposal.

The main points of concern were as follows:

- Errors on plans and drawings submitted
- Road safety, condition of access track, inadequate passing places, lack of maintenance
- Amenity impacts
- Proposal is incompatible with character and pattern of development, overdevelopment, inappropriate design
- Impact on infrastructure
- Some of the land within the site is not within ownership of applicant
- Impact on the natural environment (wildlife, trees, the established yew hedge to the east)
- Proposal contrary to the development plan and lack of need
- Impact of drainage on neighbouring property
- Unsustainable form of development / impact on climate

The main points made by the party neither objecting to nor supporting the application were as follows:

- Recognise need to develop site and not to remain derelict;
- Reduction in number of homes is good but 2 units would be more suitable;
- Lack of consultation with residents and information relating to the road access to the development.

Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities

Policy DS3 : Design Quality and Placemaking

Policy DS4 : Amenity

Policy TC2 : Residential Development

Policy PV7 : Woodland, Trees and Hedges

Policy PV8 : Built and Cultural Heritage

Policy PV15 : Drainage Infrastructure

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.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy DS1 in the Angus Local Development Plan (ALDP) indicates that outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. It indicates that in all locations proposals that 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.

Policy TC2 applies to all proposals for residential development and supports housing in countryside locations where it falls within at least one of a number of categories including redevelopment of brownfield sites that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use. In those circumstances, it allows for up to four new dwellings where relevant policy tests are met.

The application site contains buildings associated with a cattery business which it is indicated has ceased to operate. The site contains structures associated with the cattery business including pens and sheds and residential accommodation associated with the management of the business. The supporting information suggests that the business closed in August 2020 due to a lack of business related to the Coronavirus pandemic.

While the site has only be vacant for a relatively short period, it does contain characteristics of dereliction with the site having the appearance of having been abandoned. The redevelopment of the site with an appropriately designed residential development could result in a significant visual improvement and the principle of residential development on the site complies with Policy TC2.

Where proposals are compatible with Policy TC2 in principle, they also require to be assessed against the detailed policy tests including the other matters identified in Policy TC2.

Policy TC2 requires proposals for new residential development to be compatible in terms of land use; to provide a satisfactory residential environment; not to result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and to include provision for affordable housing in accordance with Policy TC3 Affordable Housing. Proposals also require to be assessed against the Angus Council Countryside Housing Supplementary Guidance.

Policy DS3 indicates that 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. It indicates that proposals should create buildings and places where development fits with the character and pattern of development in the surrounding area. The Design and Placemaking Supplementary Guidance echoes the policy requirement for development to fit with the character and pattern of development in the surrounding area, and indicates *backland or tandem development will only be acceptable where it is characteristic of the area and where it does not disrupt the established development pattern or detract from the established quality of an area*. The Countryside Housing Supplementary Guidance (Appendix 3) indicates that *development proposals should contribute to the rural character of the surrounding area and not be urban in form and/or appearance*.

Residential development in the surrounding area is characterised by housing set within reasonably spacious plots or with a road frontage which provides for a reasonably spacious setting. Tandem or backland development (where housing does not have a road frontage) is not characteristic of the pattern of development in the immediate area.

Turret House to the east has a plot measuring around 1300sqm. Neuilly-ville to the north east measures around 1300sqm. Garden House to the north west measures around 1300sqm, and Heatherwood to the south measures around 1600sqm. The two plots to the immediate north (including Briar and a currently undeveloped plot) are similar to the plot sizes within the proposed development, but those plots benefit from a road frontage to the north to maintain a reasonably spacious setting.

The development proposes three houses within the site accessed from a new track which would run from the existing road at the west and along the north boundary to provide access to the three plots. The houses would be set within three linear plots measuring 800 to 858sqm, which is smaller than most plots surrounding the site. The houses would provide accommodation on two levels and the houses would be arranged on a north-south axis, each with a projection on its east side. There would be between 6m and 10m separation between the house proposed on plot 3 and the house on plot 2; and 7.7m and 12m between the house proposed on plot 1 and plot 2. The number of houses proposed, the distances between them, and the nature of the layout is such that the development appears squeezed into the site when compared to the established pattern of development of neighbouring housing. The houses and the site layout are designed around the minimum window to window standards identified in advice note 14, but that advice note deals with small housing sites in urban situations rather than housing in a lower density rural setting. The form of development proposed is urban or suburban in form, rather than one which is reflective of the rural character found in the surrounding area.

The two houses on plots 2 and 3 to the east would also have the appearance of backland or tandem development with no road frontage onto the existing private road. Tandem or backland development is not a form of development which is characteristic of the surrounding area, nor is it a pattern of development encouraged by council guidance.

The combination of the factors described above leads to the conclusion that the proposed development does not fit with the character and pattern of development in the surrounding area. The development would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area contrary to Policy DS3, the Design and Placemaking Supplementary Guidance and the Countryside Housing Supplementary Guidance.

Turning to other matters, residential use of the site would be a compatible land use in a situation where surrounding land uses are residential. While the proposed houses would be developed close to each other which would impact on the standard of residential environment created, the level of amenity resulting would not be unacceptable. There would be space to provide private garden ground, parking and bin storage. Impacts on neighbouring privacy and amenity would not be unacceptable subject to the maintenance of boundary features which safeguard privacy. There also would be some amenity

improvement in removing dereliction from the site. The proposed private drainage arrangements are acceptable for development outside an area served by the public drainage network. The scale and nature of the development is such that no affordable housing or developer contributions would be required. The proposal would not result in any significant direct or indirect impacts on built heritage including impacts on the setting of the listed ice house to the west or other listed buildings in the Balruddery group. The archaeology service has reviewed the proposal and confirmed that no archaeological mitigation is required. The proposal raises no significant issues against the Appendix 3 Countryside Housing Development Criteria other than those identified elsewhere in this report.

Policy PV7 states that woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. The site is not subject of any designation for natural heritage but contains a number of trees or hedges. The supporting statement indicates that no trees would be affected and suggests that the trees along the boundary of the site would be retained. The plans submitted do not identify the position of the tall established Yew hedge on the east boundary with Turrett House. That hedge is attractive and provides screening between the site and the adjacent Turret House. The relationship between that hedge and the house proposed on plot 3 is not illustrated on the submitted plans and it is unclear whether the hedge could be retained were the house on plot 3 constructed in the position proposed. Were the proposal otherwise acceptable, it would be possible to attach a planning condition requiring further details to ensure that the hedge is retained. That could require some alteration to the design, position and size of the eastern projection of the house on plot 3. Were the hedge not retained as part of the development, amenity impacts on the property to the east would increase.

Access to the site would be taken via an existing private road which extends around 340m between the public road (U330) to the south and the site entrance. That road is narrow and the applicant has submitted information suggesting that works could be carried out to improve visibility on the private road where it connects to the public road, and to improve passing places between the site and the public road. The applicant has also submitted information relating to vehicle movements associated with the lawful use of the site as a cattery suggesting that traffic movements associated with three dwellings would not be greater than vehicle movements associated with use of the site as a cattery.

The roads service has considered that information and has visited the site. Roads considers the condition of the private road to be reasonable. It has offered no objection to the proposal subject to the improvement works to visibility and passing places specified on the Access Road Plan (dated October 2021). There are suggestions in the representations submitted that the applicant does not own all of the land required to carry out those improvements, but that matter could be regulated by a negatively worded suspensive planning condition requiring works to be carried out prior to the commencement of any other development. There would be adequate space within the site for the parking and turning of vehicles. Having regard to the advice provided by the roads service, access arrangements associated with the proposal are not unacceptable subject to the improvements specified by that service.

While the proposal is compatible with some aspects of development plan policy, it is contrary to Policy DS3, the Design and Placemaking Supplementary Guidance and the Countryside Housing Supplementary Guidance because the development does not fit with the character and pattern of development in the surrounding area, would result in a development which would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area. The scale and nature of the development is not appropriate to the location and the proposal is not in accordance with relevant policies of the ALDP and accordingly is also contrary to Policy DS1.

In terms of material considerations, regard has been given to the relevant planning matters raised in the response of the community council and the letters of representation. It is also relevant to have regard to Scottish Planning Policy (SPP) and to draft NPF4 and the policies it contains.

In relation to matters of policy compliance, design, whether the proposal represents overdevelopment of the site, and whether the proposal is consistent with the character and pattern of development of the area; the foregoing assessment concludes that the development is not consistent with development plan policy relating to design and layout. While the principle of residential development on the site attracts support from policy, the number of units proposed and the design and layout does not provide for a development which is consistent with the pattern of development in the area.

Matters relating to access, the suitability of the private access road and maintenance are noted. The roads service has visited the site, considered the supporting information submitted and is satisfied that the condition of the private road is acceptable. They consider that the development would not give rise to unacceptable impacts on road traffic and pedestrian safety, subject to the improvements to passing places and visibility identified on the Access Road Plan. This could be secured by planning condition prior to any other works taking place. As the roads service is satisfied that the development could take place without unacceptable impacts on the surrounding road network, albeit subject to identified mitigation, this matter does not justify refusal of planning permission.

The comments relating to errors on the drawings and on land ownership information is noted. The applicant has confirmed that they own all land to which the application relates. Negative suspensive conditions could be used to secure improvements to the private road outside of the site. Clarification (and where necessary amendments to the proposal) relating to the position of the Yew hedge on the east boundary relative to the house on plot 3 to ensure the protection of that hedge could be secured by planning condition. The plans are considered to be sufficiently detailed on which to make an assessment of the proposal. Any dispute over land ownership is a civil matter between the parties involved.

In terms of drainage, there is no Scottish Water wastewater infrastructure in the vicinity. Private drainage arrangements are commonplace in rural areas and the precise details of that drainage infrastructure would be considered through the building warrant process. The site is not within a SEPA Waste Water Drainage Area and there is no reason to consider the proposal would result in any unacceptable impacts on infrastructure. Matters such as water pressure or broadband speeds are for the service providers to address. There is no requirement for developer contributions towards infrastructure for a development of this scale and in this location.

Amenity impacts on neighbouring property have been assessed but do not give rise to any unacceptable issues that could not be addressed by planning conditions. Impacts on the natural environment are discussed above. There is no reason to consider that development of the site would give rise to unacceptable impacts on protected species.

In terms of comments relating to a lack of need for the development, policies of the development plan allow for sites outwith development boundaries to come forward in appropriate locations and where the site is not protected for another use. The comments relating to plots being sold separately and a potential lack of continuity are noted but that is not a matter which can be controlled. Were the proposal granted planning permission, any significant change to the approved plans would require a new planning permission. The type of heating technology used is not a matter which is regulated by planning policy, but the thermal performance and energy efficiency would be considered through the building warrant process. In terms of the publicity and consultation associated with the application, this has been carried out in accordance with the requirements of planning legislation.

Paragraph 33 of Scottish Planning Policy states that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. In this case TAYplan is less than 5-years old but the ALDP has recently become more than 5-years old as it was adopted in September 2016. The policies contained in the ALDP are generally consistent with TAYplan and SPP and there is nothing in the SPP that would suggest the application should be approved contrary to the provisions of the development plan framework.

NPF4 has been published in draft form and contains national planning policy that will form part of the development plan. However, it has been published for consultation purposes and therefore the policies it contains merit little weight at this time. Notwithstanding that, there is nothing in its draft policies which would justify approval of planning permission for development which is otherwise contrary to the development plan and where the scale and nature of development does not contribute positively to the character of the area in which it is located.

In conclusion, the proposal is contrary to the development plan because the development would not fit with the character and pattern of development in the surrounding area, would result in a development which would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area contrary to policies DS1 and DS3, the Design and Placemaking Supplementary

Guidance and the Countryside Housing Supplementary Guidance. There are no material considerations which justify 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 proposal is contrary to policies DS1 and DS3 of the Angus Local Development Plan (2016), the Design and Placemaking Supplementary Guidance (2018), and the Countryside Housing Supplementary Guidance (2016) because the development would not fit with the character and pattern of development in the surrounding area; would result in a development which would be urban in form and appearance; and because the development would not contribute positively to the rural character of the surrounding area.

Notes:

Case Officer: James Wright
Date: 3 February 2022

Appendix 1 - Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities
All proposals will be expected to support delivery of the Development Strategy.

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

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

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

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

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

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

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

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS3 : Design Quality and Placemaking

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

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

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

Policy DS4 : Amenity

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

Angus Council will consider the impacts of development on:

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

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

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

Where a site is known or suspected to be contaminated, applicants will be required to undertake

investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC2 : Residential Development

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

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

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

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

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

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

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

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

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

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

Policy 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>)



Monday, 26 July 2021

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
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Cats Hotel, Balrudder, Invergowrie Dundee, DD2 5LJ
PLANNING REF: 21/00508/FULL
OUR REF: DSCAS-0045136-ZQ5
PROPOSAL: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

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 CLATTO 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.

[Please Note](#)



SW Public
Published
To find out more about connecting your
the water and waste water supply visit:



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...



- ▶ 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
 - ▶ 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

▶ **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 launderettes. 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 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

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.

Yours sincerely,

Pamela Strachan

Development Operations Analyst

Tel: 0800 389 0379

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."



To find out more about connecting your
SW Public
Published the water and waste water supply visit:



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...



ANGUS COUNCIL

PLACE PLANNING

CONSULTATION SHEET

PLANNING APPLICATION NO

21/00508/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

29	07	21
----	----	----

**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: 28 SEPTEMBER 2021

SUBJECT: **PLANNING APPLICATION REF. NO. 21/00508/FULL – PROPOSED DEMOLITION OF EXISTING DWELLING HOUSE AND CATTERY AND ERECTION OF THREE DETACHED DWELLING HOUSES AT BALRUDDERY, INVERGOWRIE**

I refer to the above planning application which is similar to a previous application Ref. No. 21/00167/FULL.

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 at the Cats' Hotel Balruddery, Invergowrie. The site is close to the boundary between the Angus Council and Perth & Kinross administrative council areas. The site is accessed via an unadopted track which emerges on to the unclassified Flocklones Road which is maintained by both authorities. This application is for three dwellings, as opposed to the four dwellings proposed in the previous application.

The site is approximately halfway along the east side of the private track which is surfaced with a bituminous bound layer that is in a fair state of repair. However, the track is narrow and cannot sustain high volumes of two-way vehicular traffic. A few passing places have been formed on the track but not to any recognised standard.

Car journey information has been submitted by the applicant which estimates, that over the last five operational years, an average of 19,627 vehicle movements were generated by the cats' hotel, per annum. The trip generation for the proposed three houses is likely to be substantially less than previous numbers, nevertheless, in the interests of traffic safety and residential amenity, objections to the application remain due to the sub-standard access track.

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

P.P.

From:Adrian G Gwynne
Sent:Thu, 25 Nov 2021 09:16:28 +0000
To:James Wright
Subject:RE: 21/00508/FULL - Cats Hotel

James

I have looked at the new plans for the Cats Hotel site and the plans are acceptable from a roads point of view

Adrian

From: James Wright <WrightJ@angus.gov.uk>
Sent: 23 November 2021 09:53
To: Adrian G Gwynne <GwynneAG@angus.gov.uk>
Subject: 21/00508/FULL - Cats Hotel

Adrian,

I have received amended plans and supporting information that are on IDOX dated 18/11/21. Can you please review these details and let me know your comments / provide a further memo if required?

Regards

James Wright | Planning Officer (Development Standards) | Angus Council | 01307 492629 |
WrightJ@angus.gov.uk | www.angus.gov.uk

From:Adrian G Gwynne
Sent:Fri, 4 Feb 2022 13:12:56 +0000
To:James Wright
Subject:RE: 21/00508/FULL - Cats Hotel

James

As per our conversation earlier today, and your email, I can confirm I'm in agreement with the statement

Adrian

From: James Wright <WrightJ@angus.gov.uk>
Sent: 04 February 2022 10:59
To: Adrian G Gwynne <GwynneAG@angus.gov.uk>
Subject: 21/00508/FULL - Cats Hotel
Importance: High

Adrian,

As discussed and for clarification purposes, is the below statement an accurate summary of your position on this:

'Roads (Traffic) – has considered additional information submitted relating to vehicle movements associated with the existing use of the site and has visited the site. They consider the surface of the access track to be in reasonable condition and offer no objection to the proposal subject to the improvements identified to passing places and visibility splays identified on the Access Road Plan being carried out prior to the commencement of any other development. '

If you have any issues let me know.

Regards

James Wright | Planning Officer (Development Standards) | Angus Council | 01307 492629 |
WrightJ@angus.gov.uk | www.angus.gov.uk

Covid: As restrictions ease, the emphasis will continue to be on personal responsibility, good practice and informed judgement. [Get the latest information on Coronavirus in Scotland.](#)

Follow us on Twitter

Visit our Facebook page

Think green- please do not print this email

From: [Claire Herbert](#)
To: [PLNProcessing](#)
Cc: [James Wright](#)
Subject: Consultation 21/00508/FULL - Archaeology response
Date: 11 August 2021 16:47:58

Planning Reference: 21/00508/FULL

Case Officer Name: James Wright

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Site Address: Cats Hotel Balruddery Invergowrie Dundee

Site Post Code: DD2 5LJ

Grid Reference: NO 3126 3221

Thank you for consulting us on the above application. I can advise that in this particular instance no archaeological mitigation is required.

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, Planning and Environment Service, Infrastructure Services
Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB

T: 01467 537717

E: Claire.herbert@aberdeenshire.gov.uk

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

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

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

Your feedback is important to us and helps us to improve our service – we value your [comments](#).

Please note office working hours: Monday - Friday, 9.30am – 5.30pm

Explore the historic environment - find and follow the Archaeology Service on social media:



Instagram

[@abshire_archaeology](#)



Twitter

[@AbshireArch_CH](#)



YouTube

[Aberdeenshire Council Archaeology Service](#)

This e-mail may contain privileged information intended solely for the use of the individual to whom it is addressed. If you have received this e-mail in error, please accept

our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.

Dh'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 Obar Dheathain.

www.aberdeenshire.gov.uk

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr Stuart Phillips

Address: 22 Dronley Road Birkhill Dundee DD2 5QD

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Community Council are concerned that the site could be being overdeveloped. The residents concern regarding the access roads are a real worry unless the planning authority can put in place conditions whereby the roads are upgraded before any works on site are allowed to commence. This may go some way to alleviate residents fears. Without this condition we would ask that this application be refused.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mrs Jennifer Milliken

Address: Pear Tree Cottage Dundee DD2 5LF

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the above planning application, on the following grounds:

- a) The road is a single track road and since the change in shopping patterns since the onset of the pandemic - it has seen considerably more traffic per household.
- b.) The road is in need of modification such as speed bumps -my home is on a straight stretch and drivers speed on the hill, speed limit signs, and grit boxes installed for the winter (at present a neighbour and I gritted the road from my house down last winter) as this straight stretch ends in a sharp bend causing residents and visitors sliding off the road in icy conditions.
- c). I understand the prerequisite number of passing places have not been installed along the road length.
- d)In heavy rain fall (particularly in winter) there is a heavy flow of water down the hill, additionally, water wells up through the surface of the road outside Craithe adding to the unsafe road conditions.
- e) When the cats hotel was operating, it was open for dropping off and collection only within set hours and residents knew when the road would be carrying increased traffic.
- f.) The road will be further damaged by the heavy traffic necessary for the building of these houses and I think they should not be able to be sold until the road is renovated to the present residents satisfaction.
- g) The owner of the proposed site owns other property on the road and he has placed boulders and gravel along the boundary of the lodge at the bottom of the hill. The gravel is washing out onto the road during heavy rainfall and the boulder presents a real hazard to drivers, walkers and cyclists as this section of road leading to a right angle corner becomes a skating rink in the winter.
- h) The increase in traffic is pertinent to my objection as the road is used regularly by residents and the general public for dog walking, riding, cycling and by parents/grandparents with young children.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mrs Jennifer Milliken

Address: Pear Tree Cottage Balruddery Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I wish to lodge an objection to the planned "improvements" to the road leading to the proposed development at the Cats Hotel and suggest some further amendments which I think the council should come out to discuss with the residents.

There is no mention in the present proposal of the seepage which occurs through the road surface above the gate to Craithe which will be further damaged with the extra heavy traffic. (Mentioned in previous objection) This leads to extra ice on the road in winter as the road is exposed from this point down to the bottom corner (which has resulted in cars losing grip and going into fence).

If the hedge opposite Pear Tree cottage is significantly reduced this will lead to further icing and as snow storms fill the road becoming impassable. Who is going to clear this? Also one of the neighbours and myself salt the road from the bottom of the hedge to the bottom corner to facilitate the upper houses.

David Hagan agreed that speed bumps are needed on the road as the speed of delivery vans and cars on the straight stretch are exceeding a safe limit endangering walkers, cyclists and riders alike.

As the road has no upkeep carried out at present how likely is it to be maintained when the owner has no property on it.?

Speed limiting signage would be ineffective as there is no method of enforcing same.

The Dron burn does not follow the route on the proposed plan

As the road improvement consultations were carried out without the residents knowledge the planners should afford the residents the opportunity of a meeting to discuss same and to determine how to enforce the road improvements after the building work is completed with the ensuing heavy long term traffic (I believe passing places have still not been implemented from previous planning consent)

The environmental concern of proposed work on hedges and verges will have to be monitored and carried out in season. New species - sedge warblers, newts, damsel flies and more.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Dr B Wefers

Address: Crathie Wester Balruddery By Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Drawing 1095 - 031B Access Rd Plan

I wish to highlight an error in the above drawing. The indented area in grey at the entrance to our property Crathie (formerly Pinewood) belongs to Crathie and not the applicant as stated. Please correct this error on the drawing asap.

On the same drawing I write on behalf of the elderly owner of West Dean of Balruddery (Ms B Tulloch) who has requested a correction to drawing. The hedge and wall shown in red/grey on the left side at the entrance to the lane, does not belong to the applicant as stated. This is in full ownership of Ms Tulloch and as the owner, she does not want the applicant, or any representative, cutting the hedge as has been stated in the drawing. Please ensure this is corrected on the drawing and the applicant notified.

With regard to proposals to upgrade and establish official passing places in the lane, we request that speed restrictions are introduced. The lane is long, straight and single track with ever increasing fast traffic, including a high number of delivery vans with little regard for safety. If the development is approved this will add to the number of vehicles using the road, including service vehicles and construction traffic.

Currently the lane is dangerous for the frequent walkers, cyclists, horse riders pets and local residents using the lane. Therefore, please consider introducing lit up speed restriction notices along the length of the lane, and/or speed bumps as part of the development approval conditions. This will go some way to reducing the danger.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Dr B Wefers

Address: Crathie Wester Balruddery By Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Drawing 1095 - 031B Access Rd Plan

I wish to highlight an error in the above drawing. The indented area in grey at the entrance to our property Crathie (formerly Pinewood) belongs to Crathie and not the applicant as stated. Please correct this error on the drawing asap.

On the same drawing I write on behalf of the elderly owner of West Dean of Balruddery (Ms B Tulloch) who has requested a correction to drawing. The hedge and wall shown in red/grey on the left side at the entrance to the lane, does not belong to the applicant as stated. This is in full ownership of Ms Tulloch and as the owner, she does not want the applicant, or any representative, cutting the hedge as has been stated in the drawing. Please ensure this is corrected on the drawing and the applicant notified.

With regard to proposals to upgrade and establish official passing places in the lane, we request that speed restrictions are introduced. The lane is long, straight and single track with ever increasing fast traffic, including a high number of delivery vans with little regard for safety. If the development is approved this will add to the number of vehicles using the road, including service vehicles and construction traffic.

Currently the lane is dangerous for the frequent walkers, cyclists, horse riders pets and local residents using the lane. Therefore, please consider introducing lit up speed restriction notices along the length of the lane, and/or speed bumps as part of the development approval conditions. This will go some way to reducing the danger.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Ms Barbara Tulloch

Address: Cleekemin Cottage Bakruddery Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Since lodging my previous objection to the proposed development of the road to the former Cats Hotel I have had reason to look out the title deeds for Cleekemin Cottage and these have given further rise to my concern of the clarity of boundaries and also the actual ownership of the road from over the burn to the council road boundary. I intend to consult my solicitors next week regarding this matter.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr P Bayley

Address: Turrethouse Balruddery Estate Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Regarding the reapplication and further fabrication submitted by Application Number: 21/00508/FULL

I strongly object to the applicant's proposal as plot 3 encroaches within the Ground of Turret House and is not acceptable a simple check of the digital ordinance survey map would confirm this ridiculous proposal of land grabbing.

As previously stated the applicant has deleted from the Site Layout Plan submitted (DS1) the North to South line of Yew Trees on the proposed plot 3 East Boundary and West Boundary of Turret House. The Land and Trees of 4.5meters in width from the existing fence on the west side do not belong to the applicant and as such he has no right to offer this land as part of his building plot. Some 166 square meters of ground.

With regard to the access road to the estate and resubmission plan, it is quite clear that the proposal states further inaccurate information submitted and should be rejected wholeheartedly.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr P Bayley

Address: Turrethouse Balruddery Estate Invergowrie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Regarding the reapplication and further fabrication submitted by Application Number: 21/00508/FULL

I strongly object to the applicant's proposal as plot 3 encroaches within the Ground of Turret House and is not acceptable a simple check of the digital ordinance survey map would confirm this ridiculous proposal of land grabbing.

As previously stated the applicant has deleted from the Site Layout Plan submitted (DS1) the North to South line of Yew Trees on the proposed plot 3 East Boundary and West Boundary of Turret House. The Land and Trees of 4.5meters in width from the existing fence on the west side do not belong to the applicant and as such he has no right to offer this land as part of his building plot. Some166 square meters of ground.

With regard to the access road to the estate and resubmission plan, it is quite clear that the proposal states further inaccurate information submitted and should be rejected wholeheartedly.

The Owner
Nooliville
The Walled Garden,
Balruddery,
Dundee,
DD2 5LF

12/08/2021

Re: Planning application Demolition of Existing Dwelling House and Cattery and Erection of 3 in number Detached Dwelling Houses 21/00508/FULL

My client, the owner of Nooliville, now instructs us to submit objections to the above planning application following the recent withdrawal of reference no. 21/00167/FULL:

1. An over-development:

Within the amended application it has been observed from the Design and Access Statement there exists 1 "static caravan with a single brick skin and a large conservatory", not a Dwelling House approved by Planning Department.

Previous objections to Angus Council have highlighted an existing condition within the Title to prevent development of the Cattery site as per the statement below:

10)TITLES: the existing "house" referred to in the application is in fact just a mobile home faced in brick. My title deeds disallow use of this structure as a dwelling house "in the event that the said cattery business ceases to operate". That burden, presumably also on the applicant`s title, was

One should note, the above Title condition would have been fully acknowledged by the Developer during the conveyance of the Cattery.

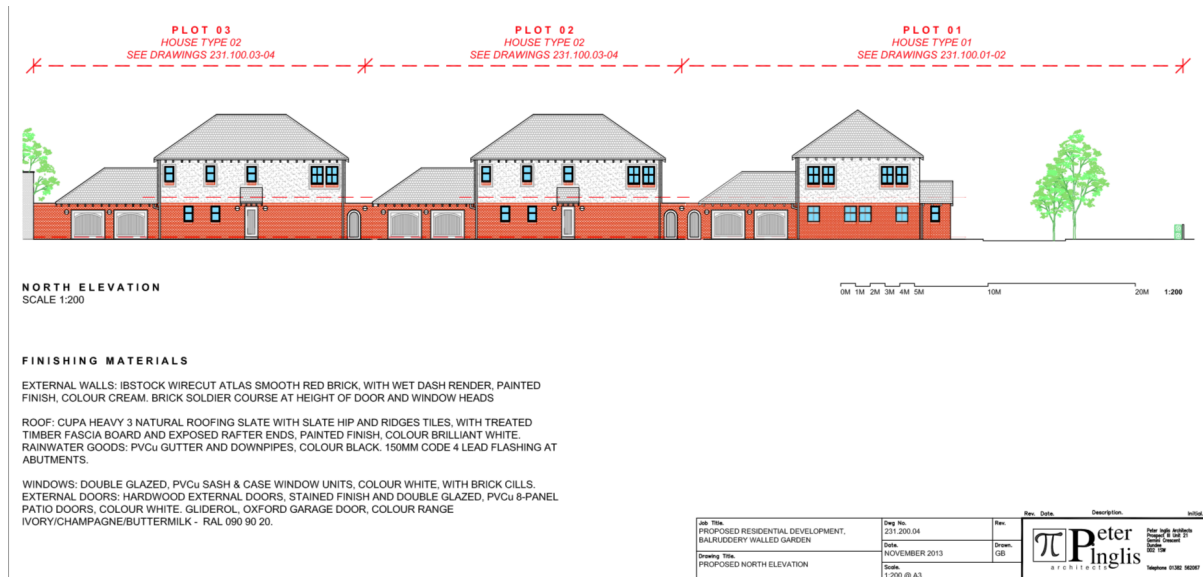
Recent removal of the original historic red brick Garden Wall has resulted in a change to the surrounding environment for existing residents. The Developer proposes to build 3 new one and half-story houses of 4 bedrooms altering the environment causing further urbanising of a country setting: thus contravening the Title condition and resulting in development and the over-development of this site.

The adjacent parcel of land with existing Planning Approval known as "plot 2 Gardeners House" remains undeveloped for over 3-years. This further substantiates there is no requirement for a 3 property housing development in this area.

It may be prudent, as planning permission has been granted for "plot 2 Gardeners House", for this to be pursued to building completion rather than grant development of the Cattery site. This would enhance the area for current residents as it was initially planned.

My client has articulated, should the Developer receive planning approval for the Cattery site, each of the 3 plots could undoubtedly be individually advertised & sold with planning permission attached prior to any construction. The Developer would no longer have a vested interest and consequently new owners may opt to alter the proposed dwelling

designs, leading to discontinuity to original proposed planning application. This was the case previously, where the same Developer applied for planning permission at the Garden Cottage site to the North of the Cattery site and then deviations were allowed from the original approval design which should have been to construct 3 houses in a line forming an integral part of the original style of garden wall to the north as illustrated below.



Further evidence below from The Angus Council Housing Land Audit 2020 validates there is no further demand for a 3 house development in the area:

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

As per the Angus Local Development Plan, the proposed 3 houses do not fulfil a local need or support to local economic development and it should be noted there is no wider public interest in this development: on the contrary as lockdown restrictions are relaxed reopening The Cats Hotel would return job opportunities to the area and renovation of the current static caravan would be more feasible respecting the precedence in Angus Local Development Plan 2016.

2. Unsustainable Road infrastructure:

There are concerns about the validity and accuracy of estimated data submitted within the “ Car Journey Information & Vehicle Movements” documents.

Furthermore, there is no obligation, for current-surrounding residents to enhance the road conditions and contribute to factoring for the improvement of the existing private single

track tarmacadam Access Road for the betterment of any development. This is a “Right of Way” and if any residents do accept factoring, this additional burden on Titles may make it more restrictive to sell their property in the future.

My Client has no desire to enter into the complexities of any factoring agreement.

It was suggested on the Design & Access Statement/development application there would be a “reduction in the number of vehicles to and from the site” compared to what had frequented the Cattery. On the contrary, it has become the norm for each family member to have their own vehicle, the proposed 3 houses have 4 bedrooms and could easily bring 12 resident vehicles plus associated numbers of pantechnicons delivery vehicles for the vast variety of domestic services. This would of course correlate to an increase on vehicle activity within the surrounding local road network servicing Longforgan, Knapp, Fowlis, Liff and Benvie areas.

Contrary to the re-submitted Design & Access Statement, there is no further evidence of the following analysis to assess layouts, mitigate risks and improve safety:

- No Road Safety Audit
- No Fire Engine Swept Path Analysis
- No Refuse Vehicle Swept Path Analysis
- No designed bin collection point so as not to impede single track Access Road with bins on designated collection days

3.Summary: Risk of head-on collisions

Despite recent lowering and pruning of the “Hedgerow”, there continues to be extremely poor and dangerous visibility on egress from the Cats Hotel with a history of vehicle near misses due to the existing Beech Hedge along the western site boundary. The proposal suggests retaining the “Hedgerow” comprising of Beech and Conifers to the West of the site, however, the current height of the hedge poses a risk to everyone’s safety due to the impaired visibility. Further consideration should be allotted to ensuring clear egress visibility is given in both directions onto the single track Access Road. Angus Planning could possibly incorporate a maintenance condition on the developer so any Beech and Conifers would be perpetually maintained at a defined height and set distance from any access opening to allow safe visibility.

Angus Council Planning Application Approval. The Applicant is the owner of the road but has also previously expressed a willingness to enter into a ‘factoring’ type arrangement for the maintenance of the road, the verges, the passing places and the hedges. This could be

From the above statement, any expense and improvement of the access road should be integrated into the selling price of the proposed houses, not on existing surrounding local residents as suggested to make “it financially viable”. On-going maintenance should be factored into said proposed houses being paid by those occupants.

My client's objections below remain current and are substantiated by the most recent Angus Council Memorandum from the Traffic Manager dated April 2021, which also objects to development of the Cattery site. It also highlights limitations of the single track Access Road and the surrounding roads network, which are appropriate grounds for refusal of the Cattery development.



Memorandum

Infrastructure
Roads & Transportation

TO: DEVELOPMENT STANDARDS MANAGER, PLANNING
 FROM: TRAFFIC MANAGER, ROADS
 YOUR REF:
 OUR REF: CH/AG/ TD1.3
 DATE: 21 APRIL 2021
 SUBJECT: **PLANNING APPLICATION REF. NO. 21/00167/FULL – PROPOSED DEMOLITION OF EXISTING DWELLING HOUSE AND CATTERY AND ERECTION OF 4 NO. DETACHED DWELLING HOUSES AT BALRUDDERY INVERGOWRIE**

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 at the Cats' Hotel Balruddery, Invergowrie near Dundee. The site is close to the boundary between the Angus Council and Perth & Kinross administrative council areas. The site is accessed via an unadopted track which emerges on to the unclassified Flocklones Road which is maintained by both authorities.

The site is approximately halfway along the east side of the private track which is surfaced with a bituminous bound layer that is in a fair state of repair. However, the track is narrow and cannot sustain high volumes of two-way vehicular traffic. A few passing places have been formed on the track but not to any recognised standard.

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 object to the application in the interests of traffic safety due to the intensification of use of a sub-standard access.

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

Angus House | Orchardbank Business Park | Forfar | Tel: 03452 777 778 | email: roads@angus.gov.uk

The single track Access Road is extremely steep up towards the Cats Hotel site and is lined by mature trees for most of its length. As a result, in dull conditions and especially during the hours of darkness it can be difficult for drivers to identify where the passing places are putting them into conflict with opposing traffic. Identify the passing places are further exacerbated when the trees shed their leaves onto the road. Being a private single track Access Road, this becomes more problematic during the winter conditions, making it at times inaccessible and highly treacherous if meeting any other users. Given the above information, any increase in the current numbers of vehicles would pose a safety risk to all users.

Summary: Risk to drivers trying to manoeuvre into passing places the angle of entry and exit is acute

There is a danger that drivers when faced with oncoming traffic will not be able to safely negotiate their way into and out of passing places because of the sharp entry and exit angles. The existing passing places are not to standard confirmed within the Traffic Managers memorandum April 2021.

Summary: Risk of vehicles leaving the road

There is evidence of verge damage along this single track Access Road as a result of driver encroachment. It is difficult to clearly identify the road edge because of the overhanging trees and fallen leaves. Recommendation: a suitable edge delineator be installed along the shared access road to guide drivers away from the verge.

3. No considerations to zero carbon heating systems for example the highly efficient ground or air source heat pumps:

Concerns regarding the nuisance caused by the noise of 3 additional boilers and the smell especially from Oil / LP Gas hydrocarbon boiler flues being carried on prevailing westerly winds to the property of Nooliville situated to the East. Position of hydrocarbon boilers and flues have been omitted from re-submitted plans.

Concerns regarding the environmental and carbon impact that these proposed properties would impose: the claimed “better insulation and efficient boilers” within the Design and Access Statement do not eliminate hydrocarbon impact on the environment. Given the recent worldwide concerns by the United Nations Intergovernmental Panel on Climate Change (IPCC), whose report released on the 9th of August 2021, highlighted the irreversible impact: to temperature ranges; intensifying the water cycle bringing both drought and intense rainfall which we are now experiencing locally.

Developers should be considering adaptation and mitigation: which can only be achieved by using ground/air source heat pumps combined with solar.

Reviewing the new proposed plans there is no detail on any of the elevations displaying solar collectors despite mentioning in the Design and Access Statement or full commitment to the properties having these installed.

Scottish Government and Angus Planning have targets and initiatives to decarbonise output and remove use of fossil fuels to tackle the global climate challenge, however, this development has not given deliberation to use and location of ground/air source heat pumps.

It is the belief this application does not meet the criteria for a resources energy-efficient development.

4. Negative effects on amenity

Currently the area is a tranquil country setting with open space for all surrounding neighbours to enjoy their own properties, however, the development scale of 3 further houses shall impact negatively on the neighbouring properties by urbanising a country environment and resulting in overlooking & loss of privacy. Noise impact from additional

residents, household pets, heating systems and vehicles. Our client has further concerns regarding additional vehicles that shall contribute to increased local environmental pollution and poor air quality.

Although there was documentation of high levels of light pollution, noise and vermin infestation from the Cattery, my client refutes this. Artificial lighting from the 3 proposed houses shall increase levels of light pollution and with the possibility of retrofitting exterior floodlighting could cause neighbour nuisance with long-term ecological impact on nocturnal species.

Balruddery residents concerned about additional strain on sustainability of poor water supply.

There is no feasibility report regarding the surface and wastewater soakaways for 3 proposed properties on this site so as to mitigate damage for the surrounding neighbouring properties.

5. Our client's veteran historical Yew trees to the East of proposed plot 3:

Reference is made to the retention of our client's "mature" trees to the East of proposed plot 3 in the "Design and Access Statement". **The mature veteran Yew trees have been omitted and not represented on the resubmitted plans. Their importance should be illustrated.**

1.4.3.5 PV7 Woodland Trees and Hedges

The existing trees along the Eastern boundary are to be retained. Necessary tree protection measures will be implemented during the construction phase of the works. Hedges along the west boundary will also be respected. No trees are to be removed in order to create this development.

Retention of the trees to the east of the site is not a mitigating condition for approved planning and development of the site: the mature veteran Yew trees adjacent to a section of the Eastern side of the proposed Plot 3 and running towards the North remnants of the Balruddery Garden Wall are out with the applicant's ownership or control and are attached to land in our client's control as per the Title of the property detailed as Nooliville.

My client shall not be considering any factoring agreement. There is no objection to the renovation of the existing static caravan and cattery – with a return to normality and lifting of Pandemic restrictions this will yield business opportunities making the Cats Hotel financially viable again.

Please accept the above representations as valid justification for objecting & declining to the proposed planning application.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: OWNER OF NOOLIVILLE

Address: Nooliville The Walled Garden, Balruddery Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Additional comments to amended plans in conjunction with current objection as submitted by owner of Nooliville which are still relevant valid reasons for rejection & should be fully considered in entirety. Access road is but 1 of many reasons for objection: addition of signage & improving visibility are not mitigating factors for overdevelopment. Road safety on the Private Access Road & surrounding Public Road Infrastructure was highlighted by A Gwynee in traffic memorandums which are still current; vehicle increase would adversely affect safety as was noted. Internal Angus Council email uploaded to portal 7/12/21 from James Wright of Planning Department appears to be a bias attempt to influence A Gwynee previous opinion. Emphatically there's been no improvement to Public Road Network since application that should allow development to proceed. Plans submitted on 18/11/21 are still an overdevelopment given construction footprints have not changed from what was proposed & 3 houses constitutes an overdevelopment of site & unnecessary to Balruddery area. Reiteration: plot2 Gardeners House to North remains undeveloped & 3plots at the Cattery site could undoubtedly be individually advertised & sold by developer with planning permission attached prior to any construction. Recent Cop26 conference highlighted greater need to meet net zero carbon emissions Planning Departments should proactively take immediate responsibility for change; no consideration for solar/air/ground source heating as complete alternative to hydrocarbon use? Excessive impact of light, noise, wastewater & surface soakaways from 3 proposed properties on this site. Inaccurate Arktx Cover Letter expressing access point "reduces the number of access/egress points onto the road by 100%" which is impossible as this would mean there would be no entrance point to the proposed plots onto the access road. Wholehearted support all the comments made by E Feltham 1/12/21 & that the development should not be approved

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: OWNER OF NOOLIVILLE OWNER OF NOOLIVILLE

Address: NOOLIVILLE The Walled Garden Balruddery Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Comments as dated 22/12/21

Additional comments to amended plans in conjunction with current objection as submitted by owner of Nooliville which are still relevant valid reasons for rejection & should be fully considered in entirety.

Access road is but 1 of many reasons for objection: signage & improving visibility are not mitigating factors for overdevelopment.

Road safety on the Private Access Road & the concerns of surrounding Public Road Infrastructure were highlighted by A Gwynee in traffic memorandums which are still current; vehicle increase would adversely affect safety as was noted. Internal Angus Council email uploaded to portal from James Wright of Planning Department; shouldn't change opinion as no improvement to Public Road Network since application, therefore should be a valid point of objection & no further development.

Plans submitted on 18/11/21 are still an overdevelopment given construction footprints have not changed from what was proposed & 3 houses constitute an overdevelopment of site & unnecessary to Balruddery area.Reiteration plot2 Gardeners House to North remains undeveloped & 3 plots at the Cattery site could undoubtedly be individually advertised & sold by developer with planning permission attached prior to any construction.

Recent Cop26 conference highlighted greater need to meet net zero carbon emissions we all should proactively take immediate responsibility for change;no consideration for solar/air/ground

AC10

source heating as complete alternative to hydrocarbon use? Excessive impact of light, noise, wastewater & surface soakaways from 3 proposed properties on this site.

Inaccurate Arktx Cover Letter expressing access point "reduces the number of access/egress points onto the road by 100%" which is impossible as this would mean there would be no entrance points to the proposed plots onto the access road.

Wholeheartedly support all additional comments made by E Feltham.

Hopefully the development shall not be granted approval.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr Euan Campbell

Address: Heatherwood near Invergowrie DUNDEE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: NOT ONE of my NINE cogent objections, dated 13/8/21, has been addressed in the subsequent email dated 18/11/21 from Artxt.

Are we simply being treated with contempt?

In particular, I really do not relish the prospect of three septic tanks discharging or soaking away into my garden!

Additionally, the continued reference to "existing passing places" in the lane relates mainly to quite useless and inappropriate narrow, small spaces in the adjacent hedgerow, all of which are undermined by large protruding, and growing, tree stumps!

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr Euan Campbell

Address: Heatherwood near Invergowrie DUNDEE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: NOT ONE of my NINE cogent objections, dated 13/8/21, has been addressed in the subsequent email dated 18/11/21 from Artxt.

Are we simply being treated with contempt?

In particular, I really do not relish the prospect of three septic tanks discharging or soaking away into my garden!

Additionally, the continued reference to "existing passing places" in the lane relates mainly to quite useless and inappropriate narrow, small spaces in the adjacent hedgerow, all of which are undermined by large protruding, and growing, tree stumps!

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Ms Eleanor Feltham

Address: 92 St. Ninians Road Padanaram by Forfar DD8 1PT

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: TAYPLAN- Development is a balance of protecting the countryside and sustaining a rural economy. Removing a rural business means the only alternative is to protect the countryside from further large, imposing and dominant housing not in keeping with the character of individual designed properties. The block pattern east and west sited with terraces do not blend into the landscape. The applicant has not secured plot 2 at Garden House for development that is replicated in this 3 form design. TC2. Access track road- Angus Council Roads has already rejected any support for further development stating " the track is narrow and cannot sustain high volumes of traffic". Passing places have been formed but not to any recognised standard. The applicant will be aware that any extension in width or upgrading of the track would mean either encroaching on third party land without permission or purchasing same. Current residents have to rely on the underground concrete pipe at access point that allows the burn to run through. to withstand continuous vehicle movements and weight without collapsing. The notion of reduction in traffic movements from the Cats Hotel is insufficient, not dated, not evidenced to any degree and should not carry any weight in the decision. I find this information quite elaborated as the journeys quoted were never my experience being the closest to the site for 17 years. Housing Needs Assessment- "Windfall sites will be expected to meet the housing needs of the area". NO evidence has been provided. The West Housing Market Area has 71 sites available. Balruddery has NO community infrastructure as all residents have to use their transport to access services. SEPTIC TANKS PLOT 2 - Given the land slopes from north to south, plot 2 surface water run off would be in direct line to Heatherwood. Surely NOT acceptable! Angus Council always discouraged proliferation of septic tanks in one location. Signed E. Feltham. PSG Housing Dip, Cert. CIH

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Ms Eleanor Feltham

Address: 92 St Ninians Road Padanaram Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The mere fact that a site is brownfield is not a sufficient reason for development. The traditional houses of one storey served a rural purpose and employment with low footfall and carbon footprint.

No evidence has been provided for need in the Balruddery area as required by the ALDP and absent from the application.

Planning approval should be discouraged when a development lacks services and travelling to and from to source increases the carbon footprint that contradicts the priorities of Climate Change agenda.

Angus Council always discouraged the multiple numbers of septic tanks and instead of 2 proposed would be 7 in total between the Garden House plots and Cats Hotel including Pinewood.

Another three houses proposed is not in keeping with the original traditional pattern of houses in the area that has already been breached by allowing 3 plots along the north side metalled track.

The access will always be narrow and passing signs/areas cannot be expected to enhance an original farm track for further development, in effect trying to urbanise an access for 21st century purposes to allow over development of a restricted area bounded by fields. This alone would demonstrate a crucial measure to reject any further development. Eleanor Feltham. Cert.

Chartered Institute of Housing, Practitioner.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Ms Eleanor Feltham

Address: 92 St Ninians Road Padanaram Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Correction to my submission 01/12/21. The reference to Pinewood should read Heatherwood.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Ms Eleanor Feltham

Address: 92 St Ninians Road Padanaram

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Additional comment- The Design and Access Statement 1.4.3.3. PV5

Policy. This application does not appear to have requested NATURE SCOT to undertake surveys of the area known for RED SQUIRRELS and BATS both protected species. This is not acceptable given the area is a wildlife corridor and habitat for all species including amphibians. Attention to such an important matter has legislative support and should be included within the documentation.

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Dr Scott Cameron

Address: Garden House Balruddery DD2 5LF

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Hi, We just bought Garden House directly behind the location of for this application. We are pleased to see plans to develop this site, as it is in some state of disrepair/neglect and we are supportive of the development into residential housing but have a number of concerns regarding the plans as submitted as follows, but given we are new to the area, there may be other things we are currently unaware of:

1. Infrastructure- can the local infrastructure for mains water, electricity, and Openreach connections (broadband) support this number of additional houses.
2. The southerly view from our house may be disrupted by the height of the planned properties, but this is hard to determine. We do not wish any new properties south of the existing houses (and plot) to be shaded or completely blocked of a view towards the Tay estuary.
3. 3 new houses on the plot seem too many, and 2 would seem more appropriate for the location, plot size and evidence is not provided to support the need for additional new housing in the area.
4. Access road, the documentation provided regarding car traffic up the access road does not seem relevant due to the change in use of this property. As a cattery, the traffic would have been confined to limited times of the day- but as homes, the traffic would likely be much more spread in time. Has this been modelled? What is the evidence that the access road can support the additional traffic, especially in winter? Again are 3 additional families in the area too much for the road- would 2 be more reasonable?

Comments for Planning Application 21/00508/FULL

Application Summary

Application Number: 21/00508/FULL

Address: Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ

Proposal: Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

Case Officer: James Wright

Customer Details

Name: Mr Nial Chapman

Address: Kennels Cottage Wester Balruddery by Dundee DD2 5LF

Comment Details

Commenter Type: Member of Public

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

Comment Reasons:

Comment: Due to the activities on the Cat's Hotel site (partial demolition of areas of the site already) we recognise the requirement for the land use of this plot to be finalised. The last thing we want is for this land to remain derelict.

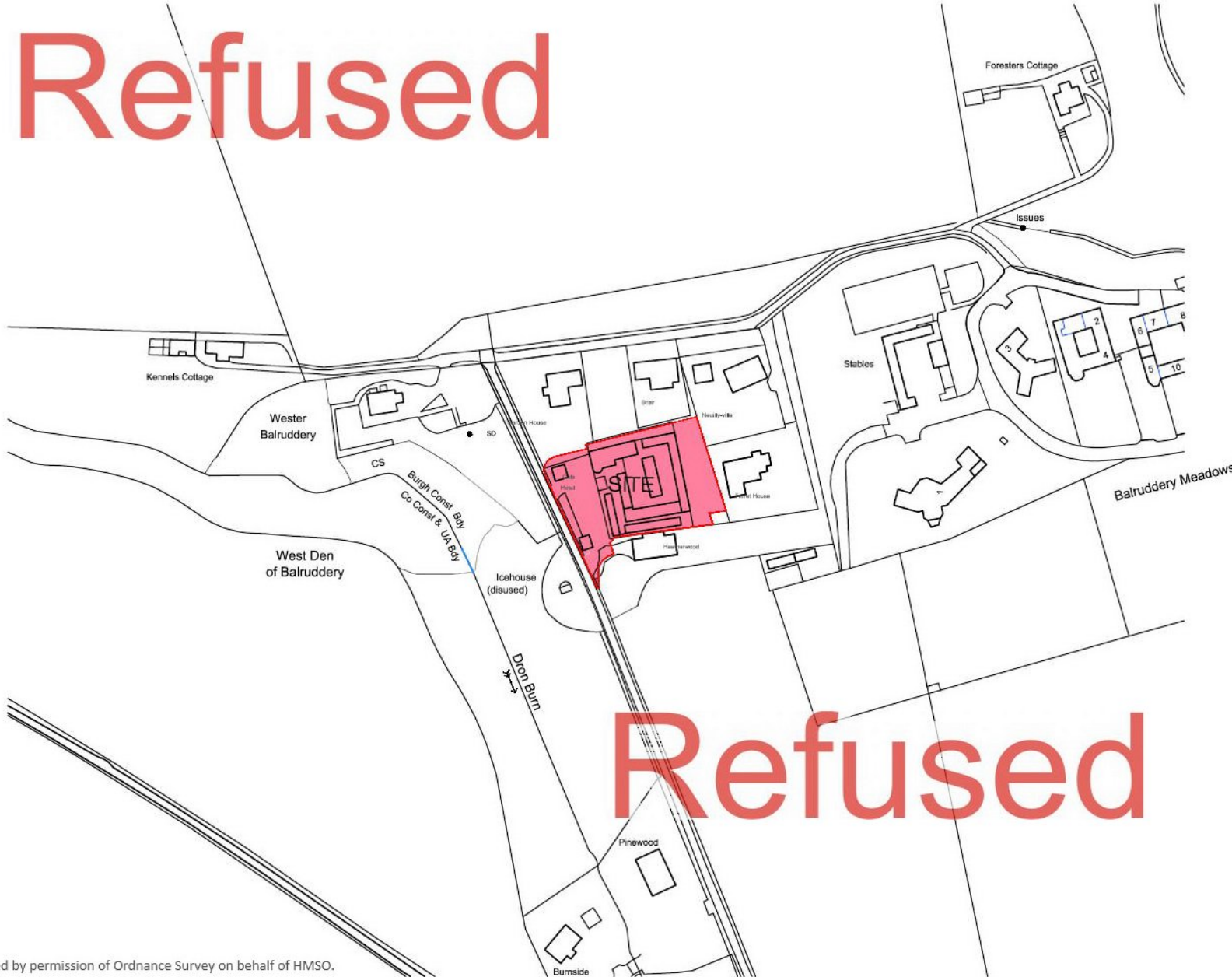
The reduction of the number of homes from the initial proposal is a start and we welcome this. We still think that the site is more suitable for a maximum of two houses (need for housing, local infrastructure - broadband, water pressure, sewage, access road, etc has been pointed out by the other comments on this application), but appreciate that is a decision for the planning team.

Our main frustration over the entire process is the complete lack of any consultation with the residents that will be affected by the development. For us, the question of the access road is most important and we would not want any applications to be approved without full consultation and an enforceable agreement in place. This would include: agreement on plans for how access will be managed while the building is happening (access is needed at all times - on-call doctor); what work will be done on the road before, during, and after completion (improvements and repairs needed before/after building work); what the ongoing ownership and maintenance of the road will be - forcing a factoring agreement on residents is not acceptable (it is our understanding factor agreements are used to manage and maintain parts of land that are designated common or are owned by more than one homeowner - not the case with this road. Is the road, therefore, being gifted to residents as part of this application?).

The detail on the road is vitally important and in our opinion lacking at this stage.

Project No. 1856	Drawing No. LOC	Rev. A
Rev. Date A - MAR 2021	Amendment SCALE CHANGED FROM 1:1250 TO 1:2500	

Refused



Refused



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION, ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
 t : 01382 831557 f : 01382 831556
 e : enquiries@arktx.co.uk

Project Title
 PROPOSED RESIDENTIAL DEVELOPMENT
 AT
 FORMER SITE OF THE CATS HOTEL, BALRUDDERY
 INVERGOWRIE
 FOR
 MR D HANLAN

Sheet
 LOCATION PLAN

Date 02/03/2022	Drawn By DM
Scale 1:2500 @ A4	CAD Ref NEW BUILD
Project No. 1856	Drawing No. LOC
Type P	Rev. A

Reproduced by permission of Ordnance Survey on behalf of HMSO.

© Crown Copyright and database rights 100023404, 2022.

LOC_LOCATION PLAN | A4 | 1:2500



© Crown Copyright. Ordnance Survey, 2022. All Rights Reserved. It is illegal to copy, reuse, or distribute any part of this document without permission.

Refused

AC16

Project No. 0000	Drawing No. 001	Rev. -
Rev Date	Amendment	



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
EXISTING SITE PLAN

Date JUN 2020	Drawn By. FML
Scale 1:200 @ A1	CAD Ref. NEW BUILD
Project No. 0000	Type P
	Drawing No. 001
	Rev. -

Reproduced by permission of Ordnance Survey on behalf of HMSO.

© Crown Copyright and database rights 100023404, 2022.

001_EXISTING SITE PLAN | 1:200 | A1

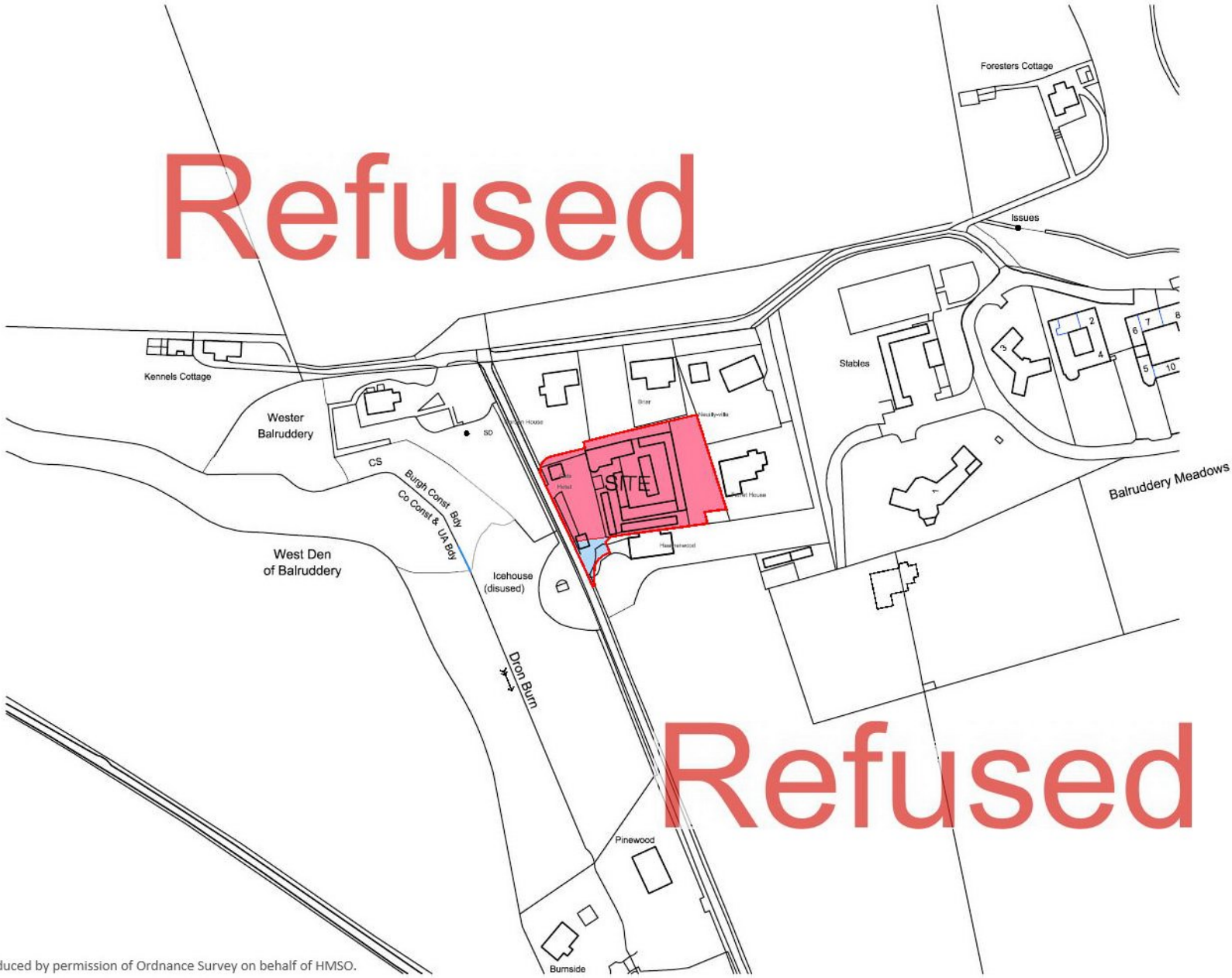
Refused



© Fraser Middleton, Chartered Architect, 2002
All Rights described in Chapter IV of the copyright Design and Patent Act 1988 have
been generally asserted


Project No. 1856	Drawing No. LOC	Rev. B
Rev. Date A: MAR 2021 B: JULY 2021	Amendment SCALE CHANGED FROM 1:1250 TO 1:2500 UPDATED TO ALIGN WITH SITE LAYOUT	

Refused



Refused



 N.E. AREA SHADED BLUE IS IN MUTUAL OWNERSHIP

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION, ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831556
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HANLAN

Sheet
LOCATION PLAN

Date 02/07/2022	Drawn By JFM
Scale 1:250 @ A4	CAD Ref. NEW 0010
Project No. 1856	Drawing No. LOC
Type P	Rev. B

Reproduced by permission of Ordnance Survey on behalf of HMSO.

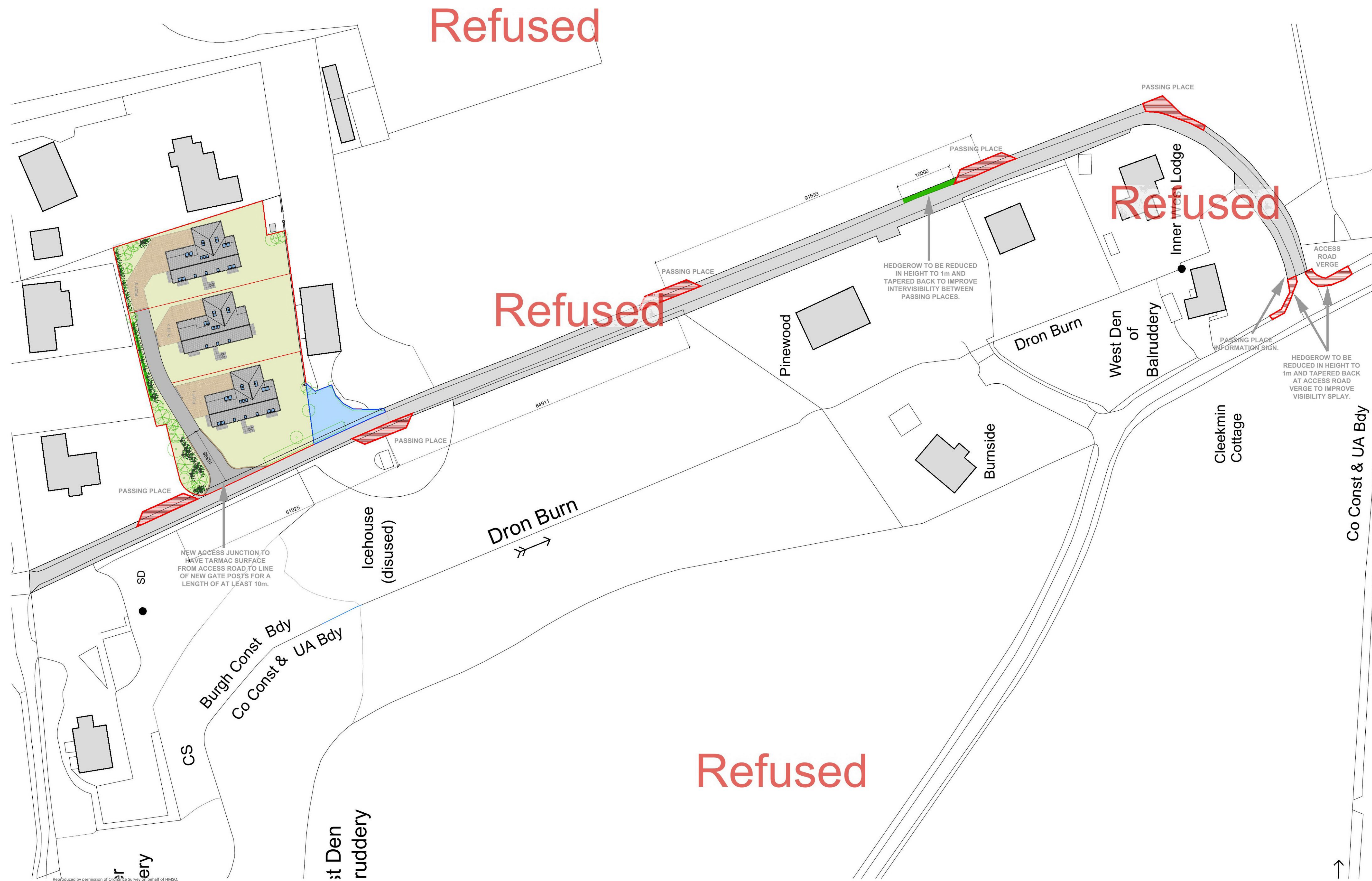
© Crown Copyright and database rights 100023404, 2022.

LOC_LOCATION PLAN | A4 | 1:2500



© Crown Copyright. Ordnance Survey, 2022. All Rights Reserved. Ordnance Survey is a registered trademark of Ordnance Survey. Ordnance Survey is a registered trademark of Ordnance Survey.

Project No. 1095	Drawing No. 031	Rev. B
Rev Date A 11.2021 B 11.2021	Amendment LAYOUT UPDATED TO SUIT EXISTING ADDITIONAL NOTE ADDED	



ACCESS ROAD DATA

ALL PASSING PLACES TO CONFORM WITH ANGUS COUNCIL ROADS DEPARTMENT STANDARDS.

ALL PASSING PLACES TO BE CLEARLY MARKED AS SUCH WITH NEW SIGNAGE.

ALL PASSING PLACES TO BE FINISHED IN TARMAC TO MATCH EXISTING ROAD SURFACE.

VERGES ADJACENT TO PASSING PLACES TO BE TRIMMED BACK AND CLEARED.

ALL PASSING PLACES AND VERGES TO BE MAINTAINED BY THE APPLICANT ON ANNUAL BASIS.

N.B. AREA MARKED IN GREY INDICATES THE ROAD AND VERGES THAT ARE IN OWNERSHIP OF THE APPLICANT.

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
FOR
MR D HAGAN

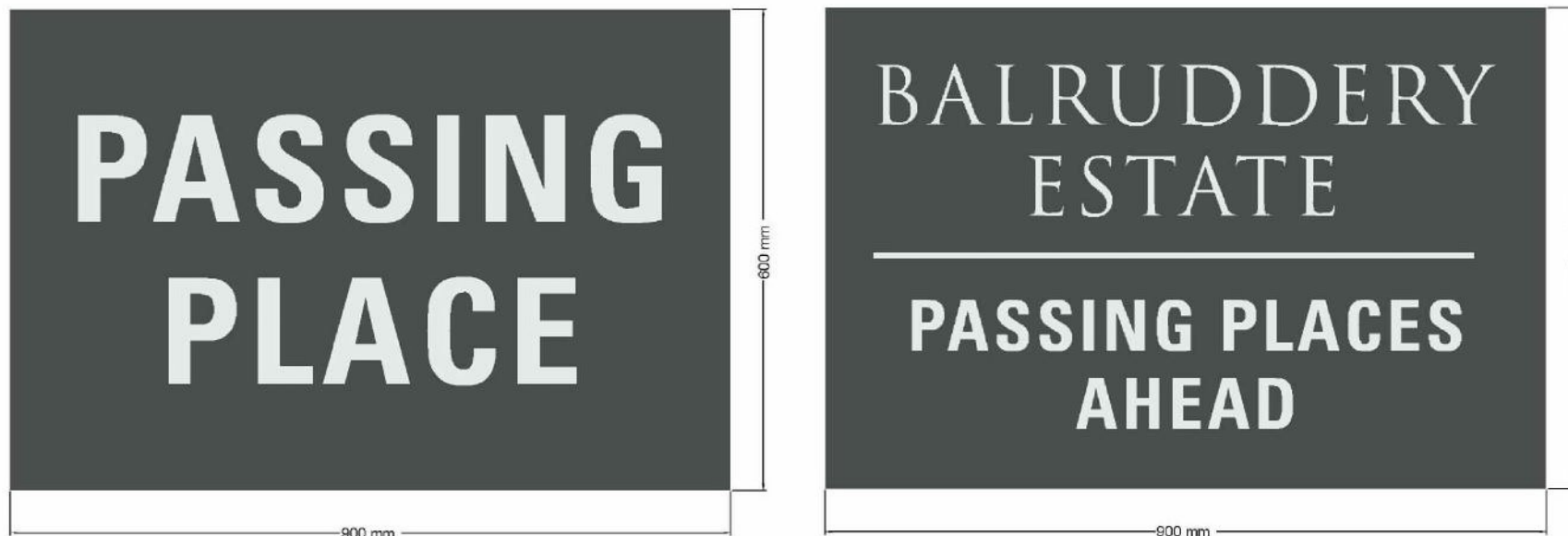
Element
ACCESS ROAD PLAN

Date OCT 2021	Drawn By. FML
Scale 1:500 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
Drawing No. 031	Rev. B



Project No. 1000	Drawing No. 034	Rev. -
Rev. Date	Amendment	

Refused



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.

Refused



187 Strathmartine Road, Dundee, DD3 8BL
 t : 01382 831557 f : 01382 831556
 e : enquiries@arktx.co.uk

Project Title
 PROPOSED RESIDENTIAL DEVELOPMENT
 AT
 FORMER SITE OF THE CATS HOTEL, BALRUDDERY
 INVERGOWRIE
 FOR
 MR D HANLAN

Element
 PASSING PLACE SIGNAGE

Date NOV 2021	Drawn By JFM
Scale NTS @ A4	CAD Ref. NEW 00100
Project No. 1000	Drawing No. 034
Type P	Rev. -

© Crown Copyright. Ordnance Survey, 2021. All Rights Reserved. It is illegal to copy, store, or transmit this information without the permission of Ordnance Survey.

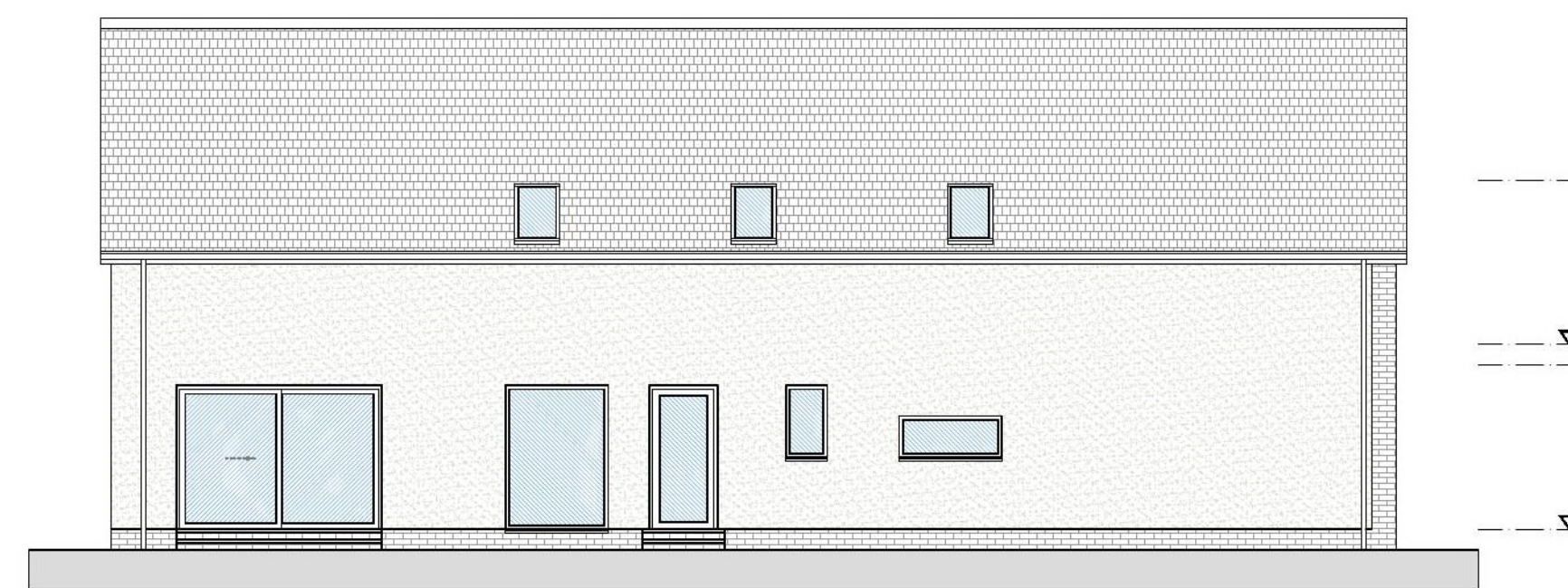
Project No. 1095	Drawing No. 033	Rev. -
Rev Date	Amendment	



NORTH-EAST ELEVATION | 1:100

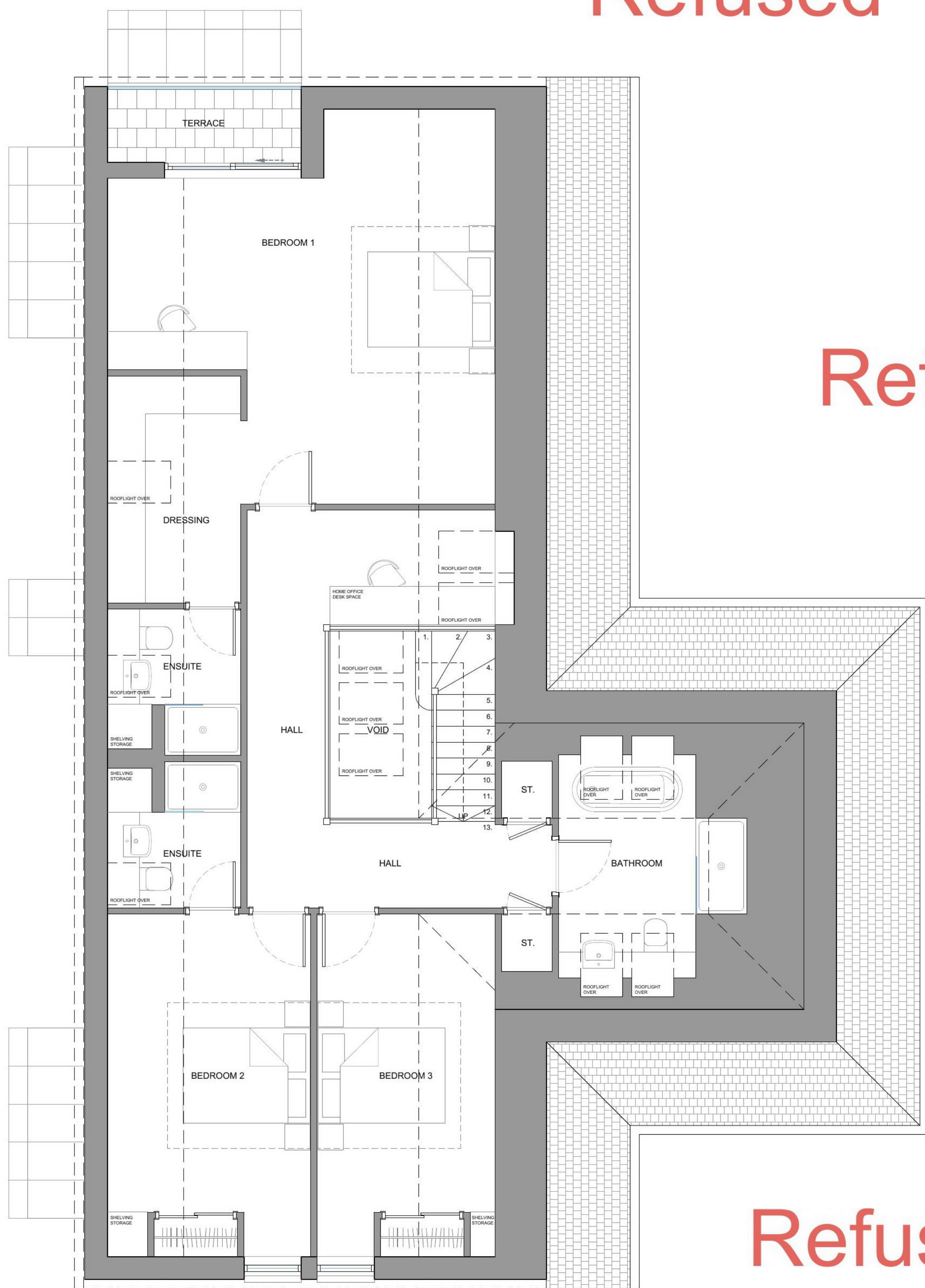


SOUTH-EAST ELEVATION | 1:100



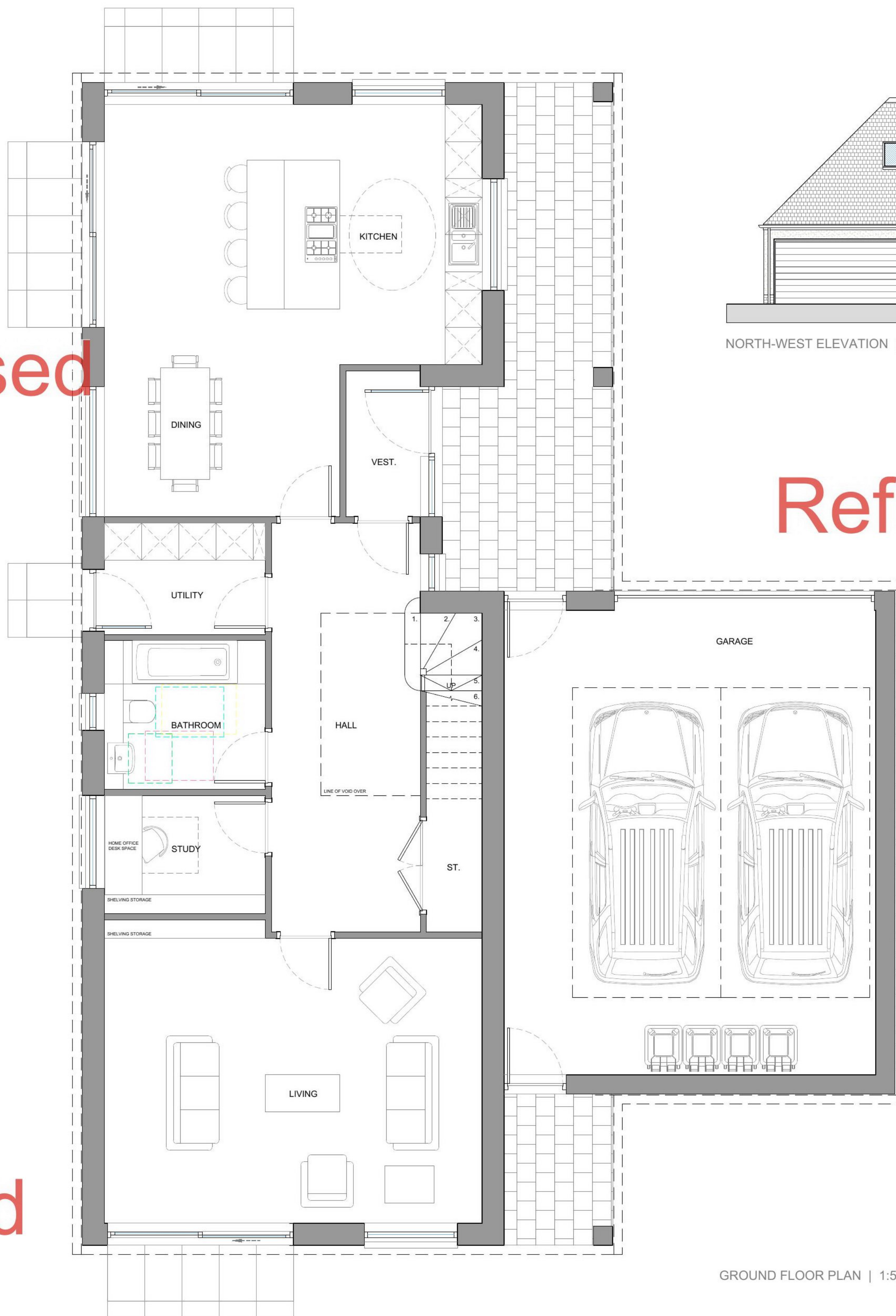
SOUTH-WEST ELEVATION | 1:100

Refused



FIRST FLOOR PLAN | 1:50

Refused



GROUND FLOOR PLAN | 1:50

Refused



NORTH-WEST ELEVATION | 1:100

MATERIAL SPECIFICATION

ROOF -
NATURAL SLATE

WALLS -
BRICK
STRETCHER BOND
COLOUR: RED

ROUGHCAST RENDER.
COLOUR: OFF WHITE

WINDOWS & DOORS -
TIMBER ALUCLAD FRAME
DOUBLE GLAZED UNITS.
COLOUR: ANTHRACITE

RAINWATER GOODS -
PPC ALUMINIUM.
COLOUR: BLACK

GARAGE DOOR -
ROLLER SHUTTER.
COLOUR: ANTHRACITE

SCHEDULE OF ACCOMMODATION & DATA

HOUSETYPE 02
1 No. PLOTS (No. 2)

DETACHED 1.5 STOREY DWELLINGHOUSE

3 No. BEDROOMS
2 No. BATHROOMS
2 No. ENSUITES

GARAGE FLOOR AREA - 45m²
GROSS INTERNAL FLOOR AREA - 220m²

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
PLOT 2 PLANS & ELEVATIONS

Date 11.2021	Drawn By. FML
Scale 1:100 & 1:50 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 033
	Rev. -



033_PLOT 2 PLANS & ELEVATIONS | A1

© Fraser Middleton, Chartered Architect, 2002
All Rights Reserved in Chapter IV of the copyright Design and Patent Act 1988 have
been generally asserted

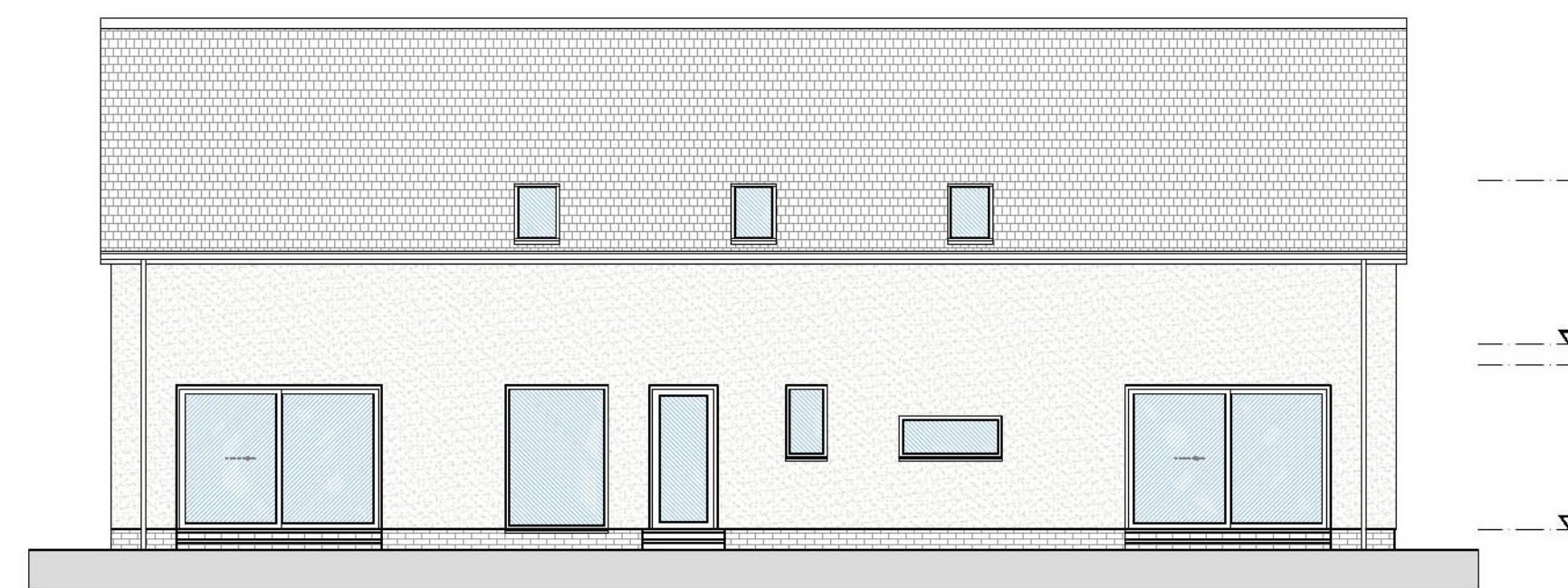
Project No. 1095	Drawing No. 032	Rev. -
Rev Date	Amendment	



NORTH-EAST ELEVATION | 1:100

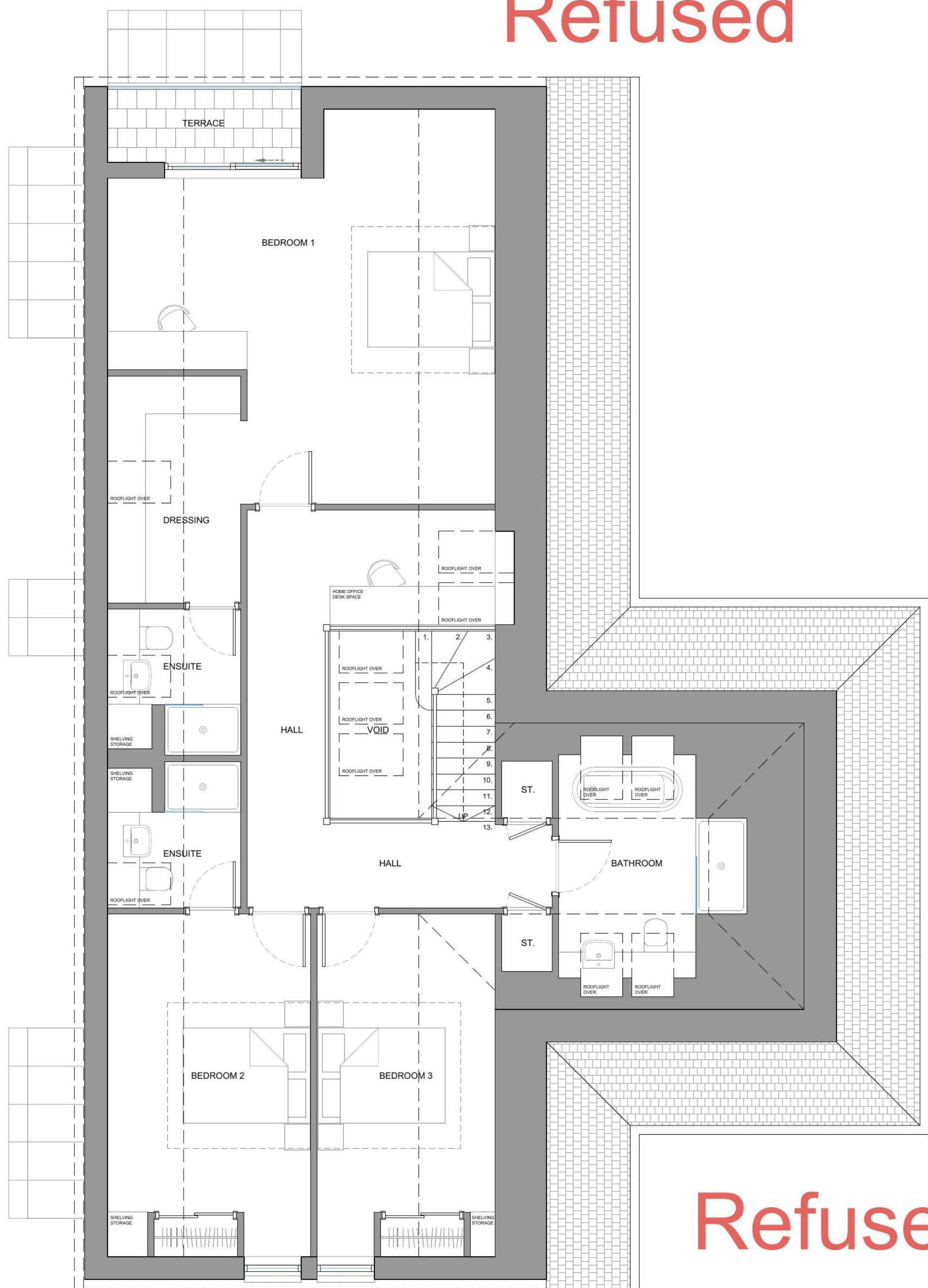


SOUTH-EAST ELEVATION | 1:100

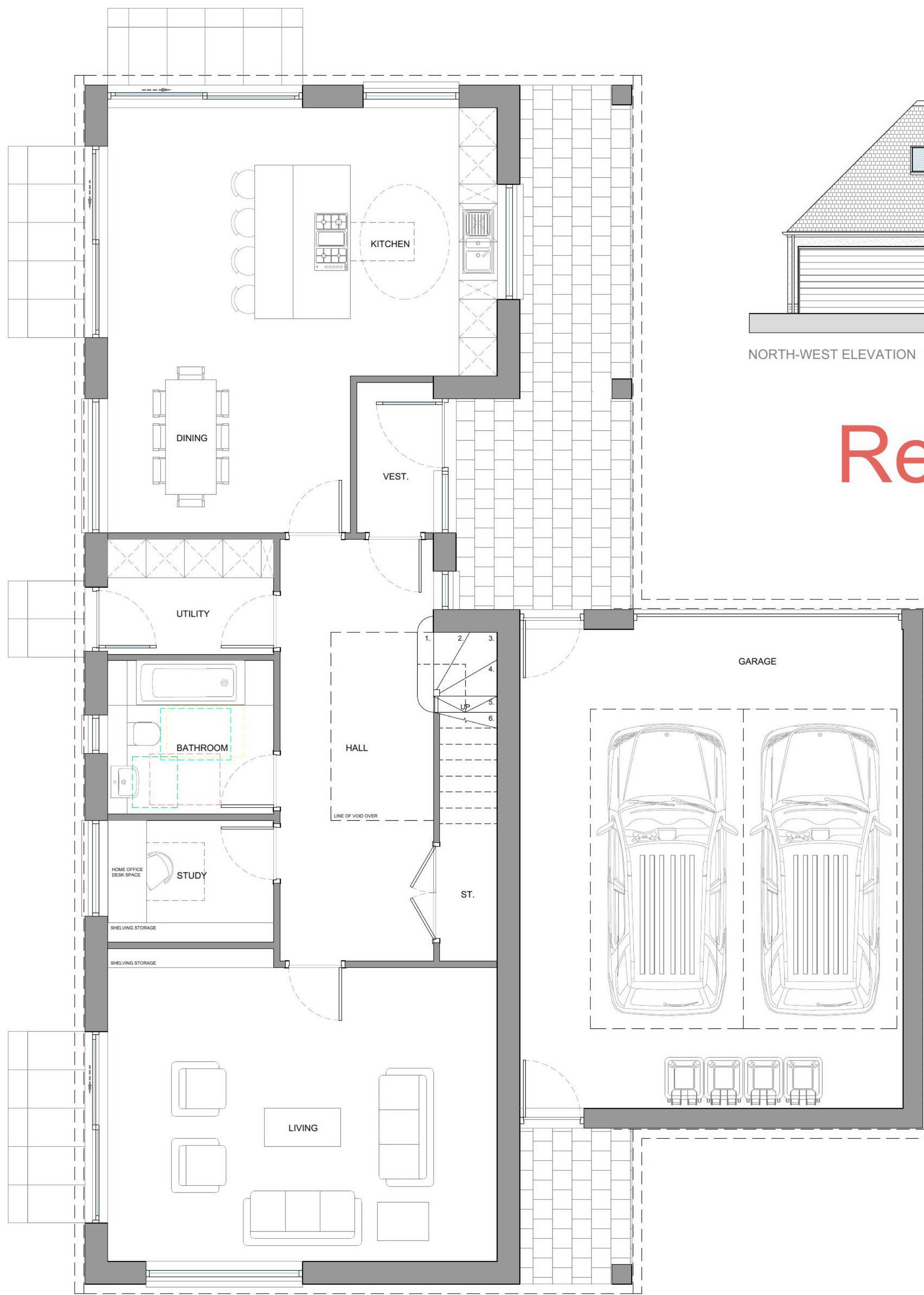


SOUTH-WEST ELEVATION | 1:100

Refused



FIRST FLOOR PLAN | 1:50



GROUND FLOOR PLAN | 1:50



NORTH-WEST ELEVATION | 1:100

Refused

MATERIAL SPECIFICATION
ROOF - NATURAL SLATE
WALLS - BRICK STRETCHER BOND COLOUR: RED
ROUGHCAST RENDER. COLOUR: OFF WHITE
WINDOWS & DOORS - TIMBER ALUCLAD FRAME DOUBLE GLAZED UNITS. COLOUR: ANTHRACITE
RAINWATER GOODS - PPC ALUMINIUM. COLOUR: BLACK
GARAGE DOOR - ROLLER SHUTTER. COLOUR: ANTHRACITE
SCHEDULE OF ACCOMMODATION & DATA
HOUSETYPE 01 2 No. PLOTS (Nos. 1 & 3)
DETACHED 1.5 STOREY DWELLINGHOUSE
3 No. BEDROOMS 2 No. BATHROOMS 2 No. ENSUITES
GARAGE FLOOR AREA - 45m ²
GROSS INTERNAL FLOOR AREA - 220m ²

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

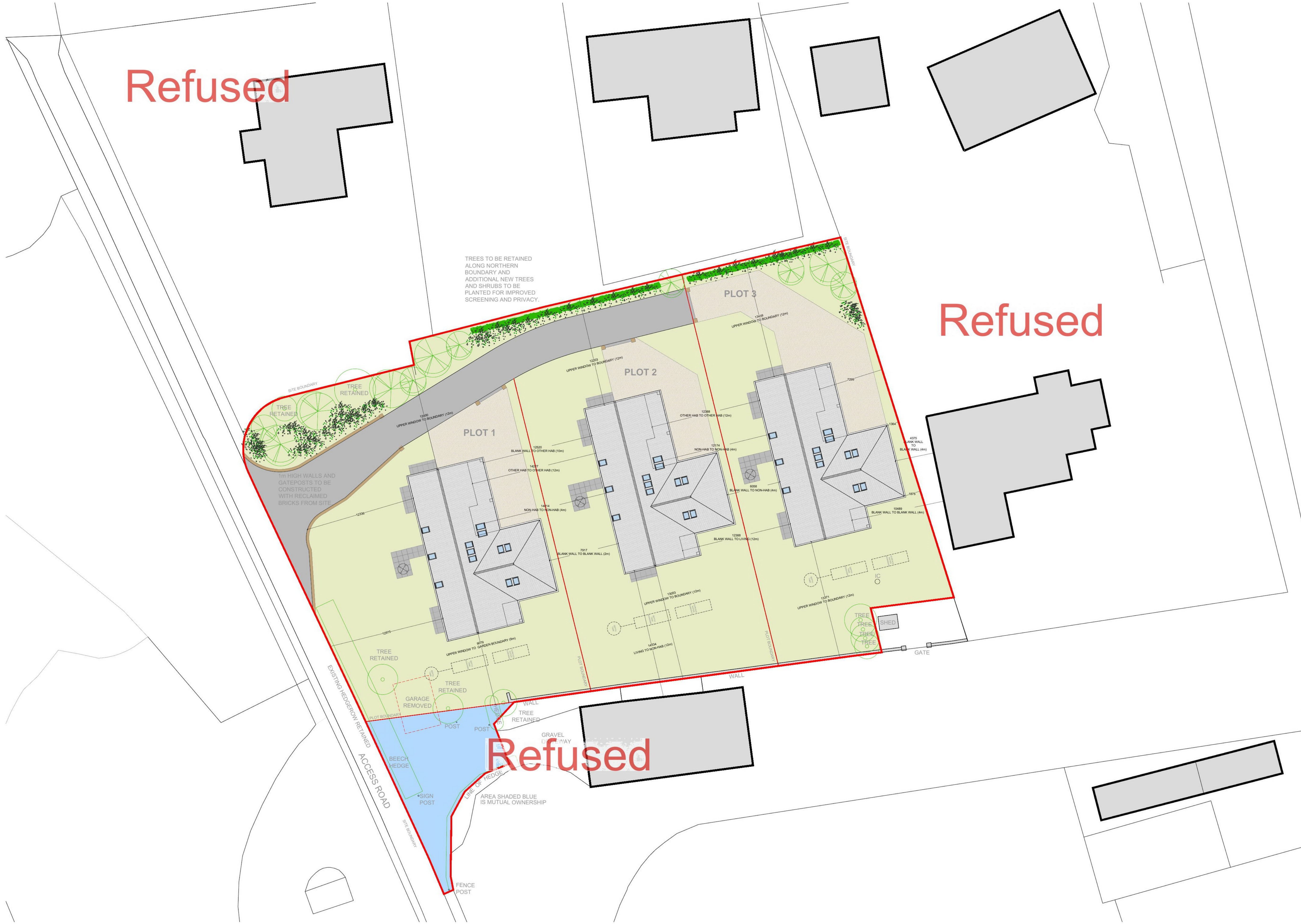
Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
PLOTS 1 & 3 PLANS & ELEVATIONS

Date 11.2021	Drawn By. FML
Scale 1:100 & 1:50 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 032
	Rev. -



Project No. 1095	Drawing No. 028	Rev. C
Rev Date A JULY 2021 B NOV 2021 C NOV 2021	Amendment UPDATED TO ALIGN WITH LOC PLAN LAYOUT REVISED & DIMS ADDED EXISTING BUILDING FILL UPDATED	



SITE DATA
TOTAL AREA - 3072m ²
PLOT 1 -
SITE AREA: 800m ² HOUSE FOOTPRINT: 175m ² PLOT COVERAGE: 21.9%
PLOT 2 -
SITE AREA: 803m ² HOUSE FOOTPRINT: 175m ² PLOT COVERAGE: 21.8%
PLOT 3 -
SITE AREA: 858m ² HOUSE FOOTPRINT: 175m ² PLOT COVERAGE: 20.4%

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.

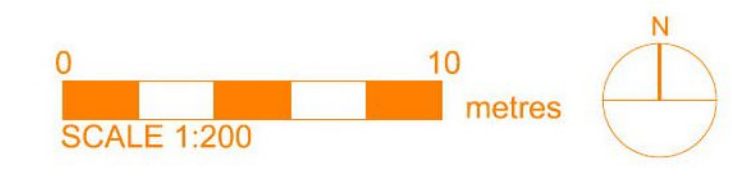


187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
SITE LAYOUT PLAN

Date MAY 2020	Drawn By. FML
Scale 1:200 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
Drawing No. 028	Rev. C

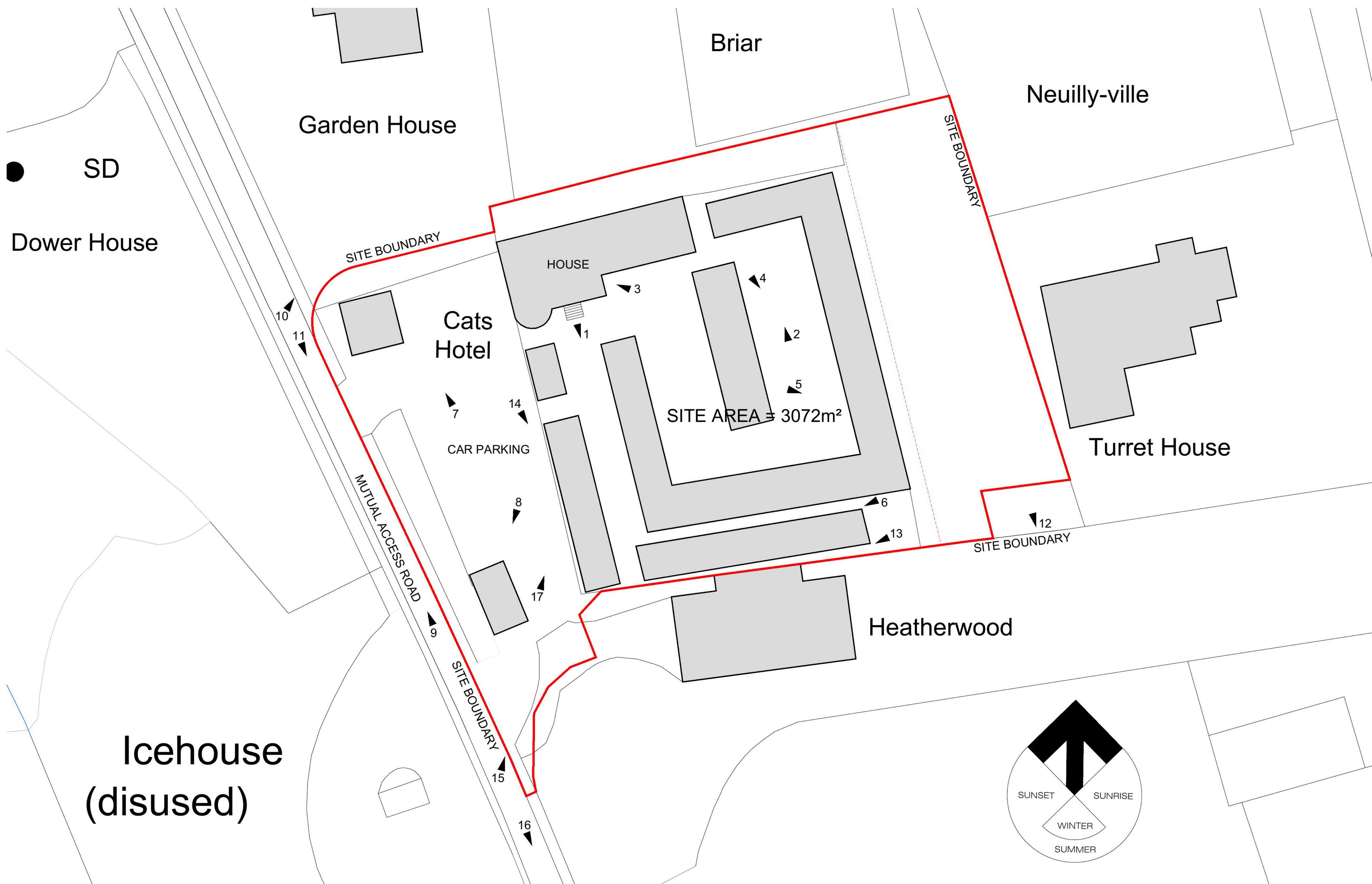


SITE PLAN | 1:200

028_ SITE LAYOUT PLAN | A1

© Fraser Middleton, Chartered Architect, 2002
All Rights Reserved in Chapter IV of the Copyright Design and Patent Act 1988 have been generally asserted

Project No. 1095	Drawing No. 030	Rev. -
Rev Date	Amendment	



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



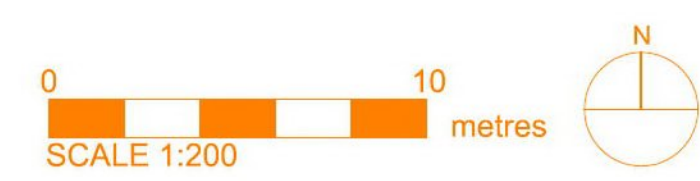
187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
PHOTOGRAPH KEY

Date JULY 2021	Drawn By. AB
Scale 1:200 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 030
	Rev. -

030_PHOTOGRAPH KEY | 1:200 | A1



© Fraser Middleton, Chartered Architect, 2002
All Rights described in Chapter IV of the copyright Design and Patent Act 1988 have been generally asserted































WELCOME





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

**PLANNING PERMISSION REFUSAL
REFERENCE : 21/00508/FULL**

To **Mr David Hagan**
c/o ARKTX
187 Strathmartine Road
Dundee
DD3 8BL

With reference to your application dated 20 July 2021 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses at Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ for Mr David Hagan

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

The reasons for the Council's decision are:-

1. The proposal is contrary to policies DS1 and DS3 of the Angus Local Development Plan (2016), the Design and Placemaking Supplementary Guidance (2018), and the Countryside Housing Supplementary Guidance (2016) because the development would not fit with the character and pattern of development in the surrounding area; would result in a development which would be urban in form and appearance; and because the development would not contribute positively to the rural character of the surrounding area.

Amendments:

1. Amended Proposed Site Layout Plan (drawing number 028 Rev C); Plot 2 Plans and Elevations (drawing number 033 Rev -); Plots 1 & 3 Plans and Elevations Plan (drawing number 032 Rev -); Access Road Layout Plan (drawing number 031 Rev B); submitted on 18/11/21 supersedes the drawings previously submitted. These drawings show changes to the design of the dwellinghouses and provided additional information on works to the access road.

Dated this **4 February 2022**

Jill Paterson
Service Lead
Planning and Sustainable Growth
Angus Council
Angus House
Orcharbank 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
Development Standards Committee/Full Council	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
Delegated Decision	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	Local Review Body – See details on attached Form 2
Other Decision	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 Park
Forfar
DD8 1AN

Telephone 01307 492076 / 492533
E-mail: planning@angus.gov.uk
Website: 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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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?

Very satisfied	Fairly satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<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.

Proposed New Residential Development

at 'Cats Hotel', Balruddery, by Invergowrie, DD2 5LF

For: Mr D Hagan

Design and Access Statement

Report prepared by:

Fraser Middleton

MA Town & Country Planning

B.Arch (hons)

BSc Environmental Studies



**187 Strathmartine Road
Dundee**

DD3 8BL

June 2021

Design and Access Statement

Contents:

- 1.0 Design Guidance and Best Practice
- 2.0 Assessment of Context
- 3.0 Summary
- 4.0 Appendix 1: Vehicular Usage of access road.

1.0 Design Guidance and Best Practice

There are a number of policy documents that require to be considered. The proposal has been designed in the context of local and national best practice recommendations including:

- 1.1 PAN 67 Housing Quality
- 1.2 PAN 78 Inclusive
- 1.3 TAYplan Strategic Development Plan 2016-36 TAYplan Policy 2: Shaping Better Quality Places
- 1.4 The Angus Local Development Plan (ALDP) Policies:
 - 1.4.1 TC2 Residential Development
 - 1.4.2 Creating High Quality Places
 - 1.4.2.1 DS1 Development Boundaries and Priorities
 - 1.4.2.2 DS2 Accessible Development
 - 1.4.2.3 DS3 Design Quality and Placemaking
 - 1.4.2.4 DS4 Amenity
 - 1.4.2.5 DS5 Developer Contributions
 - 1.4.3 Natural Environment
 - 1.4.3.1 PV1 Green Networks and Green Infrastructure
 - 1.4.3.2 PV3 Access and Informal Recreation
 - 1.4.3.3 PV5 Protected Species
 - 1.4.3.4 PV6 Development in the Landscape
 - 1.4.3.5 PV7 Woodland Trees and Hedges
- 1.5 Angus Council Design and Placemaking Supplementary Guidance 2018: Policies 2 and 3.

1.1 PAN 67 Housing Quality

This Planning Advice Note identifies the key aims of new housing developments to create social justice, economic competitiveness and environmental quality. It advocates that any housing development should be distinctive, safe and pleasant, easy to get to and move around, welcoming, adaptable and resource efficient.

1.2 PAN 78 Inclusive

This Planning Advice Note provides advice on enabling everybody to be able to carry out everyday tasks with minimal difficulty. It advocates improving existing conditions where access issues or unnecessary barriers resulting in frustration, hardship or even complete exclusion for a significant proportion of our society (e.g. disabled, older people and children) exist.

1.3 TAYplan Strategic Development Plan 2016-36 TAYplan

Policy 2: Shaping Better Quality Places:

This policy encourages a place led approach which seeks to ensure that new developments are based on an understanding of place and are designed to complement and enhance how a place functions.

1.5 Angus Council Design & Placemaking Supplementary Guidance: October 2018.

Encourages the creation of attractive, safe, well designed sustainable development. In particular:

Policy 2: Shaping better quality places.

Policy 3: Design Quality and Placemaking of the Angus Local Development Plan.

These policies seek to contribute to the Council's vision that Angus is a great place to live, work and visit. This document states its ambition to protect and improve the natural and built environment and encourage sustainable development. It endorses developments which establish a sense of place and identity which will create opportunities for community cohesion. It recognises that any development must respect and respond to its local context encouraging it to make a positive contribution to the existing character of the area.

It ensures that any development is easy to access and move around.

It advocates good design through passive site planning principles to increase energy efficiency and sustainability. It also ultimately proposes that any new development provide an attractive and safe environment for residents and visitors.

This is ultimately achieved by:

- Understanding the Context
- Drawing upon the Positives
- Retaining a Sense of Place
- Reflecting local building styles and vernacular features to preserve and consolidate a sense of place.

The current application respects the original site boundary and also the layout of the dwelling houses within the site.

1.4 The Angus Local Development Plan (ALDP) Policies:

The Angus Local Development Plan (ALDP) Strategy has 3 elements to it:

PART 1: A presumption in favour of sustainable development. 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.

PART 2: Directing the right development to the right place
 PART 3: Creating high quality places

1.4.1 TC2 Residential Development

Policy TC2 refers to proposed residential development and permits redevelopment of brownfield land that presents a significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use. We would therefore contend that our proposals meet with this guidance. The supplementary guidance associated with this policy states that:

'Development will be up to a maximum of four new houses, except where a marginally greater number (e.g. five) would be in the public interest and social, economic or environmental considerations override concerns associated with building large numbers of houses in the countryside e.g. landscape impact; a lack of support for towns and villages.'
'The entire area of brownfield land must be remediated. New houses should be built on brownfield land, unless there are good planning reasons for doing otherwise (e.g. to achieve a satisfactory design solution).'

We confirm that:

- The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units.
 - The 'Cats Hotel' closed in August 2020 due to a lack of business at that time related to the Coronavirus pandemic as the cattery, based as it is on holidaymakers leaving their cats at the cattery.
 - The development proposal is for three detached residential units.
- The site is a brownfield site of 3,052sq.m. The most recent use of the site encompassed 93 electrically heated and illuminated cat pens suitable for 137 cats. Each of these units enjoys a concrete floor, wooden shelter, water, electricity and roof drainage. The current accommodation includes a three-bedroom detached residential unit and two garages. The existing house is a static caravan with a single brick skin and a large conservatory making it very hot in summer and very cold in winter. The running costs of the house are high as it has a large carbon footprint and is not anywhere near current building standards. It was felt that having a very busy commercial business with thousands of vehicle movements in the middle of a residential area would have a continued negative effect on nearby housing, house values and length of time to sell. It was much more prudent and sensible to redevelop the site for an appropriate use.
- A sizable car parking area and a sluice is also present.

Each of the development plots exceeds the required 800sq.m minimum. In addition to this the proposals ensure:

- Removal of the 'noisy / inappropriate neighbour'
- The ongoing development of houses around the site now renders the current use as an incompatible land use.
- Environmental improvement and enhancement of surroundings.
- Reduction of vehicular traffic to and from the site.
- Increase in open space.

We consider that the above grounds merit recognition of the improvement of the site and surroundings by the removal of an incongruous use and appropriate residential development to supplement that already present surrounding the site.

There will be significant expense attached to making good this particular site in order to make it ready for redevelopment. In order that the development is a financially as well as

environmentally sustainable one we would contend that three houses is entirely appropriate and compliant.

Policy TC3 (Affordable Housing) is not applicable as the development is for less than 10 residential units and the site is less than 0.5 hectares.

1.4.2 Creating High Quality Places

1.4.2.1 DS1 Development Boundaries and Priorities

There can be little doubt that this site would benefit from redevelopment. This proposal provides the opportunity to remove an incongruous land use from the heart of a residential community. No trees are proposed to be removed for the purpose of this development. Those trees will be suitably protected during the construction phase of the development. The cattery is surrounded by wooden fencing on the north and east, brick walling to the south and shrubs to west along the roadside. Existing boundaries will be retained and upgraded and a new brick boundary wall re-using materials from the site, erected along the roadside of Plot 1.

1.4.2.2 DS2 Accessible Development

There is currently a tarmacadamed access road immediately to the west which follows an original Estate road to the former head gardener house known as 'The Dower House' or 'Wester Balruddery'. This is a fine listed, 19th century building designed by John Murray Robertson. This access road leads from the C classified road to Flocklones. This road serves around a dozen other properties and is not a through road.



Existing access road (proposed entrance into new development will be an improved access on the left)

Traffic concerns in the previous Application have been noted but the attached spreadsheet shows that the closing of the cattery will effectively result in a traffic reduction of 80%. This figure is based upon the expected reduction in the number of road journeys generated by the site reducing from around 20,480 to approximately only 4,800 traffic movements per annum. (Please refer to Appendix 1 for the Spreadsheet justifying this statement). It must be recognised that this major and noteworthy reduction in vehicular usage ensures the condition of the road is protected and also that the road is safer due to less 'visitors' using the road.

The opening times of the cattery should be considered in relation to car journeys and road usage. The opening times were 2pm to 6pm, seven days a week for 361 days of the year. This does not however recognise the many hundreds of cars that arrive earlier or later than this on the way to or from the airport. This can happen at 06.00 and continue up to midnight. The new houses' vehicles arriving and leaving the cattery will be a significant improvement over the current situation. It is highly likely that three new houses will lead to a much safer environment *vis a vis* vehicle journeys. It must surely be recognised that vehicles owned by residents are much more likely to be more respectful of the roadway rather than thousands of (relative) strangers who will not always understand the country way of walking, cycling and horse riding.

Another factor that has to be taken into account when evaluating car journeys is the significant improvement to the existing cattery arrangements is staffing journeys. The Angus Council licence for the cattery requires an on-site Manager 24 hours per day, every day of the year. This means that the cattery requires an Assistant/Administrator to cater for the Manager's holidays, days off, trips to drop-off and pick-up cats, trips to the shops for food, normal household tasks, doctor, dentist etc. The cattery also requires part-time staff to assist at busy times, usually centred around school holidays, Christmas, New Year, Easter, July, October and other public holidays. The public transport option is not possible at Balruddery and staff invariably require car transport to and from the cattery; often several times a day. A typical example of this could be - if they work split-shifts or half-day in morning with a different employee half-day in afternoon/evening. Often the shift would finish late in the evening (perhaps up to 9 or 10 pm) and this was a regular occurrence during busy times. For an estimate of the car journeys undertaken by staff including the manager please refer to the attached spreadsheet. (Appendix 1). The cattery also used 'Hilux-type' four-by-four vehicles to transport one-ton bags of sawdust from Knapp Sawmill to the cattery to be used as litter. At busy times this could be up to four one-ton bags per week, again a huge cost in terms of the environmental and road use.

The condition and maintenance of this privately owned road had also been raised as a concern. We would however contend that the passing places have been created as per Angus Council Planning Application Approval. The Applicant is the owner of the road but has also previously expressed a willingness to enter into a 'factoring' type arrangement for the maintenance of the road, the verges, the passing places and the hedges. This could be similar to the 'Property Factors (Scotland) Act', 2011 whereby a Factor is appointed and paid to carry out an agreed range of maintenance functions. This will ensure that all property owners have a vested interest in the safe use and upkeep of the road.

Access to the existing house to the South has also been greatly improved. As each of the new dwellings has an access off the new driveway this house now enjoys its own dedicated vehicular entrance/egress as it no longer shares access with the former Cats Hotel.

Good cycle routes into Dundee and the Angus countryside surround the site location.



This shared access on the south west corner of the site will now be a dedicated access.

1.4.2.3 DS3 Design Quality and Placemaking

The existing boundaries of the site are clearly defined and will be retained and improved. The houses have been designed in accordance with this policy advice and are appropriate for their rural location in terms of scale, form and appearance. They are particularly sympathetic to the recent new houses which have been built locally. We have taken advice noted through discourse during the previously Withdrawn application and re-modelled the houses. These are now 'room-in-the-roof' style houses and have significantly lower roof ridge heights than the adjacent two storey houses. Within the large former estate, there are a variety of house styles including modern detached houses, Victorian villas, Victorian gate houses and a steading conversion, some of which are Listed. Other modern interventions have been erected resulting in a wide variety of styles and materials used including a full two-storey house recently completed immediately to the north of the site. Adjacent to the development site there is no prevailing architectural style with the residential units ranging in design and size and having been built mainly in the last 20 years.

The basic form of the units now respects the preferred Planning model and incorporating traditional pitched roofs, gable ends and simple rectilinear openings with a vertical emphasis. We have ensured that the houses (although necessarily quite large in order to be financially viable at only three units on the site) are sympathetic to a rural setting. Although the site is considered rural it is surrounded by recent residential development. The site layout produces a visually compact group of buildings which fills in the gap between the surrounding properties. The primary external materials will be natural slate roofs with walls of ivory render punctuated with red brick which is abundant in the immediate local community. By

utilising local materials and incorporating accepted design parameters this should ensure that the development contributes positively to the character and sense of place.

Each site enjoys an integrated double garage provision which also warrants that the bicycle and car parking requirements of the 'Angus Council' standards are complied with. The houses are designed to permit disabled access and will be accessible to all providing a safe, accessible and attractive environment for all.

The private access road provides an additional passive security measure as each house overlooks the driveway providing active frontages and passive policing of the group and reinforcing a sense of place. The houses are all located a sufficient distance from each other and there are no significant overlooking issues.

The mature trees around the site provide a natural backdrop ensuring that there is no impact on the skyline.

In environmental terms the new development will deliver a meaningful improvement over the current use. With the construction of modern, energy efficient dwellings the development will be significantly more sustainable and environmentally friendly. The three proposed houses will decrease the current carbon footprint using efficient boilers, better insulation, solar collectors, water reducing facilities and efficient lighting. Although each house will of course require a dishwasher and washing machine as well as other white goods these will be considerably less wasteful and more efficient than the existing. For approximately the last 15 years the cattery has used a commercial dishwasher, commercial freezer, commercial fridge, two tumble dryers and two industrial washing machines during busy times.



Image showing existing commercial white goods servicing the cattery

In addition to this each pen has electric heaters and lighting. Security lighting is also required seven days a week during the hours of darkness. The intrusion of this external lighting to other residents will be markedly reduced for only three houses. The Applicant has noted that the cattery electricity bill alone can be in excess of £8,000 per annum; far in excess of a well-insulated, well-designed heating system for three modern new-build houses.



Image of extensive cattery pens and close proximity of existing house to north

1.4.2.4 DS4 Amenity

It is proposed to re-use existing 150-year old red brick from the old garden house/walled garden to create new boundary walls along the existing mutual access road. Feature gateposts will demarcate the access road into the development providing an 'of its place' feel. This will automatically provide a certain ambience when arriving at the new development.

There is ample private amenity space surrounding each of the dwellings. Plot sizes range from 802 to 859sq.m. and are compliant with the requirements of development within a Category 1 RSU (which require plot areas to be between 800sq.m. and 2000sq.m.) providing comfortable private garden areas and sympathetic redevelopment of this brownfield site. We would also contend that it ensures a better environment and amenity than currently exists for the neighbouring community who will have less noise generated from the site and also significantly less traffic on the mutual access road.

Air quality, noise and vibration, levels of light pollution, levels of odours, fumes and dust are all considerations which must be considered within this aspect of the application. The development itself is sufficiently remote from the nearest buildings that there will be no detrimental effect on them, indeed the significant reduction in vehicular traffic to the site will ensure a reduced level of air pollution. The current mutual access road allows for pantechicons such as refuse and fire fighting vehicles safe access. Any refuse requirement from Angus Council regarding bin types and numbers will be respected to ensure recycling is encouraged.

One issue that will also be resolved to a high degree by this development is the current rat and other vermin problem which is significant. Despite the best efforts of the operator managing a strict cleanliness regime the cattery will inevitably have spilt food in some of the 97 pens and opening, decanting and serving pouches of cat food and serving fish and chicken for up to 137 cats twice a day will always lead to food spillages. It is hoped that the new development will remove this temptation and eradicate this issue for benefit of the local wider community.



Image showing extent of refuse bins on property. These sit adjacent to access road for ease of uplift. This unsightly feature would be removed within the new application as the new dwellings would require private refuse storage.

The new development has been designed in such a manner that residential amenity of each new home is respected in relation to overlooking, loss of privacy, outlook, sunlight, daylight and overshadowing.

1.4.2.5 DS5 Developer Contributions

The Applicant will be guided by any subsequent negotiations with the Angus Council in relation to Developer Contributions.

1.4.3 Natural Environment

1.4.3.1 PV1 Green Networks and Green Infrastructure

This policy prescribes that any new development is accompanied by ‘*an appropriate level and type of open space and that it is considered as an integral part of the overall design*’.

The area of land identified for the actual built development is 594sq.m. (this is the total area of the three house footprints). There currently exists 774sq.m. of built development when one considers the cat pens, two garages and dwelling house. There is therefore significantly more open green space within the proposed development than currently exists on the site. The development will benefit from the inputs of professional landscapers to underline both the rural nature of the site and the developer’s commitment to a sustainable and attractive setting.



For example the driveway entrances may have “living pillars” as shown above in the Applicants development in St Andrews. Here the landscaping team has used ‘*buxus sempervirens*’ on and in the entrance pillars to match the mix of box and grass lining the driveway providing a living breathing adjunct to what could have been a sterile entrance to the hotel. Planting along the northern edge of the driveway will also provide a soft visual barrier between the properties.

1.4.3.2 PV3 Access and Informal Recreation

With its private driveway serving each of the three plots the development provides a safe, communal access with passive policing by each residential units. The broad-leaved forested area to the west also provides ample communal open green space for exploring and informal

recreation. A substantial Ice house which served the former Balruddery Estate is a particular notable architectural ‘find’ as are the former terraced gardens and the Dron burn itself.

1.4.3.3 PV5 Protected Species

Due to the particularly active current use of this site we do not believe there to be any protected species resident on the site. We would contend that the redevelopment as proposed will introduce habitat diversification and maintain biodiversity opportunity by enhancement of existing habitats. Removal of the cats (a predatory species which actively discourage many types of wildlife) will encourage wildlife back into the new landscaped garden areas. The development will therefore provide an enhanced environmental habitat for local wildlife species.

1.4.3.4 PV6 Development in the Landscape

We would contend that the proposed residential use for the site is much more appropriate than the existing use as a cattery. There is already a dwelling house on the site and the site is virtually surrounded by residential development – most of this being a full two storey format. We would therefore contend that residential use of this site is indeed an appropriate one especially as the application seeks to add only three more to the site area. All existing trees are to be retained and will be suitable protected during the construction works. With the addition of planting to the access driveway there will be more trees on site than exist at present.



Existing house to the north of the development site

1.4.3.5 PV7 Woodland Trees and Hedges

The existing trees along the Eastern boundary are to be retained. Necessary tree protection measures will be implemented during the construction phase of the works. Hedges along the west boundary will also be respected. No trees are to be removed in order to create this development.

1.5 Angus Council Design and Placemaking Supplementary Guidance 2018: Policies 2 and 3.

Aspects of this supplementary guidance have been considered within the body of this document particularly under Policies DS3 and DS 4.

2.0 Assessment of Context

The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units. The land falls gently from north to south. To the north, east and south of site is already residential use with a number of new houses having recently been constructed. A mature tree belt is present along the Eastern boundary and nearby, to the west of the Site. The tree-lined mutual access road from the west is already established and provides vehicular access to the site and other residential buildings beyond. Beyond that is a mature broad-leafed wooded area which follows the route of the Dron Burn.

The site enjoys a relatively secluded location with established site boundaries being respected within the development proposals.

3.0 Summary

The site is not allocated for any specific purpose within the Angus Council LDP. This would presume that it must therefore fall under the provisions of Policy S1. Under Part 1 of this policy there is a presumption in favour of sustainable development. 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. This brownfield development allows for the clean-up of the site and to reinvigorate it to an inhabited part of the countryside. The overall site size of 3,072 sq. metres for three units is compliant with 'Angus Council' housing in the countryside policy. We would also contend that the making good of the site and the inherent benefits to locals by the removal of the current use is a material consideration and one which justifies the redevelopment of the site. There is also a clear benefit to the local community who use the access road due to the significant reduction in traffic usage to the site. The preference to living in a rural location has been increased during this Covid-19 period which has encouraged working from home. These houses exemplify this with all featuring a Study with high-speed Broadband (installed at the developers expense) as an integral part of the accommodation. The Application proposes a modest housing development of a scale and character previously already recognised as appropriate to this particular secluded site. There is therefore no risk of any significant impact on the character or amenity of the surrounding area; indeed it will improve conditions for local residents and provide a much needed housing provision. The application to replace the cattery with appropriate housing will lead to improvements in the local environment, will lead to an enhanced and safer driving experience and will instigate improvements to the general area removing as it does a commercial operation and replacing it with a residential environment wholly in keeping with its rural surrounding.

Spreadsheet showing number of cats in last five years of full operation

The Cats Hotel, Balruddery Angus DD2 5LF

All figures are approximate. Average stay throughout the year is three nights

Car journeys are worked out by doubling this number ie one arrival and one depart

Week Number	No. of cats	No. of cats	No. of cats	No. of cats	No. of cats
1	50	90	89	91	92
2	48	48	51	55	62
3	31	33	36	32	33
4	30	22	38	29	33
5	22	29	20	22	29
6	20	28	21	22	21
7	26	27	22	28	27
8	20	24	25	26	20
9	21	28	28	31	21
10	20	22	21	28	27
11	25	26	27	28	25
12	48	44	46	47	44
13	66	72	81	79	78
14	62	77	84	85	81
15	58	60	77	80	76
16	42	58	61	55	62
17	49	51	52	48	47
18	40	44	48	43	40
19	42	44	40	41	40
20	38	40	41	41	39
21	38	40	39	37	38
22	41	42	33	41	32
23	45	46	39	37	30
24	48	51	47	45	44
25	81	80	79	80	91
26	110	111	130	100	110
27	100	104	109	104	112
28	128	122	130	122	134
29	101	111	100	130	129
30	98	102	105	100	101
31	90	93	99	101	102
32	81	94	91	82	99
33	79	81	79	84	92
34	62	58	61	63	90
35	67	56	61	67	89
36	60	55	58	61	69
37	58	62	61	57	56
38	51	55	54	50	52
39	69	73	77	70	71
40	110	111	101	99	105
41	105	120	121	120	101
42	100	111	121	109	122
43	91	100	106	108	109
44	61	71	77	70	80
45	30	39	30	31	49
46	28	29	30	31	48
47	25	28	31	36	37
48	31	25	33	29	31
49	42	44	45	49	51
50	81	80	84	79	82
51	89	85	91	90	99
52	90	91	88	90	98
Totals	21336	22659	23226	22981	24150
Average stay equals 3 nights	7112	7553	7742	7660	8050
Car arrivals/departs	14224	15106	15484	15321	16100
Mgr and admin 2 journeys	1460	1460	1460	1460	1460
2 Staff 2 journeys	2920	2920	2920	2920	2920
Total car journeys per annum	18604	19486	19864	19701	20480



18th November 2021

Angus Council
Planning Department
 Angus House
 Orchardbank Business Park
 Forfar
 DD8 1AN

FAO: James Wright

Dear Sir

Proposed Erection of 3No Detached Dwelling Houses
Application Ref – 21/00508/FULL

We have addressed the various points that have been raised within this Application as previously discussed. We have based our changes on your comments and comments made by Angus Council Roads department following a positive, on site discussion with Adrian Gwynne.

At that meeting it was agreed –

- the new proposals will SIGNIFICANTLY reduce the number of car journeys to and from site,
- the access road is in good condition and is not pot holed at any point of its near 600m length
- the existing passing places (see Approved previous planning application number 13/01098/FULL and road layout drawing attached) are appropriate and
- the road is viable subject to tidying (and then maintaining) the undergrowth at the extant passing places and at the entrance to the C road at the Angus/Perth and Kinross Council border

Mr Gwynne's main concern was the visibility which was compromised by overgrowth at various points and he suggested that after the verges have been cleared, maintenance of the passing places and the verges could be added as an ongoing Condition. He also suggested improving the passing places by erecting signage and we attach proofs of Passing Place signage which can be erected on the existing road.

Following this meeting we have looked into the comments from your email dated 16th September and would respond as below and attach our revised Drawing No's 1095/028C, 031B, 032, 033 and 034:

1. There is no realistic alternative to the layout of the proposals as previously discussed. The new entrance road has been located to take advantage of the existing egress point to the Cats Hotel and to ensure that there is only one



CHARTERED ARCHITECTS • URBAN PLANNING • INTERIOR DESIGN • PROJECT MANAGEMENT

187 Strathmartine Road Dundee DD3 8BL ☎ 01382 831557 📠 01382 831558 ✉ enquiries@arktx.co.uk

new single point of access for road safety purposes. This reduces the number of access/egress points onto the road by 100%. Any other configuration for houses on the site would require multiple access points which we believe would adversely impact the current situation.

2. The plot sizes are in excess of the necessary area requirement in accordance with the Angus Local Development Plan 2016 Countryside Housing Supplementary Guidance (September 2016) and the layout reflects a continuation of the house configuration of the sites to the north approved by Angus Council in 2014 application number 13/01098/FULL.
3. The majority of the existing buildings are for housing animals so do not provide an accurate typology for the surrounding local area.
4. The proposed houses have been designed to be one storey and a half which is in accordance with Angus Local Development Plan 2016 Countryside Housing Supplementary Guidance (September 2016). These new proposals are smaller in height terms than the (multi styled) extant houses in the former walled garden. The adjacent dwellings to the north, south and east of the site are higher at 2 storeys.
5. Following your observations, we have altered the material palette and elevational treatment of the proposed houses to better reflect the rural area. The main material palette is to be off-white render and red brick walls with a natural slate roof. This integrates with the existing on-site red brick walls and is sympathetic with the material palette of the adjacent houses and local area.
6. Following your observations we have amended the site layout and the interior layout of the new houses to best achieve the required window to window and window to blank wall distances as noted on the site plan and in accordance with Angus Council Advice Note 14: Small Housing Sites.

We therefore enclose our Drawing No's 1095/028C, 031B, 032, 033 and 034.

We hope that our efforts show a willingness to positively engage with the comments made by all parties and provide a reasonable case for the Application to be considered for Approval. Please do not hesitate to get in touch with Fraser or myself at the office if you require any further information.

Yours faithfully

A large black rectangular redaction box covering the signature of Fergus Low.

Fergus Low
Enc

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE
APPLICATION FOR REVIEW – CATS HOTEL, BALRUDDERY,
INVERGOWRIE

APPLICATION NO 21/00508/FULL

APPLICANT'S SUBMISSION

Page No

ITEM 1	Notice of Review
ITEM 2	Appeal Statement
ITEM 3	Report of Handling
ITEM 4	Decision Notice
ITEM 5	Design and Access Statement
ITEM 6	Correspondence dated 18.11.21
ITEM 7	Photographs 1-17
ITEM 8	(i)-(viii) Plans and Elevations



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 100353962-004

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:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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="Mr"/>	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" value="David"/>	Building Number:	<input type="text" value="27"/>
Last Name: *	<input type="text" value="Hagan"/>	Address 1 (Street): *	<input type="text" value="Roseangle"/>
Company/Organisation	<input type="text"/>	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="DD1 4LS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="enquiries@arktx.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"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing

Easting

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 Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses

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.

Refer to Appeal Statement

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)

Drawing No's 1095/LOCB, 001, 028C, 030, 031B, 032, 033, 034, Planning Refusal, Report of Handling, Appeal Statement, Letter following Meeting with Roads Departmentt, Design and Access Statement, Photos 1-17.

Application Details

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

21/00508/FULL

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

29/06/2021

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

04/02/2022

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: Mrs Jennifer Middleton

Declaration Date: 04/03/2022

Proposed New Residential Development

at former 'Cats Hotel', Balruddery, by Invergowrie, DD2 5LF

For: Mr D Hagan

Appeal Statement

Report prepared by:

Fraser Middleton

MA Town & Country Planning

B.Arch (hons)

BSc Environmental Studies



**187 Strathmartine Road
Dundee**

DD3 8BL

February 2022

Demolition of Existing Dwelling House and Cattery and Erection of 3 No detached Dwelling houses at Cats Hotel, Balruddery, Invergowrie, Dundee, DD2 5LJ

Refusal Notice was issued on 4th February 2022.

The reasons for the Councils decision are:

- 1) The proposal is contrary to policies DS1 and DS3 of the Angus Council Local Development Plan (2016), the Design and Placemaking Supplementary Guidance (2018) and The Countryside Housing Supplementary Guidance (2016) because the development would not fit with the character and pattern of development in the surrounding area; would result in a development which would be urban in form and appearance; and because the development would not contribute positively to the rural character of the surrounding area.*

The Applicant wishes to formally challenge this assessment and appeal the decision. We will endeavour to challenge this decision by referring directly to the published policy and by relating it to the constraints of the proposed development site.

Policy DS1:

The preamble to Policy DS1 sets the ambitions of this policy by stating:

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

There can be little debate that this site would benefit from redevelopment. This development provides the opportunity to remove an incongruous land-use from the heart of a residential community and would actually optimise the use of existing resource capacities.

We would contest that the impact on the wider environment is actually minimised and the landscape enhanced, as a significant number of vehicle journeys to the site have been removed. It also removes a noise and potential rodent concern. Although three new houses are to be built the inhabitants will be much more sympathetic and respectful of the site than exists at present. The development is therefore in sympathy with the aims of the policy as it removes an alien and unsuitable use whilst proposing an appropriate use.

The development proposals also seek to respect existing boundaries by enhancement. The cattery is surrounded by wooden fencing on the north and east, partially paling and brick to the south and shrubs to west. Existing boundary treatments will be retained and upgraded and new stone boundary walls erected along the western side of the existing access road. Existing boundary walls would be made good and existing boundary planting retained and enhanced. This is in compliance with the policy as there is already residential development to the North, East and South with a tarmac road to the west the site. The development is simply filling the area in the middle of an already developed location. The proposed development is not only adjacent to existing development; it is effectively surrounded by it.

Policy DS1; Development Boundaries and Priorities states:

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.

The development proposals are not identified with the Angus LDP. As the proposal encompasses only three family dwelling houses the aims of the ALDP are not compromised.

DS1 continues:

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.

The development is not within any identified development boundary; however, as the site is virtually surrounded by development it could be construed as being within an area acceptable for development. Planning Approval (Application Ref No 13/01098/FULL) would also support this hypothesis as Approval for three detached dwelling houses was granted immediately to the north of this application site.

DS1 continues;

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.

The land is classed as brownfield due to the most recent use of the site encompassed 93 cat pens suitable for 137 cats. Each of these units enjoys a concrete floor, wooden shelter, water, electricity and roof drainage. The current accommodation includes a three-bedroom detached residential unit and two garages. A sizable car parking area and a sluice is also present within the site boundary. The Applicant contends that the residential proposals are significantly more appropriate than this current use. We would also contend that the development is of an appropriate scale and nature as the minimum individual site areas are compliant with Angus Council requirements. The previously Approved sites to the north share the same boundary with the application site. If it was appropriate to have three residential units within that length and curtilage then surely it is equally permissible for this proposed development. The site areas meet Angus Council requirements with every site exceeding 800sq.m. and enjoying an overall site area of 3072sq.m. Plot coverage on all dwellings is less than 22% which proves the generous surrounding open areas. The development does not adversely impact its surroundings or environment. As noted within the Application documentation the considerable lifestyle improvement due to the reduction in vehicular traffic to the site must also surely be recognised as having a significant improvement to the standard of existing local residents and not only a benefit for this particular development. The well-being of the neighbouring properties is being enhanced.

We would therefore contend compliance with Policy DS1.

Policy DS3:

Policy DS3 is recognised as being paramount to delivering Angus Council's vision that *"Angus is a place where a first-class quality of life can be enjoyed by all"*.

"Designing Places" identifies six qualities of a successful place to ensure that proposals deliver a high design standard of amenity. This encompasses:

- **Distinct in Character and Identity:** The houses are individual in design but in compliance with Angus Council design guidelines. The materials proposed are all seen on other neighbouring properties and are therefore appropriate.
- **Safe and Pleasant:** The development provides a private driveway and introduces new low masonry walls indicating a clear 'arrival' sympathetically delineating the private from public space. The buildings are appropriate in scale (being smaller than the previously approved extant housing) and the boundary treatments are retained.
- **Well Connected.** The development is well connected via an existing tarmacadamed access road and other non-metalled footpaths throughout the nearby countryside.
- **Adaptable:** The houses have been designed to ensure that they are adaptable and address the changing nature of family living through time.
- **Resource Efficient:** The dwellings are to be constructed with sound environmental credentials and energy efficient envelopes and operating systems.

Regarding the supplementary guidance we would refer to our submission which fully addressed:

TC2 Residential Development

Creating High Quality Places

DS1 Development Boundaries and Priorities

DS2 Accessible Development

DS3 Design Quality and Placemaking

DS4 Amenity

DS5 Developer Contributions

Natural Environment

PV1 Green Networks and Green Infrastructure

PV3 Access and Informal Recreation

PV5 Protected Species

PV6 Development in the Landscape

PV7 Woodland Trees and Hedges

We would contend that this Application reinforces any policy which encourages a place led approach and seeks to ensure that new developments are based on an understanding of place and are designed to complement and enhance how a place functions.

We would therefore contend that the development is compliant with all aspects of this Policy and is entirely in accordance with Angus Council's ambition of providing an environment embracing '*a first-class quality of life*'.

The application documentation ably addresses the Angus Council Supplementary Guidance on Design Quality and we believe the design of the new houses to be compliant. Indeed, we would contend that the storey and a half proposals are far more in-keeping and appropriate for this rural setting than the two storey pseudo-Georgian villa aesthetic Approved for the sites immediately to the North and east of this site.

Summary:

We fail to understand why this development '*would not fit with the character and pattern of development in the surrounding area*' as when compared with the Approved development to the north it is virtually the same in principle. Both are accessed from a road to the north and

both have three units lined up east to west along this access road. The distinct east-west orientation of the development follows not only the development to the north but also the orientation of the previous gardener's cottages. The site area for this Application is 3072sq.m.; the site area for the Approved development to the north is 2800sq.m. (according to their submitted documentation). Their minimum plot size is 780 sq.m. whereas this development enjoys sites of all 800sq.m. or more. The house style proposed is far more appropriate than the extant, previously Approved, large two storey villas. Large two storey villas are also present along the East boundary of the site. The house to the south is a storey and three-quarters. The proposed houses will therefore be the least impactful and apparent within this overall housing hamlet.

We would also contend that the making good of the site and the inherent benefits to locals by the removal of the current use is a material consideration and one which justifies a development of this nature. The preference to living in a rural location has been increased during this Covid-19 period which has encouraged working from home. These houses exemplify this. The Application proposes a modest housing development of a scale and character previously already recognised as appropriate to this particular secluded site. There is therefore no risk of any significant impact on the character or amenity of the surrounding area; indeed it will improve conditions for local residents and provide a much needed housing provision.

We advocate that this proposal is distinctive, safe, pleasant and barrier free; is welcoming, adaptable and resource efficient, all in compliance with these policies. The Application indicates smaller houses of lower height on larger plots than have been previously approved. We would contend that these facts substantiate why this development is indeed appropriate especially when considered within its immediate environment.

Angus Council

Application Number:	21/00508/FULL
Description of Development:	Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses
Site Address:	Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ
Grid Ref:	331266 : 732203
Applicant Name:	Mr David Hagan

Report of Handling**Site Description**

The application site which measures 3066 square metres incorporates a former cattery business and associated buildings. The buildings on the site are single storey, vacant and in a state of disrepair. Boundary treatments are a mix of trees / hedging, fencing and walls. Residential properties bound the site to the north, south and east. An access road is located to the west.

Proposal

Planning permission is sought for the removal of the existing buildings and the erection of 3no. dwellinghouses.

The site would be accessed from the west with a new road serving the three proposed houses running along the northern boundary. Plot sizes are indicated to be in the range of 800 - 858sqm. The proposed dwellings would be 7.8metres in height and would have pitched roofs with ridges running north to south. The dwellings would be finished in natural slate on the roof and a mix of off white render and brick on the walls. Parking and amenity space would be provided for each plot.

The application form indicates that that there would be a connection to the public water supply, SUDS for surface water and that private drainage (septic tanks).

Amendments

Amended Proposed Site Layout Plan (drawing number 028 Rev C); Plot 2 Plans and Elevations (drawing number 033 Rev -); Plots 1 & 3 Plans and Elevations Plan (drawing number 032 Rev -); Access Road Layout Plan (drawing number 031 Rev B); submitted on 18/11/21 supersedes the drawings previously submitted. These drawings show changes to the design of the dwellinghouses and provide additional information on works to the access road.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 30 July 2021 for the following reasons:

- Affecting Setting of Listed Building

A site notice was posted for Setting of Listed Building on 27 July 2021.

Planning History

21/00167/FULL for Demolition of Existing Dwelling House and Cattery and Erection of 4No Detached

Dwelling Houses was determined as "Application Withdrawn" on 10 May 2021.
04/00651/FUL for Alterations and Extension to Dwellinghouse was determined as "approved subject to conditions" on 23 June 2004.
00/01018/FUL for Erection of dwellinghouse (Re-placement) and conversion of cats accommodation block to dwellinghouse was determined as "approved subject to conditions" on 29 May 2001.
99/01123/FUL for Construction of Driveway and Turning Area (Retrospective) was determined as "approved subject to conditions" on 17 January 2000.
99/00874/FUL for Construction of Driveway and Turning Area was determined as "Application Withdrawn" on 8 November 1999.
97/00768/FULL for ACCESS ROAD TO SMALL PROPOSED CAR PARK AND ALTERATIONS TO WALL was determined as "Refused" on 11 February 1998.
97/00767/FULL for THE CATS HOTEL BALRUDDERY INVERGOWRIE EXTENSION TO CAT/FELINE ACCOMMODATION BLOCK was determined as "approved" on 19 June 1997.

Applicant's Case

Design and Access Statement:

- Describes the relevant policy documents including the Angus Local Development Plan and opines that the application complies with policy;
- The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units;
- The 'Cats Hotel' closed in August 2020 due to a lack of business at that time related to the Coronavirus pandemic;
- The site is a brownfield site of 3,052sq.m;
- The existing house is a static caravan with a single brick skin and a large conservatory making it very hot in summer and very cold in winter; It is more prudent and sensible to redevelop the site for an appropriate use;
- Each of the development plots exceeds the required 800sq.m minimum.
- Removal of the 'noisy / inappropriate neighbour' use and confirms that no trees are proposed to be removed for the purpose of this development. Existing trees will be suitably protected during the construction phase of the development. The cattery is surrounded by wooden fencing on the north and east, brick walling to the south and shrubs to west along the roadside. Existing boundaries will be retained and upgraded;
- Traffic Matters - Note traffic concerns but states that the cattery removal will effectively result in a traffic reduction of 80%;
- Confirms the passing places have been created as per Angus Council Planning Application Approval. The Applicant is the owner of the road but has also previously expressed a willingness to enter into a 'factoring' type arrangement for the maintenance of the road, the verges, the passing places and the hedges;
- Refers to design and states the existing boundaries of the site are clearly defined and will be retained and improved. The houses have been designed in accordance with policy advice and are appropriate for their rural location in terms of scale, form and appearance;
- The three proposed houses will decrease the current carbon footprint using efficient boilers, better insulation, solar collectors, water reducing facilities and efficient lighting;
- States there will be no detrimental impact on amenity and one issue that will also be resolved to a high degree by this development is the current rat and other vermin problem;
- The new development has been designed in such a manner that the residential amenity of each new home is respected in relation to overlooking, loss of privacy, outlook, sunlight, daylight;
- Do not believe there to be any protected species resident on the site. Removal of the cats (a predatory species which actively discourages many types of wildlife) will encourage wildlife back into the new landscaped garden areas.

Further information from agent (dated 18/11/21):

- States that the meeting with the Roads Service indicated that the proposals will significantly reduce the number of car journeys and that the access road is in good condition. The existing passing places (approved as part of 13/01098/FULL) are appropriate; the road is viable subject to

- tidying (and then maintaining) undergrowth at the extant passing places at the entrance to the C Road (Angus / Perth border);
- States the roads service concern was visibility compromised by overgrowth at various points and he suggested that after verges had been cleared, maintenance of passing places and verges could be added as an ongoing condition. Also suggested improving passing places by erecting signage;
 - States that there is no alternative housing layout to that already proposed for 3 houses. Any other layout would result in multiple access points;
 - Plot sizes are in accordance with ALDP requirements and configuration of houses reflect the layout approved as part of 13/01098/FULL;
 - States that the material palette on houses has been altered to better reflect area and the designs amended to ensure compliance with Advice Note 14.

Data relating to car journey information and vehicle movements associated with the cattery was also provided.

Consultations

Environmental Health (Forfar) - There was no response from this consultee at the time of report preparation.

Aberdeenshire Council Archaeology Service - No archaeological mitigation is required.

Community Council – object to the proposal and identify concern relating to overdevelopment of the site. They indicate the residents concern regarding the access roads are a real worry unless the planning authority can put in place conditions whereby the roads are upgraded before any works on site are allowed to commence. They indicate that this may go some way to alleviate residents' fears and without such a condition the community council ask that this application be refused.

Roads (Traffic) – has considered additional information submitted relating to vehicle movements associated with the existing use of the site and has visited the site. They consider the surface of the access track to be in reasonable condition and offer no objection to the proposal subject to the improvements identified to passing places and visibility splays identified on the Access Road Plan being carried out prior to the commencement of any other development.

Scottish Water - No objections. States sufficient capacity available for water supply but indicate that there is no Scottish Water wastewater infrastructure in the vicinity.

Representations

18 letters of representation were received, of which 1 offered comments which neither supported nor objected to the proposal, 17 objected to the proposal and 0 supported the proposal.

The main points of concern were as follows:

- Errors on plans and drawings submitted
- Road safety, condition of access track, inadequate passing places, lack of maintenance
- Amenity impacts
- Proposal is incompatible with character and pattern of development, overdevelopment, inappropriate design
- Impact on infrastructure
- Some of the land within the site is not within ownership of applicant
- Impact on the natural environment (wildlife, trees, the established yew hedge to the east)
- Proposal contrary to the development plan and lack of need
- Impact of drainage on neighbouring property
- Unsustainable form of development / impact on climate

The main points made by the party neither objecting to nor supporting the application were as follows:

- Recognise need to develop site and not to remain derelict;
- Reduction in number of homes is good but 2 units would be more suitable;
- Lack of consultation with residents and information relating to the road access to the development.

Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities

Policy DS3 : Design Quality and Placemaking

Policy DS4 : Amenity

Policy TC2 : Residential Development

Policy PV7 : Woodland, Trees and Hedges

Policy PV8 : Built and Cultural Heritage

Policy PV15 : Drainage Infrastructure

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.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy DS1 in the Angus Local Development Plan (ALDP) indicates that outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. It indicates that in all locations proposals that 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.

Policy TC2 applies to all proposals for residential development and supports housing in countryside locations where it falls within at least one of a number of categories including redevelopment of brownfield sites that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use. In those circumstances, it allows for up to four new dwellings where relevant policy tests are met.

The application site contains buildings associated with a cattery business which it is indicated has ceased to operate. The site contains structures associated with the cattery business including pens and sheds and residential accommodation associated with the management of the business. The supporting information suggests that the business closed in August 2020 due to a lack of business related to the Coronavirus pandemic.

While the site has only be vacant for a relatively short period, it does contain characteristics of dereliction with the site having the appearance of having been abandoned. The redevelopment of the site with an appropriately designed residential development could result in a significant visual improvement and the principle of residential development on the site complies with Policy TC2.

Where proposals are compatible with Policy TC2 in principle, they also require to be assessed against the detailed policy tests including the other matters identified in Policy TC2.

Policy TC2 requires proposals for new residential development to be compatible in terms of land use; to provide a satisfactory residential environment; not to result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and to include provision for affordable housing in accordance with Policy TC3 Affordable Housing. Proposals also require to be assessed against the Angus Council Countryside Housing Supplementary Guidance.

Policy DS3 indicates that 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. It indicates that proposals should create buildings and places where development fits with the character and pattern of development in the surrounding area. The Design and Placemaking Supplementary Guidance echoes the policy requirement for development to fit with the character and pattern of development in the surrounding area, and indicates *backland or tandem development will only be acceptable where it is characteristic of the area and where it does not disrupt the established development pattern or detract from the established quality of an area*. The Countryside Housing Supplementary Guidance (Appendix 3) indicates that *development proposals should contribute to the rural character of the surrounding area and not be urban in form and/or appearance*.

Residential development in the surrounding area is characterised by housing set within reasonably spacious plots or with a road frontage which provides for a reasonably spacious setting. Tandem or backland development (where housing does not have a road frontage) is not characteristic of the pattern of development in the immediate area.

Turret House to the east has a plot measuring around 1300sqm. Neuilly-ville to the north east measures around 1300sqm. Garden House to the north west measures around 1300sqm, and Heatherwood to the south measures around 1600sqm. The two plots to the immediate north (including Briar and a currently undeveloped plot) are similar to the plot sizes within the proposed development, but those plots benefit from a road frontage to the north to maintain a reasonably spacious setting.

The development proposes three houses within the site accessed from a new track which would run from the existing road at the west and along the north boundary to provide access to the three plots. The houses would be set within three linear plots measuring 800 to 858sqm, which is smaller than most plots surrounding the site. The houses would provide accommodation on two levels and the houses would be arranged on a north-south axis, each with a projection on its east side. There would be between 6m and 10m separation between the house proposed on plot 3 and the house on plot 2; and 7.7m and 12m between the house proposed on plot 1 and plot 2. The number of houses proposed, the distances between them, and the nature of the layout is such that the development appears squeezed into the site when compared to the established pattern of development of neighbouring housing. The houses and the site layout are designed around the minimum window to window standards identified in advice note 14, but that advice note deals with small housing sites in urban situations rather than housing in a lower density rural setting. The form of development proposed is urban or suburban in form, rather than one which is reflective of the rural character found in the surrounding area.

The two houses on plots 2 and 3 to the east would also have the appearance of backland or tandem development with no road frontage onto the existing private road. Tandem or backland development is not a form of development which is characteristic of the surrounding area, nor is it a pattern of development encouraged by council guidance.

The combination of the factors described above leads to the conclusion that the proposed development does not fit with the character and pattern of development in the surrounding area. The development would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area contrary to Policy DS3, the Design and Placemaking Supplementary Guidance and the Countryside Housing Supplementary Guidance.

Turning to other matters, residential use of the site would be a compatible land use in a situation where surrounding land uses are residential. While the proposed houses would be developed close to each other which would impact on the standard of residential environment created, the level of amenity resulting would not be unacceptable. There would be space to provide private garden ground, parking and bin storage. Impacts on neighbouring privacy and amenity would not be unacceptable subject to the maintenance of boundary features which safeguard privacy. There also would be some amenity

improvement in removing dereliction from the site. The proposed private drainage arrangements are acceptable for development outside an area served by the public drainage network. The scale and nature of the development is such that no affordable housing or developer contributions would be required. The proposal would not result in any significant direct or indirect impacts on built heritage including impacts on the setting of the listed ice house to the west or other listed buildings in the Balruddery group. The archaeology service has reviewed the proposal and confirmed that no archaeological mitigation is required. The proposal raises no significant issues against the Appendix 3 Countryside Housing Development Criteria other than those identified elsewhere in this report.

Policy PV7 states that woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. The site is not subject of any designation for natural heritage but contains a number of trees or hedges. The supporting statement indicates that no trees would be affected and suggests that the trees along the boundary of the site would be retained. The plans submitted do not identify the position of the tall established Yew hedge on the east boundary with Turrett House. That hedge is attractive and provides screening between the site and the adjacent Turret House. The relationship between that hedge and the house proposed on plot 3 is not illustrated on the submitted plans and it is unclear whether the hedge could be retained were the house on plot 3 constructed in the position proposed. Were the proposal otherwise acceptable, it would be possible to attach a planning condition requiring further details to ensure that the hedge is retained. That could require some alteration to the design, position and size of the eastern projection of the house on plot 3. Were the hedge not retained as part of the development, amenity impacts on the property to the east would increase.

Access to the site would be taken via an existing private road which extends around 340m between the public road (U330) to the south and the site entrance. That road is narrow and the applicant has submitted information suggesting that works could be carried out to improve visibility on the private road where it connects to the public road, and to improve passing places between the site and the public road. The applicant has also submitted information relating to vehicle movements associated with the lawful use of the site as a cattery suggesting that traffic movements associated with three dwellings would not be greater than vehicle movements associated with use of the site as a cattery.

The roads service has considered that information and has visited the site. Roads considers the condition of the private road to be reasonable. It has offered no objection to the proposal subject to the improvement works to visibility and passing places specified on the Access Road Plan (dated October 2021). There are suggestions in the representations submitted that the applicant does not own all of the land required to carry out those improvements, but that matter could be regulated by a negatively worded suspensive planning condition requiring works to be carried out prior to the commencement of any other development. There would be adequate space within the site for the parking and turning of vehicles. Having regard to the advice provided by the roads service, access arrangements associated with the proposal are not unacceptable subject to the improvements specified by that service.

While the proposal is compatible with some aspects of development plan policy, it is contrary to Policy DS3, the Design and Placemaking Supplementary Guidance and the Countryside Housing Supplementary Guidance because the development does not fit with the character and pattern of development in the surrounding area, would result in a development which would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area. The scale and nature of the development is not appropriate to the location and the proposal is not in accordance with relevant policies of the ALDP and accordingly is also contrary to Policy DS1.

In terms of material considerations, regard has been given to the relevant planning matters raised in the response of the community council and the letters of representation. It is also relevant to have regard to Scottish Planning Policy (SPP) and to draft NPF4 and the policies it contains.

In relation to matters of policy compliance, design, whether the proposal represents overdevelopment of the site, and whether the proposal is consistent with the character and pattern of development of the area; the foregoing assessment concludes that the development is not consistent with development plan policy relating to design and layout. While the principle of residential development on the site attracts support from policy, the number of units proposed and the design and layout does not provide for a development which is consistent with the pattern of development in the area.

Matters relating to access, the suitability of the private access road and maintenance are noted. The roads service has visited the site, considered the supporting information submitted and is satisfied that the condition of the private road is acceptable. They consider that the development would not give rise to unacceptable impacts on road traffic and pedestrian safety, subject to the improvements to passing places and visibility identified on the Access Road Plan. This could be secured by planning condition prior to any other works taking place. As the roads service is satisfied that the development could take place without unacceptable impacts on the surrounding road network, albeit subject to identified mitigation, this matter does not justify refusal of planning permission.

The comments relating to errors on the drawings and on land ownership information is noted. The applicant has confirmed that they own all land to which the application relates. Negative suspensive conditions could be used to secure improvements to the private road outside of the site. Clarification (and where necessary amendments to the proposal) relating to the position of the Yew hedge on the east boundary relative to the house on plot 3 to ensure the protection of that hedge could be secured by planning condition. The plans are considered to be sufficiently detailed on which to make an assessment of the proposal. Any dispute over land ownership is a civil matter between the parties involved.

In terms of drainage, there is no Scottish Water wastewater infrastructure in the vicinity. Private drainage arrangements are commonplace in rural areas and the precise details of that drainage infrastructure would be considered through the building warrant process. The site is not within a SEPA Waste Water Drainage Area and there is no reason to consider the proposal would result in any unacceptable impacts on infrastructure. Matters such as water pressure or broadband speeds are for the service providers to address. There is no requirement for developer contributions towards infrastructure for a development of this scale and in this location.

Amenity impacts on neighbouring property have been assessed but do not give rise to any unacceptable issues that could not be addressed by planning conditions. Impacts on the natural environment are discussed above. There is no reason to consider that development of the site would give rise to unacceptable impacts on protected species.

In terms of comments relating to a lack of need for the development, policies of the development plan allow for sites outwith development boundaries to come forward in appropriate locations and where the site is not protected for another use. The comments relating to plots being sold separately and a potential lack of continuity are noted but that is not a matter which can be controlled. Were the proposal granted planning permission, any significant change to the approved plans would require a new planning permission. The type of heating technology used is not a matter which is regulated by planning policy, but the thermal performance and energy efficiency would be considered through the building warrant process. In terms of the publicity and consultation associated with the application, this has been carried out in accordance with the requirements of planning legislation.

Paragraph 33 of Scottish Planning Policy states that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. In this case TAYplan is less than 5-years old but the ALDP has recently become more than 5-years old as it was adopted in September 2016. The policies contained in the ALDP are generally consistent with TAYplan and SPP and there is nothing in the SPP that would suggest the application should be approved contrary to the provisions of the development plan framework.

NPF4 has been published in draft form and contains national planning policy that will form part of the development plan. However, it has been published for consultation purposes and therefore the policies it contains merit little weight at this time. Notwithstanding that, there is nothing in its draft policies which would justify approval of planning permission for development which is otherwise contrary to the development plan and where the scale and nature of development does not contribute positively to the character of the area in which it is located.

In conclusion, the proposal is contrary to the development plan because the development would not fit with the character and pattern of development in the surrounding area, would result in a development which would be urban in form and appearance and would not contribute positively to the rural character of the surrounding area contrary to policies DS1 and DS3, the Design and Placemaking Supplementary

Guidance and the Countryside Housing Supplementary Guidance. There are no material considerations which justify 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 proposal is contrary to policies DS1 and DS3 of the Angus Local Development Plan (2016), the Design and Placemaking Supplementary Guidance (2018), and the Countryside Housing Supplementary Guidance (2016) because the development would not fit with the character and pattern of development in the surrounding area; would result in a development which would be urban in form and appearance; and because the development would not contribute positively to the rural character of the surrounding area.

Notes:

Case Officer: James Wright
Date: 3 February 2022

Appendix 1 - Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities

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

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

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

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

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

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

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

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

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS3 : Design Quality and Placemaking

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

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

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

Policy DS4 : Amenity

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

Angus Council will consider the impacts of development on:

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

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

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

Where a site is known or suspected to be contaminated, applicants will be required to undertake

investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC2 : Residential Development

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

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

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

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

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

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

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

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

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

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

Policy 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>)



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

**PLANNING PERMISSION REFUSAL
REFERENCE : 21/00508/FULL**

To **Mr David Hagan**
c/o ARKTX
187 Strathmartine Road
Dundee
DD3 8BL

With reference to your application dated 20 July 2021 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Demolition of Existing Dwelling House and Cattery and Erection of 3No Detached Dwelling Houses at Cats Hotel Balruddery Invergowrie Dundee DD2 5LJ for Mr David Hagan

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

The reasons for the Council's decision are:-

1. The proposal is contrary to policies DS1 and DS3 of the Angus Local Development Plan (2016), the Design and Placemaking Supplementary Guidance (2018), and the Countryside Housing Supplementary Guidance (2016) because the development would not fit with the character and pattern of development in the surrounding area; would result in a development which would be urban in form and appearance; and because the development would not contribute positively to the rural character of the surrounding area.

Amendments:

1. Amended Proposed Site Layout Plan (drawing number 028 Rev C); Plot 2 Plans and Elevations (drawing number 033 Rev -); Plots 1 & 3 Plans and Elevations Plan (drawing number 032 Rev -); Access Road Layout Plan (drawing number 031 Rev B); submitted on 18/11/21 supersedes the drawings previously submitted. These drawings show changes to the design of the dwellinghouses and provided additional information on works to the access road.

Dated this **4 February 2022**

Jill Paterson
Service Lead
Planning and Sustainable Growth
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
Development Standards Committee/Full Council	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
Delegated Decision	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	Local Review Body – See details on attached Form 2
Other Decision	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

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 Park
Forfar
DD8 1AN

Telephone 01307 492076 / 492533
E-mail: planning@angus.gov.uk
Website: 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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<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?

Very satisfied	Fairly satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<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.

Proposed New Residential Development

at 'Cats Hotel', Balruddery, by Invergowrie, DD2 5LF

For: Mr D Hagan

Design and Access Statement

Report prepared by:

Fraser Middleton

MA Town & Country Planning

B.Arch (hons)

BSc Environmental Studies



**187 Strathmartine Road
Dundee**

DD3 8BL

June 2021

Design and Access Statement

Contents:

- 1.0 Design Guidance and Best Practice**
- 2.0 Assessment of Context**
- 3.0 Summary**
- 4.0 Appendix 1: Vehicular Usage of access road.**

1.0 Design Guidance and Best Practice

There are a number of policy documents that require to be considered. The proposal has been designed in the context of local and national best practice recommendations including:

- 1.1 PAN 67 Housing Quality
- 1.2 PAN 78 Inclusive
- 1.3 TAYplan Strategic Development Plan 2016-36 TAYplan Policy 2: Shaping Better Quality Places
- 1.4 The Angus Local Development Plan (ALDP) Policies:
 - 1.4.1 TC2 Residential Development
 - 1.4.2 Creating High Quality Places
 - 1.4.2.1 DS1 Development Boundaries and Priorities
 - 1.4.2.2 DS2 Accessible Development
 - 1.4.2.3 DS3 Design Quality and Placemaking
 - 1.4.2.4 DS4 Amenity
 - 1.4.2.5 DS5 Developer Contributions
 - 1.4.3 Natural Environment
 - 1.4.3.1 PV1 Green Networks and Green Infrastructure
 - 1.4.3.2 PV3 Access and Informal Recreation
 - 1.4.3.3 PV5 Protected Species
 - 1.4.3.4 PV6 Development in the Landscape
 - 1.4.3.5 PV7 Woodland Trees and Hedges
- 1.5 Angus Council Design and Placemaking Supplementary Guidance 2018: Policies 2 and 3.

1.1 PAN 67 Housing Quality

This Planning Advice Note identifies the key aims of new housing developments to create social justice, economic competitiveness and environmental quality. It advocates that any housing development should be distinctive, safe and pleasant, easy to get to and move around, welcoming, adaptable and resource efficient.

1.2 PAN 78 Inclusive

This Planning Advice Note provides advice on enabling everybody to be able to carry out everyday tasks with minimal difficulty. It advocates improving existing conditions where access issues or unnecessary barriers resulting in frustration, hardship or even complete exclusion for a significant proportion of our society (e.g. disabled, older people and children) exist.

1.3 TAYplan Strategic Development Plan 2016-36 TAYplan

Policy 2: Shaping Better Quality Places:

This policy encourages a place led approach which seeks to ensure that new developments are based on an understanding of place and are designed to complement and enhance how a place functions.

1.5 Angus Council Design & Placemaking Supplementary Guidance: October 2018.

Encourages the creation of attractive, safe, well designed sustainable development. In particular:

Policy 2: Shaping better quality places.

Policy 3: Design Quality and Placemaking of the Angus Local Development Plan.

These policies seek to contribute to the Council's vision that Angus is a great place to live, work and visit. This document states its ambition to protect and improve the natural and built environment and encourage sustainable development. It endorses developments which establish a sense of place and identity which will create opportunities for community cohesion. It recognises that any development must respect and respond to its local context encouraging it to make a positive contribution to the existing character of the area.

It ensures that any development is easy to access and move around.

It advocates good design through passive site planning principles to increase energy efficiency and sustainability. It also ultimately proposes that any new development provide an attractive and safe environment for residents and visitors.

This is ultimately achieved by:

- Understanding the Context
- Drawing upon the Positives
- Retaining a Sense of Place
- Reflecting local building styles and vernacular features to preserve and consolidate a sense of place.

The current application respects the original site boundary and also the layout of the dwelling houses within the site.

1.4 The Angus Local Development Plan (ALDP) Policies:

The Angus Local Development Plan (ALDP) Strategy has 3 elements to it:

PART 1: A presumption in favour of sustainable development. 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.

- PART 2: Directing the right development to the right place
PART 3: Creating high quality places

1.4.1 TC2 Residential Development

Policy TC2 refers to proposed residential development and permits redevelopment of brownfield land that presents a significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use. We would therefore contend that our proposals meet with this guidance. The supplementary guidance associated with this policy states that:

'Development will be up to a maximum of four new houses, except where a marginally greater number (e.g. five) would be in the public interest and social, economic or environmental considerations override concerns associated with building large numbers of houses in the countryside e.g. landscape impact; a lack of support for towns and villages.'
'The entire area of brownfield land must be remediated. New houses should be built on brownfield land, unless there are good planning reasons for doing otherwise (e.g. to achieve a satisfactory design solution).'

We confirm that:

- The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units.
- The 'Cats Hotel' closed in August 2020 due to a lack of business at that time related to the Coronavirus pandemic as the cattery, based as it is on holidaymakers leaving their cats at the cattery.
- The development proposal is for three detached residential units.
The site is a brownfield site of 3,052sq.m. The most recent use of the site encompassed 93 electrically heated and illuminated cat pens suitable for 137 cats. Each of these units enjoys a concrete floor, wooden shelter, water, electricity and roof drainage. The current accommodation includes a three-bedroom detached residential unit and two garages. The existing house is a static caravan with a single brick skin and a large conservatory making it very hot in summer and very cold in winter. The running costs of the house are high as it has a large carbon footprint and is not anywhere near current building standards. It was felt that having a very busy commercial business with thousands of vehicle movements in the middle of a residential area would have a continued negative effect on nearby housing, house values and length of time to sell. It was much more prudent and sensible to redevelop the site for an appropriate use.
- A sizable car parking area and a sluice is also present.

Each of the development plots exceeds the required 800sq.m minimum. In addition to this the proposals ensure:

- Removal of the 'noisy / inappropriate neighbour'
- The ongoing development of houses around the site now renders the current use as an incompatible land use.
- Environmental improvement and enhancement of surroundings.
- Reduction of vehicular traffic to and from the site.
- Increase in open space.

We consider that the above grounds merit recognition of the improvement of the site and surroundings by the removal of an incongruous use and appropriate residential development to supplement that already present surrounding the site.

There will be significant expense attached to making good this particular site in order to make it ready for redevelopment. In order that the development is a financially as well as

environmentally sustainable one we would contend that three houses is entirely appropriate and compliant.

Policy TC3 (Affordable Housing) is not applicable as the development is for less than 10 residential units and the site is less than 0.5 hectares.

1.4.2 Creating High Quality Places

1.4.2.1 DS1 Development Boundaries and Priorities

There can be little doubt that this site would benefit from redevelopment. This proposal provides the opportunity to remove an incongruous land use from the heart of a residential community. No trees are proposed to be removed for the purpose of this development. Those trees will be suitably protected during the construction phase of the development. The cattery is surrounded by wooden fencing on the north and east, brick walling to the south and shrubs to west along the roadside. Existing boundaries will be retained and upgraded and a new brick boundary wall re-using materials from the site, erected along the roadside of Plot 1.

1.4.2.2 DS2 Accessible Development

There is currently a tarmacadamed access road immediately to the west which follows an original Estate road to the former head gardener house known as 'The Dower House' or 'Wester Balruddery'. This is a fine listed, 19th century building designed by John Murray Robertson. This access road leads from the C classified road to Flocklones. This road serves around a dozen other properties and is not a through road.



Existing access road (proposed entrance into new development will be an improved access on the left)

Traffic concerns in the previous Application have been noted but the attached spreadsheet shows that the closing of the cattery will effectively result in a traffic reduction of 80%. This figure is based upon the expected reduction in the number of road journeys generated by the site reducing from around 20,480 to approximately only 4,800 traffic movements per annum. (Please refer to Appendix 1 for the Spreadsheet justifying this statement). It must be recognised that this major and noteworthy reduction in vehicular usage ensures the condition of the road is protected and also that the road is safer due to less 'visitors' using the road.

The opening times of the cattery should be considered in relation to car journeys and road usage. The opening times were 2pm to 6pm, seven days a week for 361 days of the year. This does not however recognise the many hundreds of cars that arrive earlier or later than this on the way to or from the airport. This can happen at 06.00 and continue up to midnight. The new houses' vehicles arriving and leaving the cattery will be a significant improvement over the current situation. It is highly likely that three new houses will lead to a much safer environment *vis a vis* vehicle journeys. It must surely be recognised that vehicles owned by residents are much more likely to be more respectful of the roadway rather than thousands of (relative) strangers who will not always understand the country way of walking, cycling and horse riding.

Another factor that has to be taken into account when evaluating car journeys is the significant improvement to the existing cattery arrangements is staffing journeys. The Angus Council licence for the cattery requires an on-site Manager 24 hours per day, every day of the year. This means that the cattery requires an Assistant/Administrator to cater for the Manager's holidays, days off, trips to drop-off and pick-up cats, trips to the shops for food, normal household tasks, doctor, dentist etc. The cattery also requires part-time staff to assist at busy times, usually centred around school holidays, Christmas, New Year, Easter, July, October and other public holidays. The public transport option is not possible at Balruddery and staff invariably require car transport to and from the cattery; often several times a day. A typical example of this could be - if they work split-shifts or half-day in morning with a different employee half-day in afternoon/evening. Often the shift would finish late in the evening (perhaps up to 9 or 10 pm) and this was a regular occurrence during busy times. For an estimate of the car journeys undertaken by staff including the manager please refer to the attached spreadsheet. (Appendix 1). The cattery also used 'Hilux-type' four-by-four vehicles to transport one-ton bags of sawdust from Knapp Sawmill to the cattery to be used as litter. At busy times this could be up to four one-ton bags per week, again a huge cost in terms of the environmental and road use.

The condition and maintenance of this privately owned road had also been raised as a concern. We would however contend that the passing places have been created as per Angus Council Planning Application Approval. The Applicant is the owner of the road but has also previously expressed a willingness to enter into a 'factoring' type arrangement for the maintenance of the road, the verges, the passing places and the hedges. This could be similar to the 'Property Factors (Scotland) Act', 2011 whereby a Factor is appointed and paid to carry out an agreed range of maintenance functions. This will ensure that all property owners have a vested interest in the safe use and upkeep of the road.

Access to the existing house to the South has also been greatly improved. As each of the new dwellings has an access off the new driveway this house now enjoys its own dedicated vehicular entrance/egress as it no longer shares access with the former Cats Hotel.

Good cycle routes into Dundee and the Angus countryside surround the site location.



This shared access on the south west corner of the site will now be a dedicated access.

1.4.2.3 DS3 Design Quality and Placemaking

The existing boundaries of the site are clearly defined and will be retained and improved. The houses have been designed in accordance with this policy advice and are appropriate for their rural location in terms of scale, form and appearance. They are particularly sympathetic to the recent new houses which have been built locally. We have taken advice noted through discourse during the previously Withdrawn application and re-modelled the houses. These are now 'room-in-the-roof' style houses and have significantly lower roof ridge heights than the adjacent two storey houses. Within the large former estate, there are a variety of house styles including modern detached houses, Victorian villas, Victorian gate houses and a steading conversion, some of which are Listed. Other modern interventions have been erected resulting in a wide variety of styles and materials used including a full two-storey house recently completed immediately to the north of the site. Adjacent to the development site there is no prevailing architectural style with the residential units ranging in design and size and having been built mainly in the last 20 years.

The basic form of the units now respects the preferred Planning model and incorporating traditional pitched roofs, gable ends and simple rectilinear openings with a vertical emphasis. We have ensured that the houses (although necessarily quite large in order to be financially viable at only three units on the site) are sympathetic to a rural setting. Although the site is considered rural it is surrounded by recent residential development. The site layout produces a visually compact group of buildings which fills in the gap between the surrounding properties. The primary external materials will be natural slate roofs with walls of ivory render punctuated with red brick which is abundant in the immediate local community. By

utilising local materials and incorporating accepted design parameters this should ensure that the development contributes positively to the character and sense of place.

Each site enjoys an integrated double garage provision which also warrants that the bicycle and car parking requirements of the 'Angus Council' standards are complied with. The houses are designed to permit disabled access and will be accessible to all providing a safe, accessible and attractive environment for all.

The private access road provides an additional passive security measure as each house overlooks the driveway providing active frontages and passive policing of the group and reinforcing a sense of place. The houses are all located a sufficient distance from each other and there are no significant overlooking issues.

The mature trees around the site provide a natural backdrop ensuring that there is no impact on the skyline.

In environmental terms the new development will deliver a meaningful improvement over the current use. With the construction of modern, energy efficient dwellings the development will be significantly more sustainable and environmentally friendly. The three proposed houses will decrease the current carbon footprint using efficient boilers, better insulation, solar collectors, water reducing facilities and efficient lighting. Although each house will of course require a dishwasher and washing machine as well as other white goods these will be considerably less wasteful and more efficient than the existing. For approximately the last 15 years the cattery has used a commercial dishwasher, commercial freezer, commercial fridge, two tumble dryers and two industrial washing machines during busy times.



Image showing existing commercial white goods servicing the cattery

In addition to this each pen has electric heaters and lighting. Security lighting is also required seven days a week during the hours of darkness. The intrusion of this external lighting to other residents will be markedly reduced for only three houses. The Applicant has noted that the cattery electricity bill alone can be in excess of £8,000 per annum; far in excess of a well-insulated, well-designed heating system for three modern new-build houses.



Image of extensive cattery pens and close proximity of existing house to north

1.4.2.4 DS4 Amenity

It is proposed to re-use existing 150-year old red brick from the old garden house/walled garden to create new boundary walls along the existing mutual access road. Feature gateposts will demarcate the access road into the development providing an 'of its place' feel. This will automatically provide a certain ambience when arriving at the new development.

There is ample private amenity space surrounding each of the dwellings. Plot sizes range from 802 to 859sq.m. and are compliant with the requirements of development within a Category 1 RSU (which require plot areas to be between 800sq.m. and 2000sq.m.) providing comfortable private garden areas and sympathetic redevelopment of this brownfield site. We would also contend that it ensures a better environment and amenity than currently exists for the neighbouring community who will have less noise generated from the site and also significantly less traffic on the mutual access road.

Air quality, noise and vibration, levels of light pollution, levels of odours, fumes and dust are all considerations which must be considered within this aspect of the application. The development itself is sufficiently remote from the nearest buildings that there will be no detrimental effect on them, indeed the significant reduction in vehicular traffic to the site will ensure a reduced level of air pollution. The current mutual access road allows for pantechicons such as refuse and fire fighting vehicles safe access. Any refuse requirement from Angus Council regarding bin types and numbers will be respected to ensure recycling is encouraged.

One issue that will also be resolved to a high degree by this development is the current rat and other vermin problem which is significant. Despite the best efforts of the operator managing a strict cleanliness regime the cattery will inevitably have spilt food in some of the 97 pens and opening, decanting and serving pouches of cat food and serving fish and chicken for up to 137 cats twice a day will always lead to food spillages. It is hoped that the new development will remove this temptation and eradicate this issue for benefit of the local wider community.



Image showing extent of refuse bins on property. These sit adjacent to access road for ease of uplift. This unsightly feature would be removed within the new application as the new dwellings would require private refuse storage.

The new development has been designed in such a manner that residential amenity of each new home is respected in relation to overlooking, loss of privacy, outlook, sunlight, daylight and overshadowing.

1.4.2.5 DS5 Developer Contributions

The Applicant will be guided by any subsequent negotiations with the Angus Council in relation to Developer Contributions.

1.4.3 Natural Environment

1.4.3.1 PV1 Green Networks and Green Infrastructure

This policy prescribes that any new development is accompanied by ‘*an appropriate level and type of open space and that it is considered as an integral part of the overall design*’.

The area of land identified for the actual built development is 594sq.m. (this is the total area of the three house footprints). There currently exists 774sq.m. of built development when one considers the cat pens, two garages and dwelling house. There is therefore significantly more open green space within the proposed development than currently exists on the site. The development will benefit from the inputs of professional landscapers to underline both the rural nature of the site and the developer’s commitment to a sustainable and attractive setting.



For example the driveway entrances may have “living pillars” as shown above in the Applicants development in St Andrews. Here the landscaping team has used ‘*buxus sempervirens*’ on and in the entrance pillars to match the mix of box and grass lining the driveway providing a living breathing adjunct to what could have been a sterile entrance to the hotel. Planting along the northern edge of the driveway will also provide a soft visual barrier between the properties.

1.4.3.2 PV3 Access and Informal Recreation

With its private driveway serving each of the three plots the development provides a safe, communal access with passive policing by each residential units. The broad-leafed forested area to the west also provides ample communal open green space for exploring and informal

recreation. A substantial Ice house which served the former Balruddery Estate is a particular notable architectural 'find' as are the former terraced gardens and the Dron burn itself.

1.4.3.3 PV5 Protected Species

Due to the particularly active current use of this site we do not believe there to be any protected species resident on the site. We would contend that the redevelopment as proposed will introduce habitat diversification and maintain biodiversity opportunity by enhancement of existing habitats. Removal of the cats (a predatory species which actively discourage many types of wildlife) will encourage wildlife back into the new landscaped garden areas. The development will therefore provide an enhanced environmental habitat for local wildlife species.

1.4.3.4 PV6 Development in the Landscape

We would contend that the proposed residential use for the site is much more appropriate than the existing use as a cattery. There is already a dwelling house on the site and the site is virtually surrounded by residential development – most of this being a full two storey format. We would therefore contend that residential use of this site is indeed an appropriate one especially as the application seeks to add only three more to the site area. All existing trees are to be retained and will be suitable protected during the construction works. With the addition of planting to the access driveway there will be more trees on site than exist at present.



Existing house to the north of the development site

1.4.3.5 PV7 Woodland Trees and Hedges

The existing trees along the Eastern boundary are to be retained. Necessary tree protection measures will be implemented during the construction phase of the works. Hedges along the west boundary will also be respected. No trees are to be removed in order to create this development.

1.5 Angus Council Design and Placemaking Supplementary Guidance 2018: Policies 2 and 3.

Aspects of this supplementary guidance have been considered within the body of this document particularly under Policies DS3 and DS 4.

2.0 Assessment of Context

The 'Cats Hotel' forms one quarter of the former walled garden for Balruddery Estate, the other three quarters being occupied by residential units. The land falls gently from north to south. To the north, east and south of site is already residential use with a number of new houses having recently been constructed. A mature tree belt is present along the Eastern boundary and nearby, to the west of the Site. The tree-lined mutual access road from the west is already established and provides vehicular access to the site and other residential buildings beyond. Beyond that is a mature broad-leafed wooded area which follows the route of the Dron Burn.

The site enjoys a relatively secluded location with established site boundaries being respected within the development proposals.

3.0 Summary

The site is not allocated for any specific purpose within the Angus Council LDP. This would presume that it must therefore fall under the provisions of Policy S1. Under Part 1 of this policy there is a presumption in favour of sustainable development. 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. This brownfield development allows for the clean-up of the site and to reinvigorate it to an inhabited part of the countryside. The overall site size of 3,072 sq. metres for three units is compliant with 'Angus Council' housing in the countryside policy. We would also contend that the making good of the site and the inherent benefits to locals by the removal of the current use is a material consideration and one which justifies the redevelopment of the site. There is also a clear benefit to the local community who use the access road due to the significant reduction in traffic usage to the site. The preference to living in a rural location has been increased during this Covid-19 period which has encouraged working from home. These houses exemplify this with all featuring a Study with high-speed Broadband (installed at the developers expense) as an integral part of the accommodation. The Application proposes a modest housing development of a scale and character previously already recognised as appropriate to this particular secluded site. There is therefore no risk of any significant impact on the character or amenity of the surrounding area; indeed it will improve conditions for local residents and provide a much needed housing provision. The application to replace the cattery with appropriate housing will lead to improvements in the local environment, will lead to an enhanced and safer driving experience and will instigate improvements to the general area removing as it does a commercial operation and replacing it with a residential environment wholly in keeping with its rural surrounding.



18th November 2021

Angus Council
Planning Department
 Angus House
 Orchardbank Business Park
 Forfar
 DD8 1AN

FAO: James Wright

Dear Sir

Proposed Erection of 3 No Detached Dwelling Houses
Application Ref – 21/00508/FULL

We have addressed the various points that have been raised within this Application as previously discussed. We have based our changes on your comments and comments made by Angus Council Roads department following a positive, on site discussion with Adrian Gwynne.

At that meeting it was agreed –

- the new proposals will SIGNIFICANTLY reduce the number of car journeys to and from site,
- the access road is in good condition and is not pot holed at any point of its near 600m length
- the existing passing places (see Approved previous planning application number 13/01098/FULL and road layout drawing attached) are appropriate and
- the road is viable subject to tidying (and then maintaining) the undergrowth at the extant passing places and at the entrance to the C road at the Angus/Perth and Kinross Council border

Mr Gwynne's main concern was the visibility which was compromised by overgrowth at various points and he suggested that after the verges have been cleared, maintenance of the passing places and the verges could be added as an ongoing Condition. He also suggested improving the passing places by erecting signage and we attach proofs of Passing Place signage which can be erected on the existing road.

Following this meeting we have looked into the comments from your email dated 16th September and would respond as below and attach our revised Drawing No's 1095/028C, 031B, 032, 033 and 034:

1. There is no realistic alternative to the layout of the proposals as previously discussed. The new entrance road has been located to take advantage of the existing egress point to the Cats Hotel and to ensure that there is only one



new single point of access for road safety purposes. This reduces the number of access/egress points onto the road by 100%. Any other configuration for houses on the site would require multiple access points which we believe would adversely impact the current situation.

2. The plot sizes are in excess of the necessary area requirement in accordance with the Angus Local Development Plan 2016 Countryside Housing Supplementary Guidance (September 2016) and the layout reflects a continuation of the house configuration of the sites to the north approved by Angus Council in 2014 application number 13/01098/FULL.
3. The majority of the existing buildings are for housing animals so do not provide an accurate typology for the surrounding local area.
4. The proposed houses have been designed to be one storey and a half which is in accordance with Angus Local Development Plan 2016 Countryside Housing Supplementary Guidance (September 2016). These new proposals are smaller in height terms than the (multi styled) extant houses in the former walled garden. The adjacent dwellings to the north, south and east of the site are higher at 2 storeys.
5. Following your observations, we have altered the material palette and elevational treatment of the proposed houses to better reflect the rural area. The main material palette is to be off-white render and red brick walls with a natural slate roof. This integrates with the existing on-site red brick walls and is sympathetic with the material palette of the adjacent houses and local area.
6. Following your observations we have amended the site layout and the interior layout of the new houses to best achieve the required window to window and window to blank wall distances as noted on the site plan and in accordance with Angus Council Advice Note 14: Small Housing Sites.

We therefore enclose our Drawing No's 1095/028C, 031B, 032, 033 and 034.

We hope that our efforts show a willingness to positively engage with the comments made by all parties and provide a reasonable case for the Application to be considered for Approval. Please do not hesitate to get in touch with Fraser or myself at the office if you require any further information.

Yours faithfully

A large black rectangular redaction box covering the signature of Fergus Low.

Fergus Low
Enc















For visiting the
S HOT L
to see you again soon!





The Dwyer House



Thornes
FOR SALE











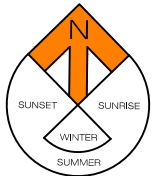
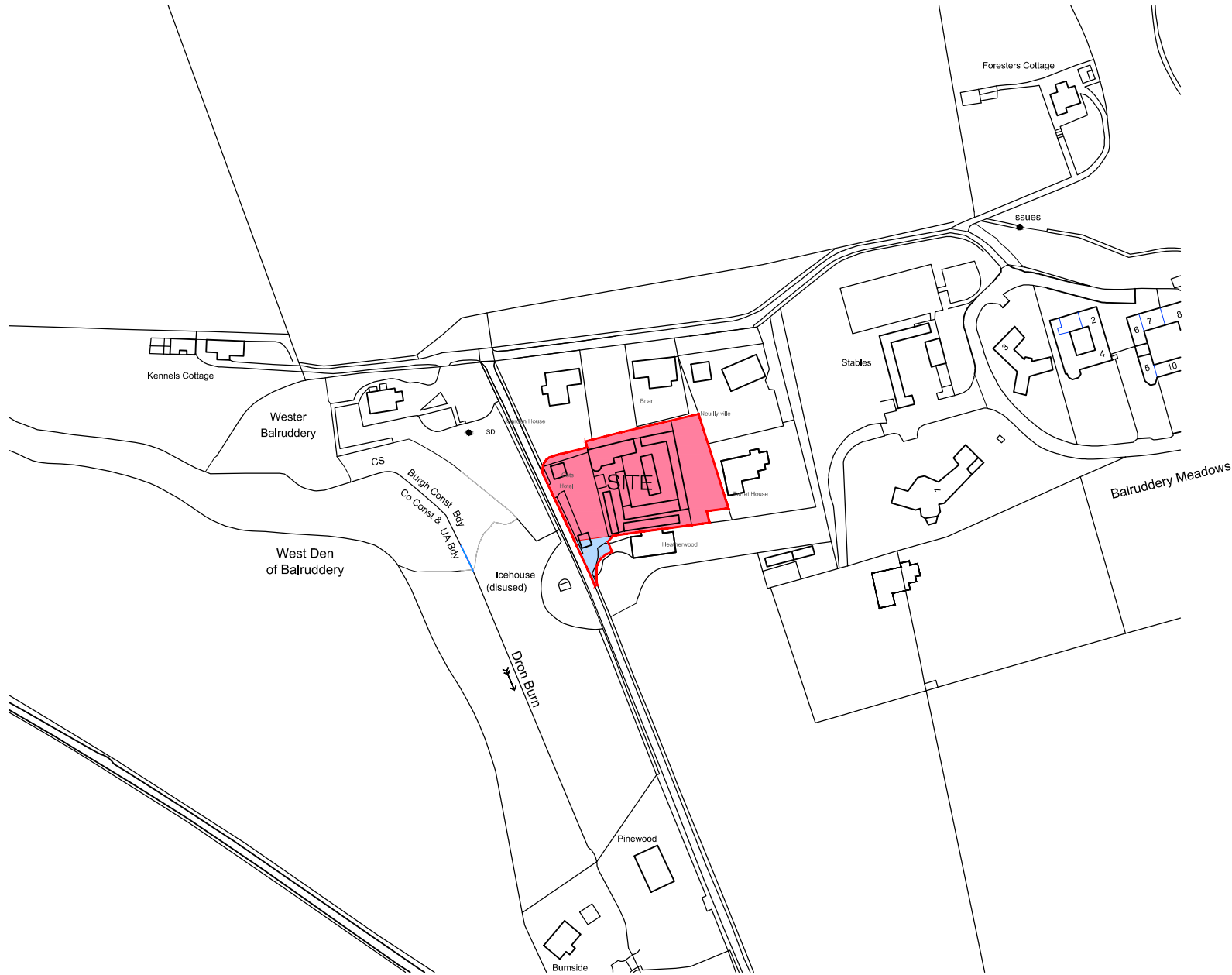
WELCOME






ITEM 8(i)

Project No. 1095	Drawing No. LOC	Rev. B
Rev. Date A MAR 2021 B JULY 2021	Amendment SCALE CHANGED FROM 1:1250 TO 1:2500 UPDATED TO ALIGN WITH SITE LAYOUT	



 N.B. AREA SHADED BLUE IS IN MUTUAL OWNERSHIP

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

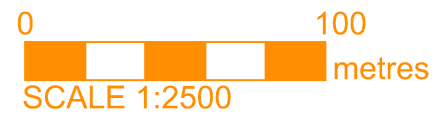
Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
LOCATION PLAN

Date JUN 2020	Drawn By PAC
Scale 1:1250 @ A4	CAD Ref. NEW BUILD
Project No. 1095	Drawing No. LOC
Type P	Rev. B

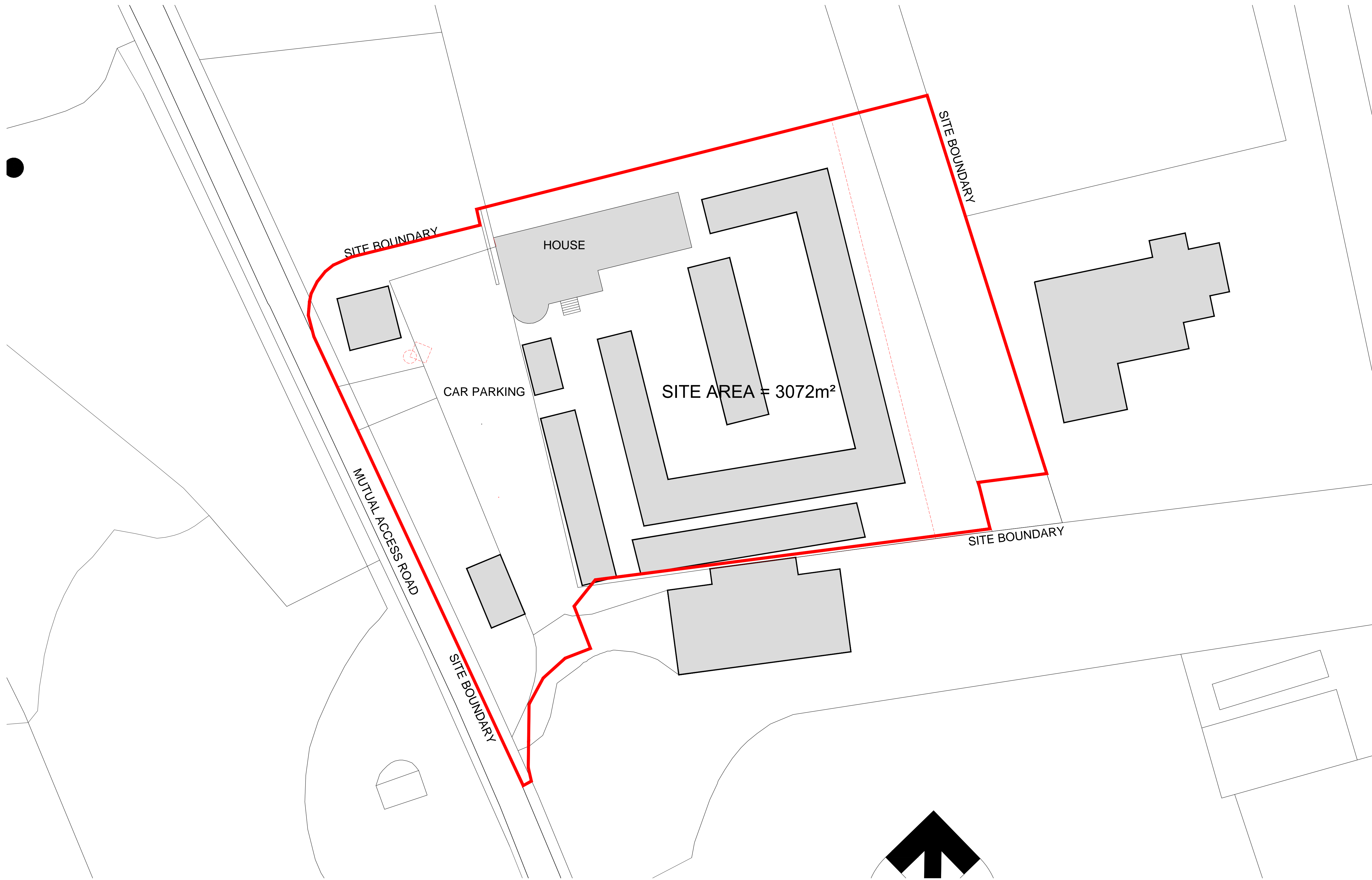
© Crown Intellectual Property Rights Reserved. All Rights Reserved in Chapter IV of the Copyright Design and Patents Act 1988 have been granted to arktx.

LOC_LOCATION PLAN | A4 | 1:2500



Project No. 0000	Drawing No. 001	Rev. -
Rev Date	Amendment	

ITEM 8 (ii)



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



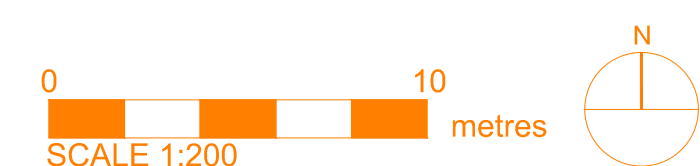
187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
EXISTING SITE PLAN

Date JUN 2020	Drawn By. FML
Scale 1:200 @ A1	CAD Ref. NEW BUILD
Project No. 0000	Rev. -
Type P	Drawing No. 001

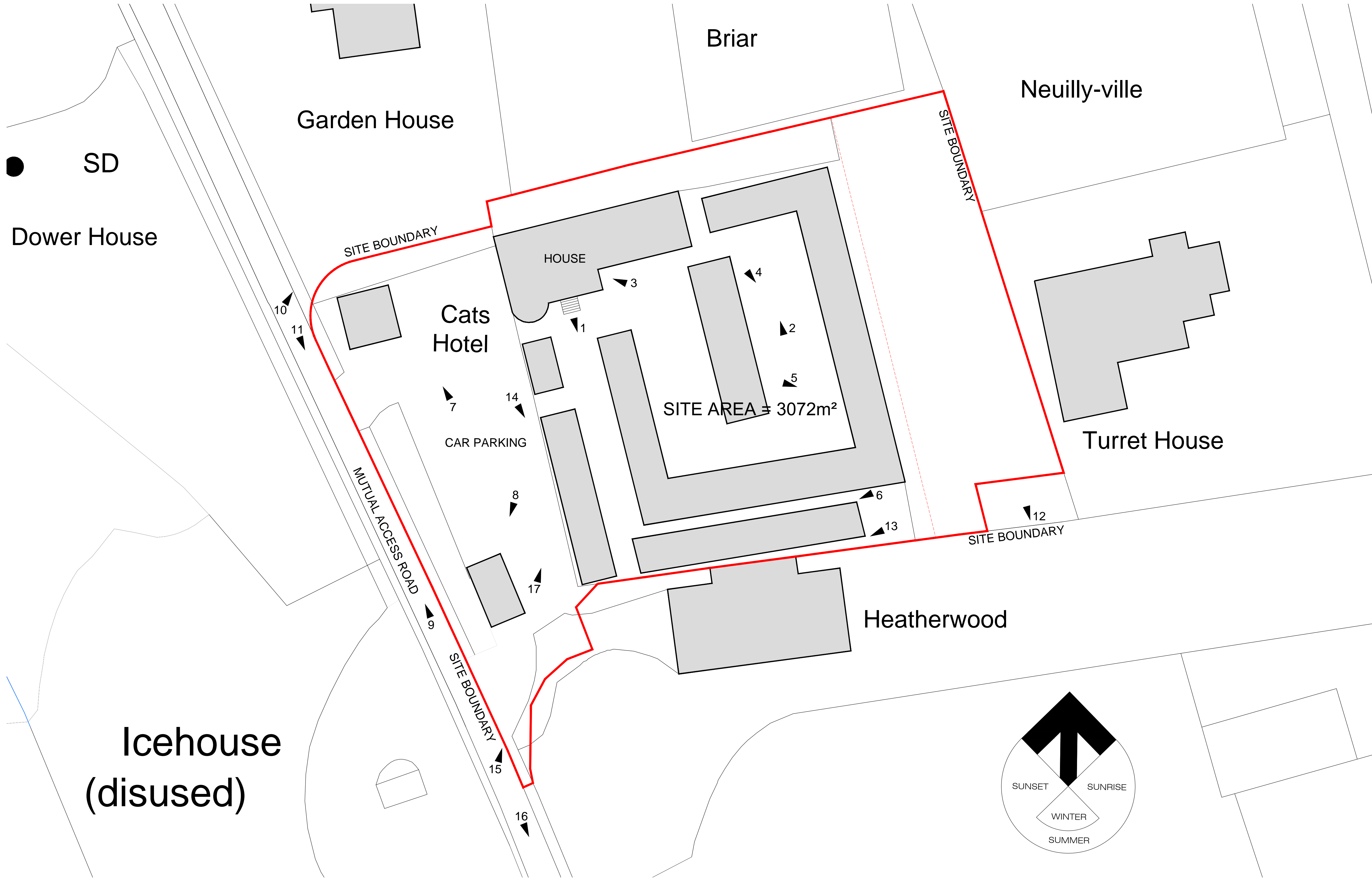
001_EXISTING SITE PLAN | 1:200 | A1



© Fraser Middleton, Chartered Architect, 2002
All Rights Reserved in Chapter IV of the Copyright Design and Patent Act 1988 have been generally asserted

Project No. 1095	Drawing No. 030	Rev. -
Rev Date	Amendment	

ITEM 8(iv)



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



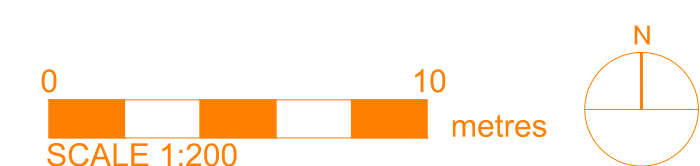
187 Strathmartine Road, Dundee, DD3 8BL
 t : 01382 831557 f : 01382 831558
 e : enquiries@arktx.co.uk

Project Title
 PROPOSED RESIDENTIAL DEVELOPMENT
 AT
 FORMER SITE OF THE CATS HOTEL, BALRUDDERY
 INVERGOWRIE
 FOR
 MR D HAGAN

Element
 PHOTOGRAPH KEY

Date JULY 2021	Drawn By. AB
Scale 1:200 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
Drawing No. 030	Rev. -

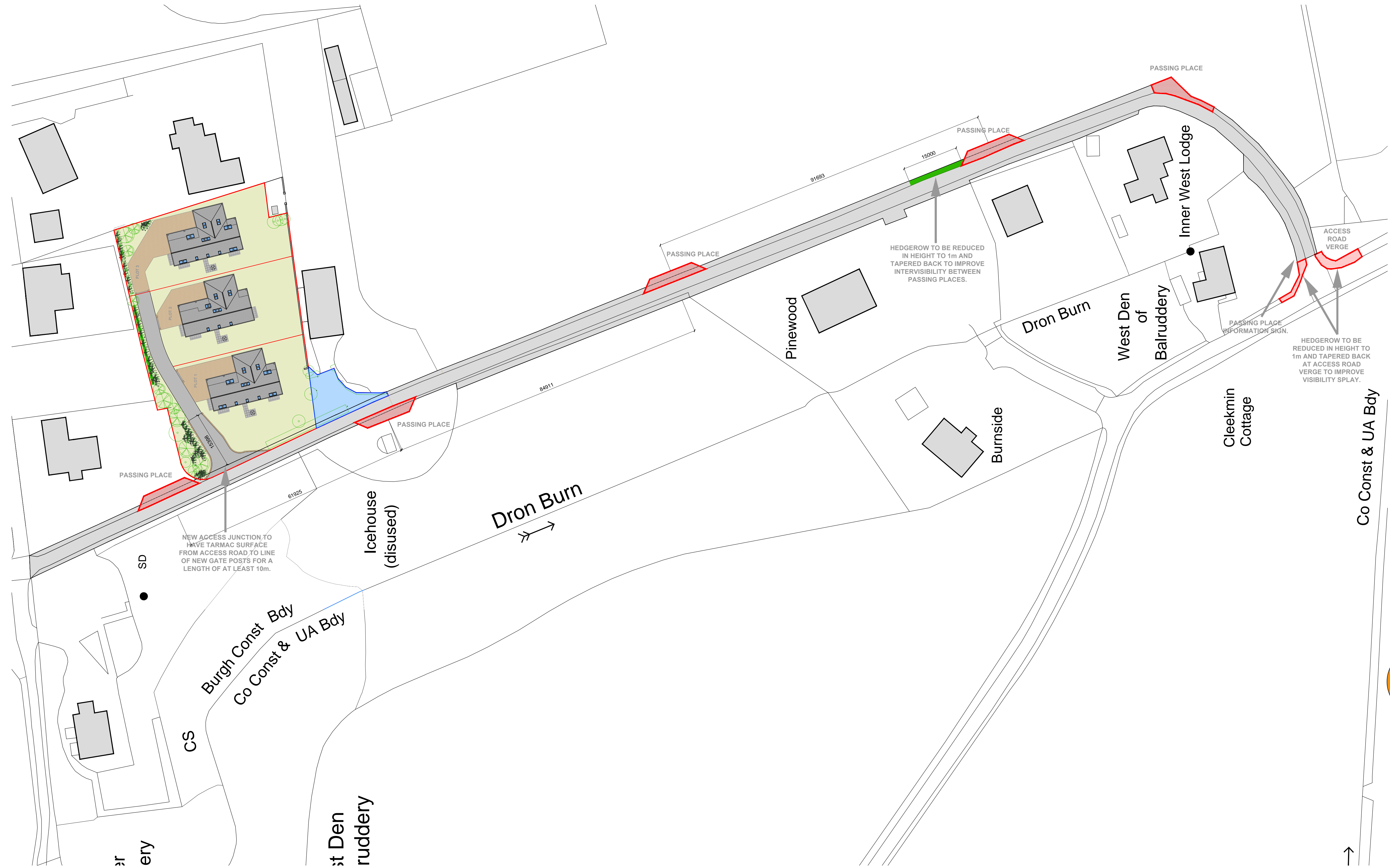
030_PHOTOGRAPH KEY | 1:200 | A1



© Fraser Middleton, Chartered Architect, 2002
 All Rights Reserved in Chapter IV of the copyright Design and Patent Act 1988 have
 been generally asserted

Project No. 1095	Drawing No. 031	Rev. B
Rev Date A 11.2021 B 11.2021	Amendment LAYOUT UPDATED TO SUIT EXISTING ADDITIONAL NOTE ADDED	

ITEM 8(v)



ACCESS ROAD DATA

- ALL PASSING PLACES TO CONFORM WITH ANGUS COUNCIL ROADS DEPARTMENT STANDARDS.
- ALL PASSING PLACES TO BE CLEARLY MARKED AS SUCH WITH NEW SIGNAGE.
- ALL PASSING PLACES TO BE FINISHED IN TARMAC TO MATCH EXISTING ROAD SURFACE.
- VERGES ADJACENT TO PASSING PLACES TO BE TRIMMED BACK AND CLEARED.
- ALL PASSING PLACES AND VERGES TO BE MAINTAINED BY THE APPLICANT ON ANNUAL BASIS.
- N.B. AREA MARKED IN GREY INDICATES THE ROAD AND VERGES THAT ARE IN OWNERSHIP OF THE APPLICANT.

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



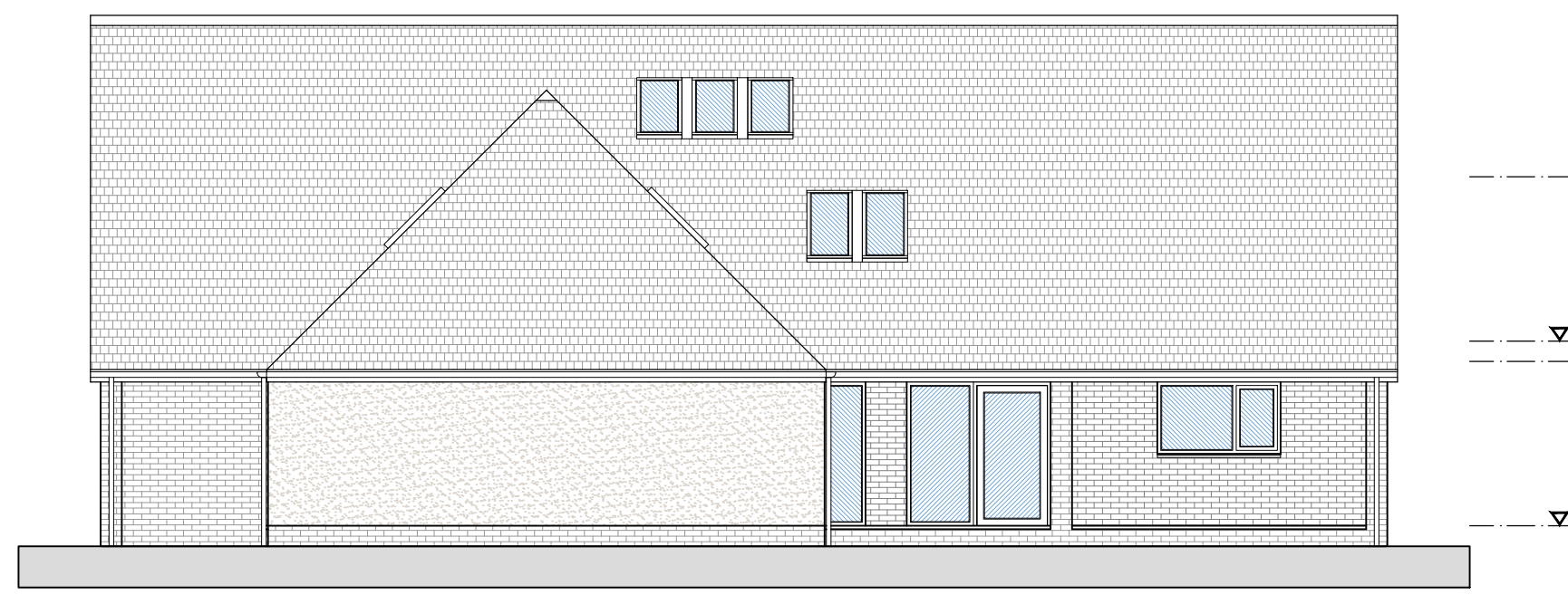
187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
FOR
MR D HAGAN

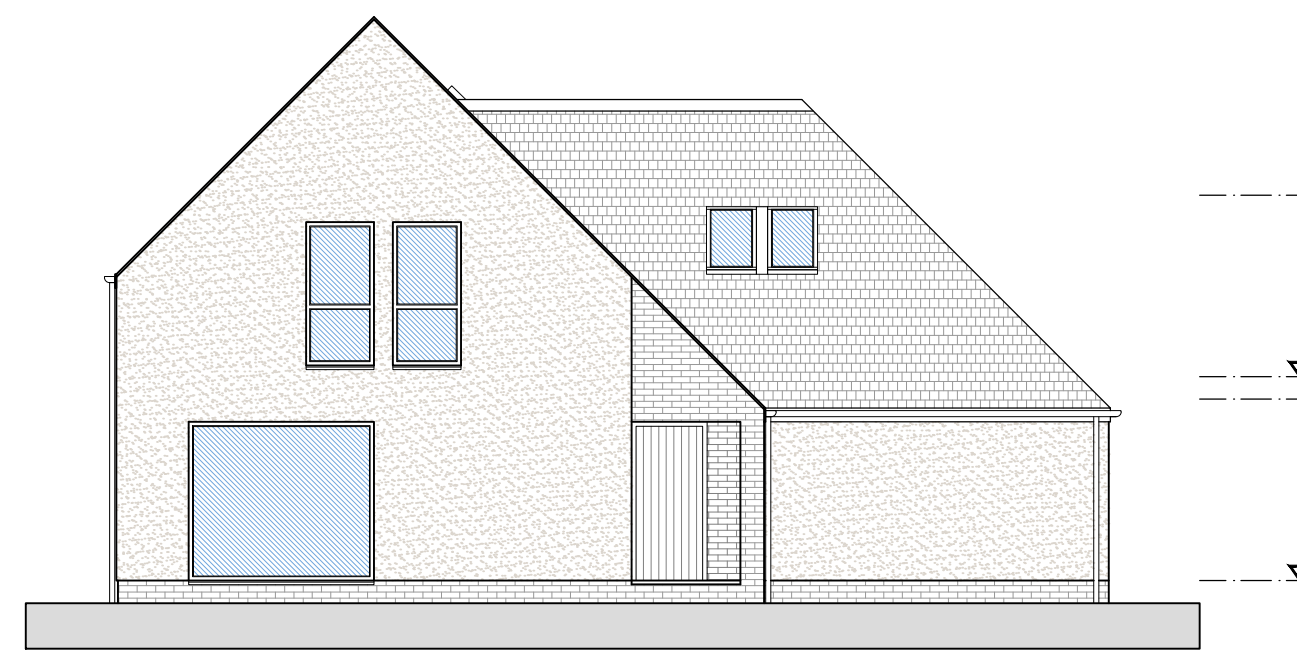
Element
ACCESS ROAD PLAN

Date OCT 2021	Drawn By. FML
Scale 1:500 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
Drawing No. 031	Rev. B

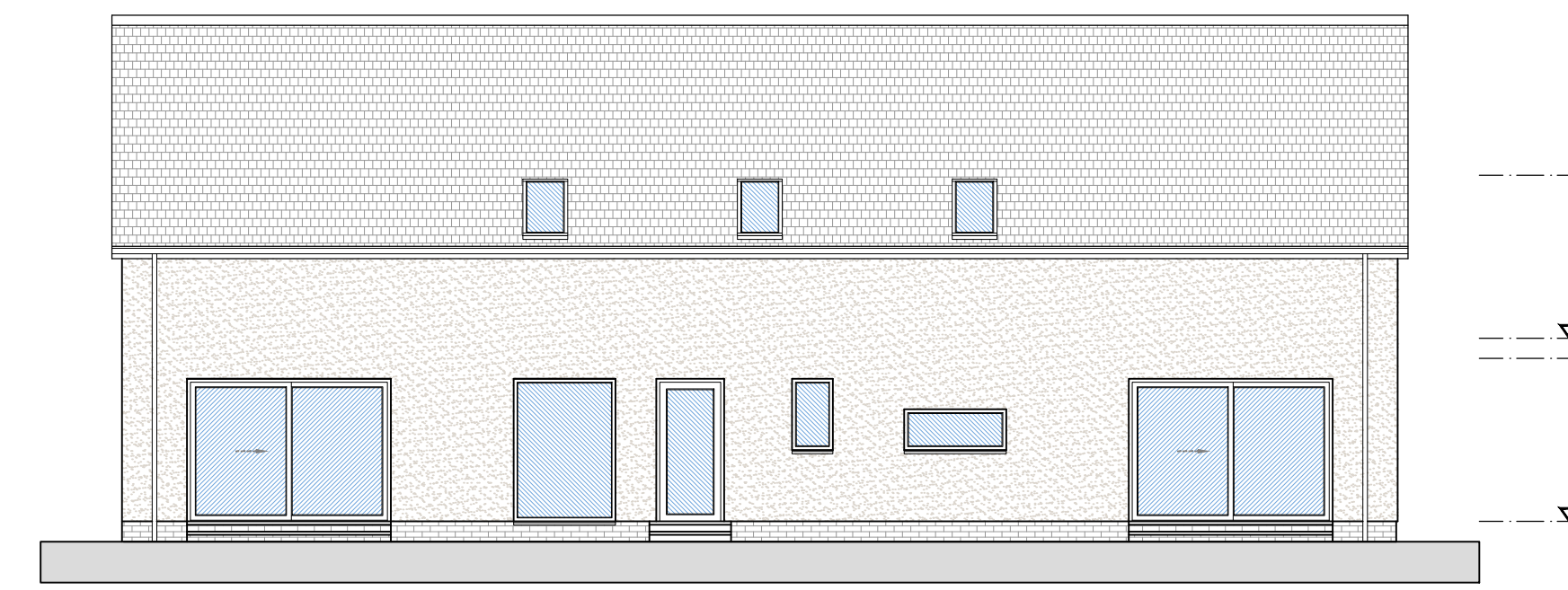




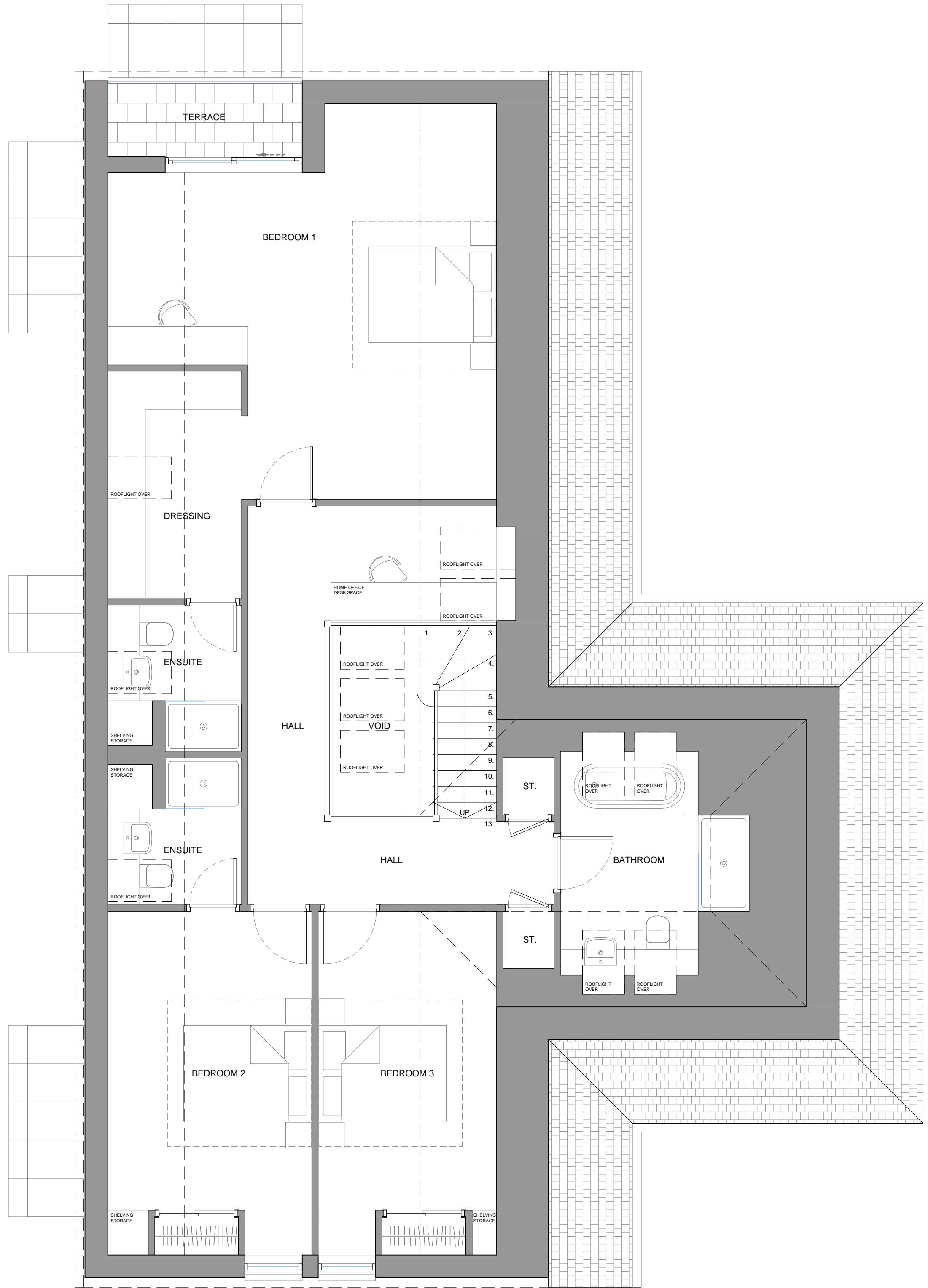
NORTH-EAST ELEVATION | 1:100



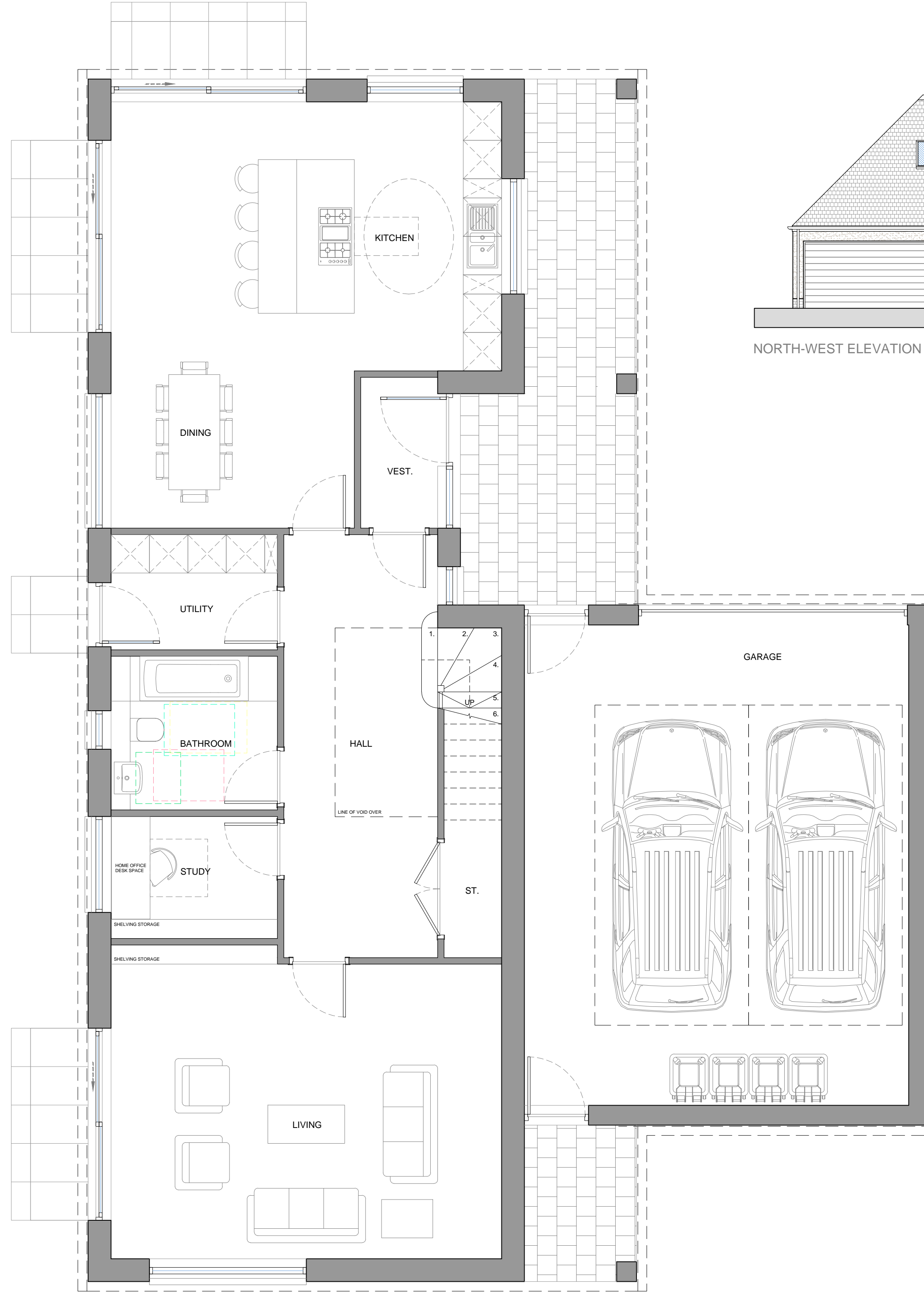
SOUTH-EAST ELEVATION | 1:100



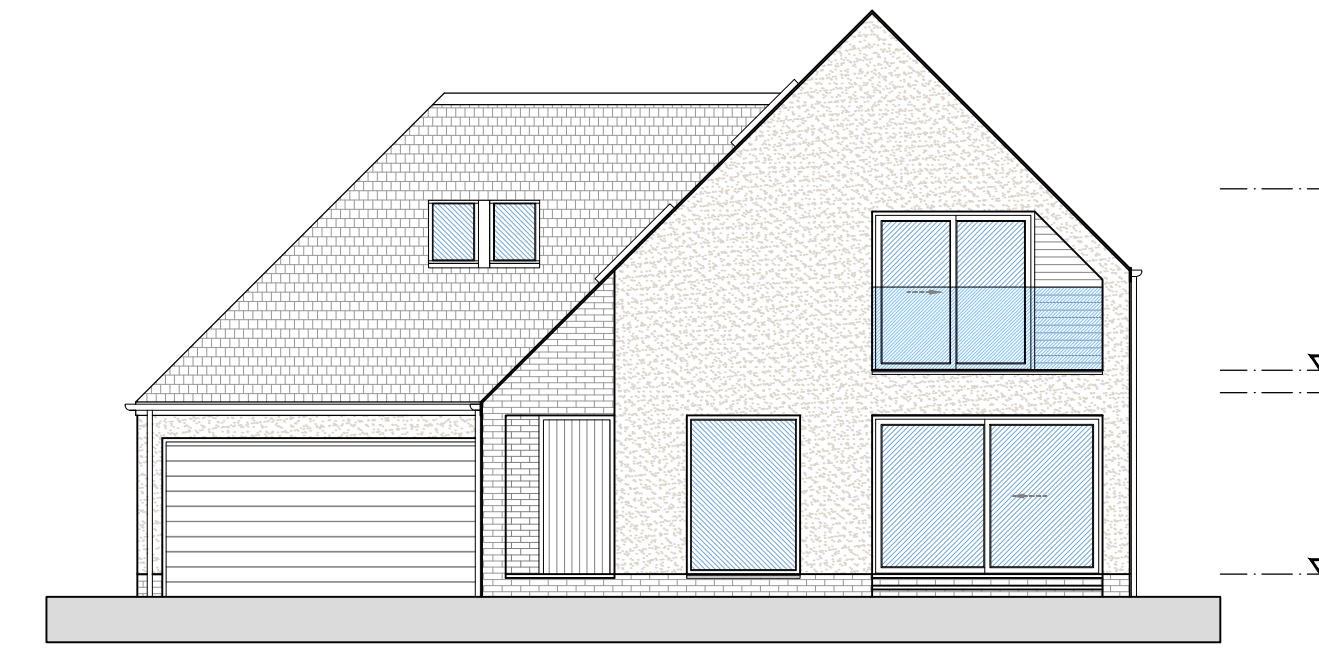
SOUTH-WEST ELEVATION | 1:100



FIRST FLOOR PLAN | 1:50



GROUND FLOOR PLAN | 1:50



NORTH-WEST ELEVATION | 1:100

MATERIAL SPECIFICATION

- ROOF -**
NATURAL SLATE
- WALLS -**
BRICK
STRETCHER BOND
COLOUR: RED
- ROUGHCAST RENDER.**
COLOUR: OFF WHITE
- WINDOWS & DOORS -**
TIMBER ALUCLAD FRAME
DOUBLE GLAZED UNITS.
COLOUR: ANTHRACITE
- RAINWATER GOODS -**
PPC ALUMINIUM.
COLOUR: BLACK
- GARAGE DOOR -**
ROLLER SHUTTER.
COLOUR: ANTHRACITE

SCHEDULE OF ACCOMMODATION & DATA

- HOUSETYPE 01**
2 No. PLOTS (Nos. 1 & 3)
- DETACHED 1.5 STOREY DWELLINGHOUSE
- 3 No. BEDROOMS
2 No. BATHROOMS
2 No. ENSUITES
- GARAGE FLOOR AREA - 45m²
- GROSS INTERNAL FLOOR AREA - 220m²

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

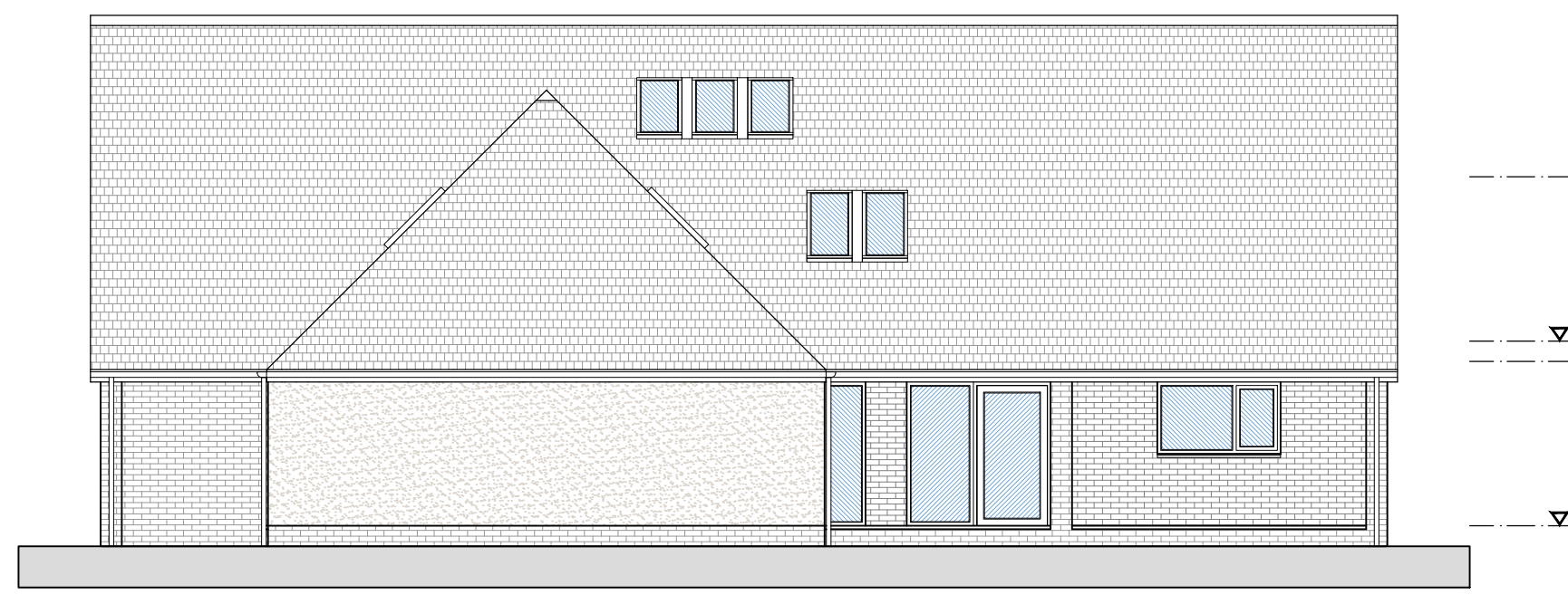
Element
PLOTS 1 & 3 PLANS & ELEVATIONS

Date 11.2021	Drawn By. FML
Scale 1:100 & 1:50 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 032
	Rev. -

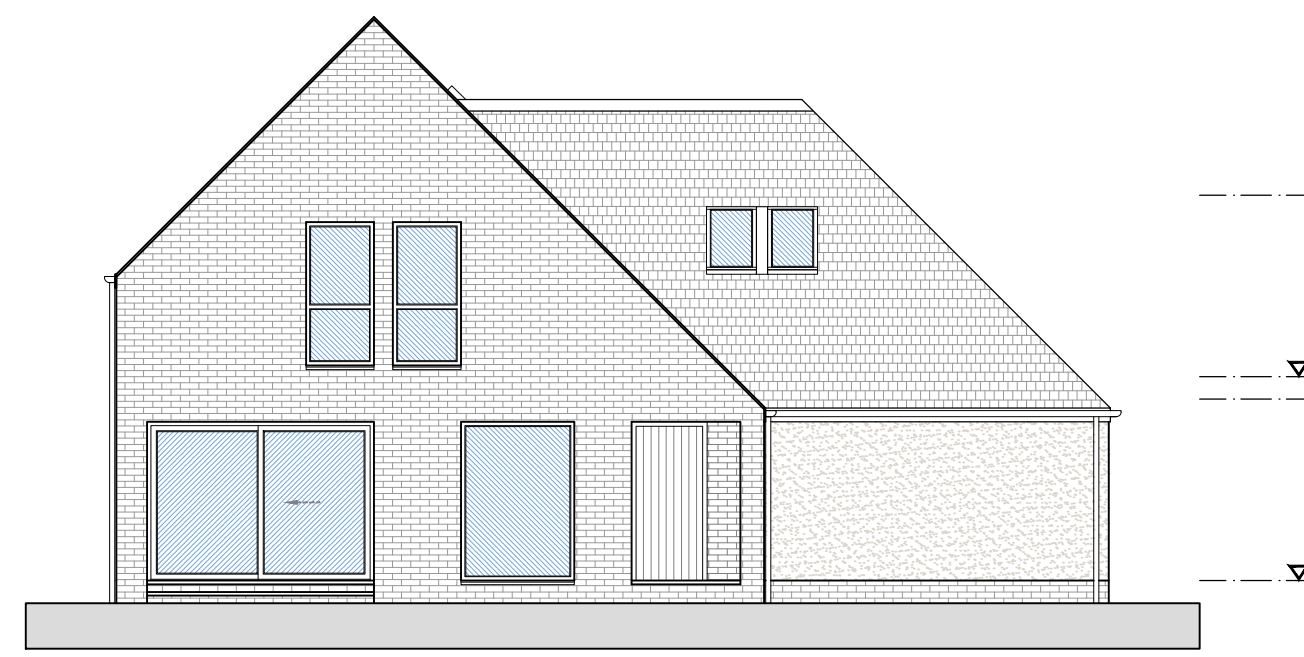


032_PLOTS 1 & 3 PLANS & ELEVATIONS | A1

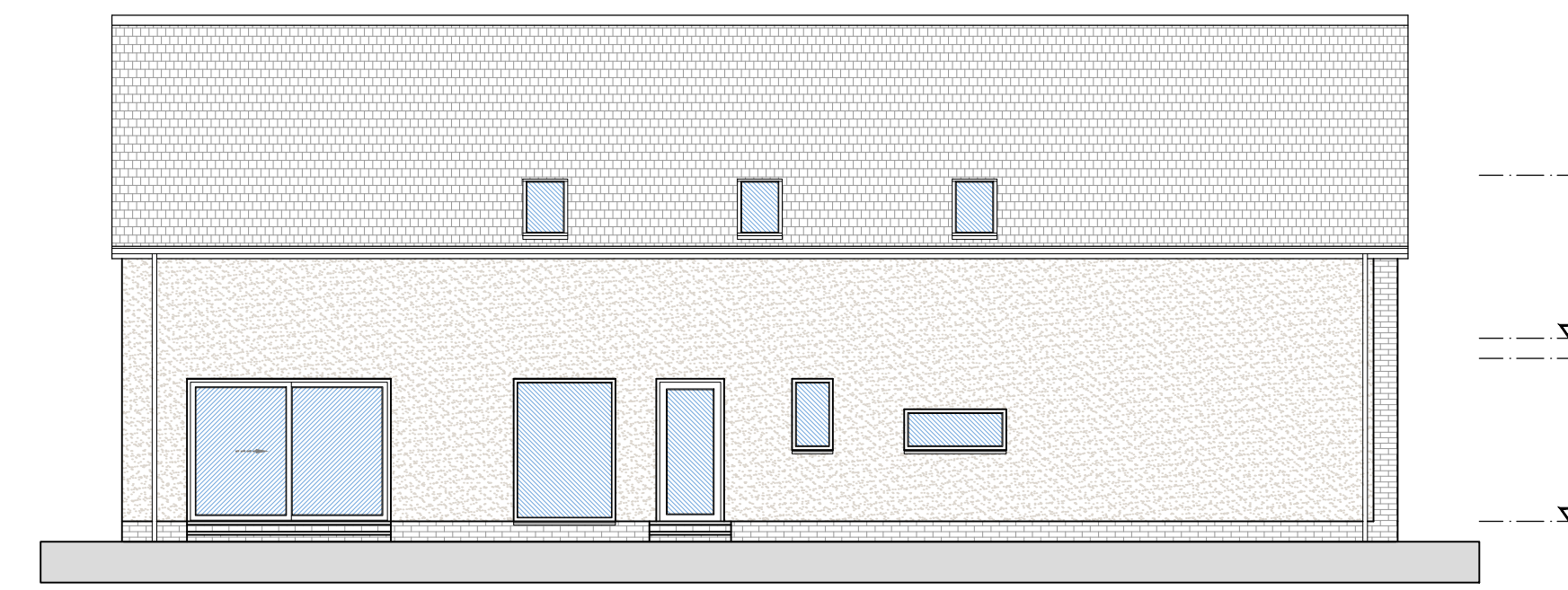
© Fraser Middleton, Chartered Architect, 2002
All Rights Reserved in Chapter IV of the Copyright Design and Patent Act 1988 have been generally asserted



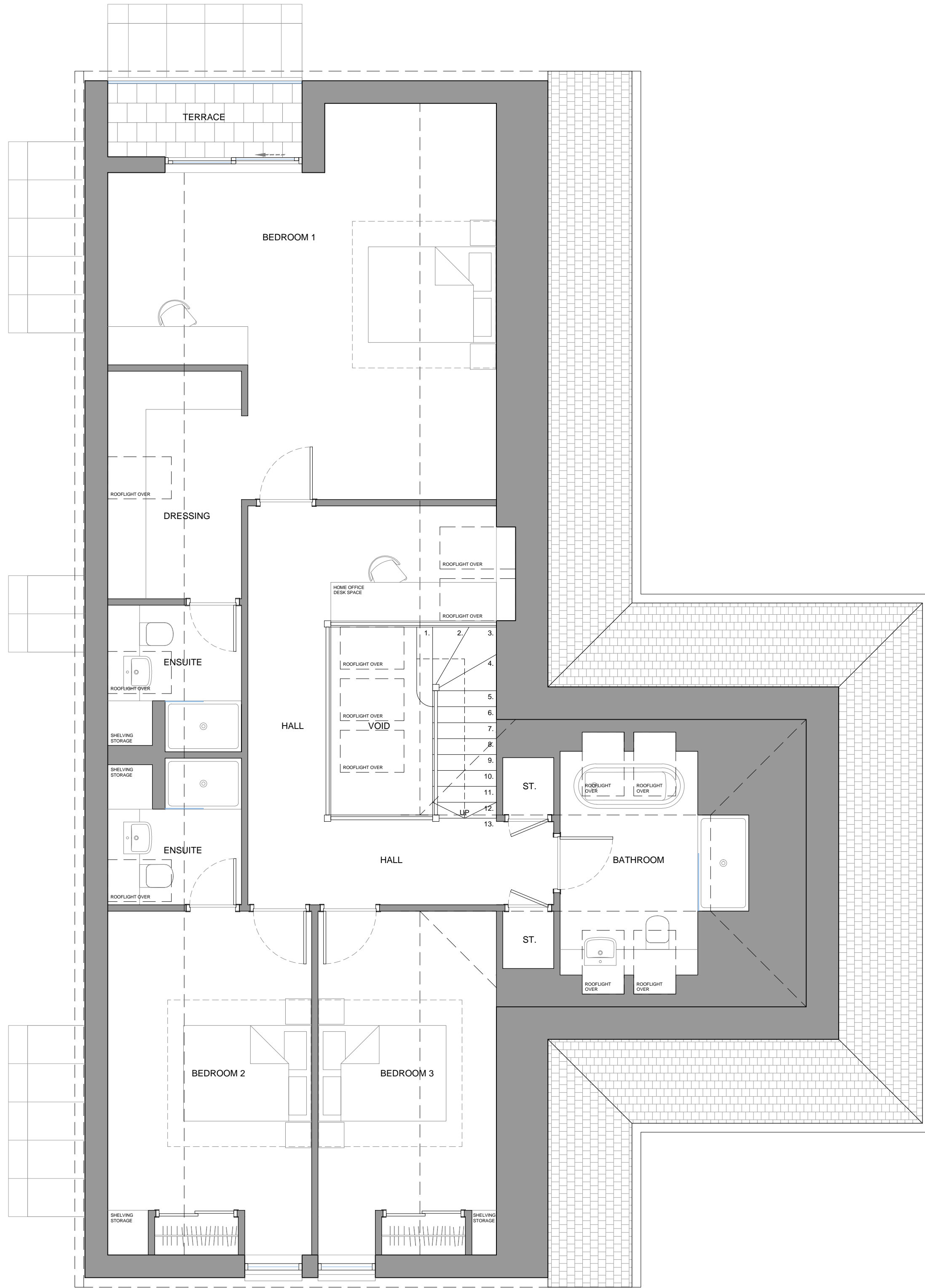
NORTH-EAST ELEVATION | 1:100



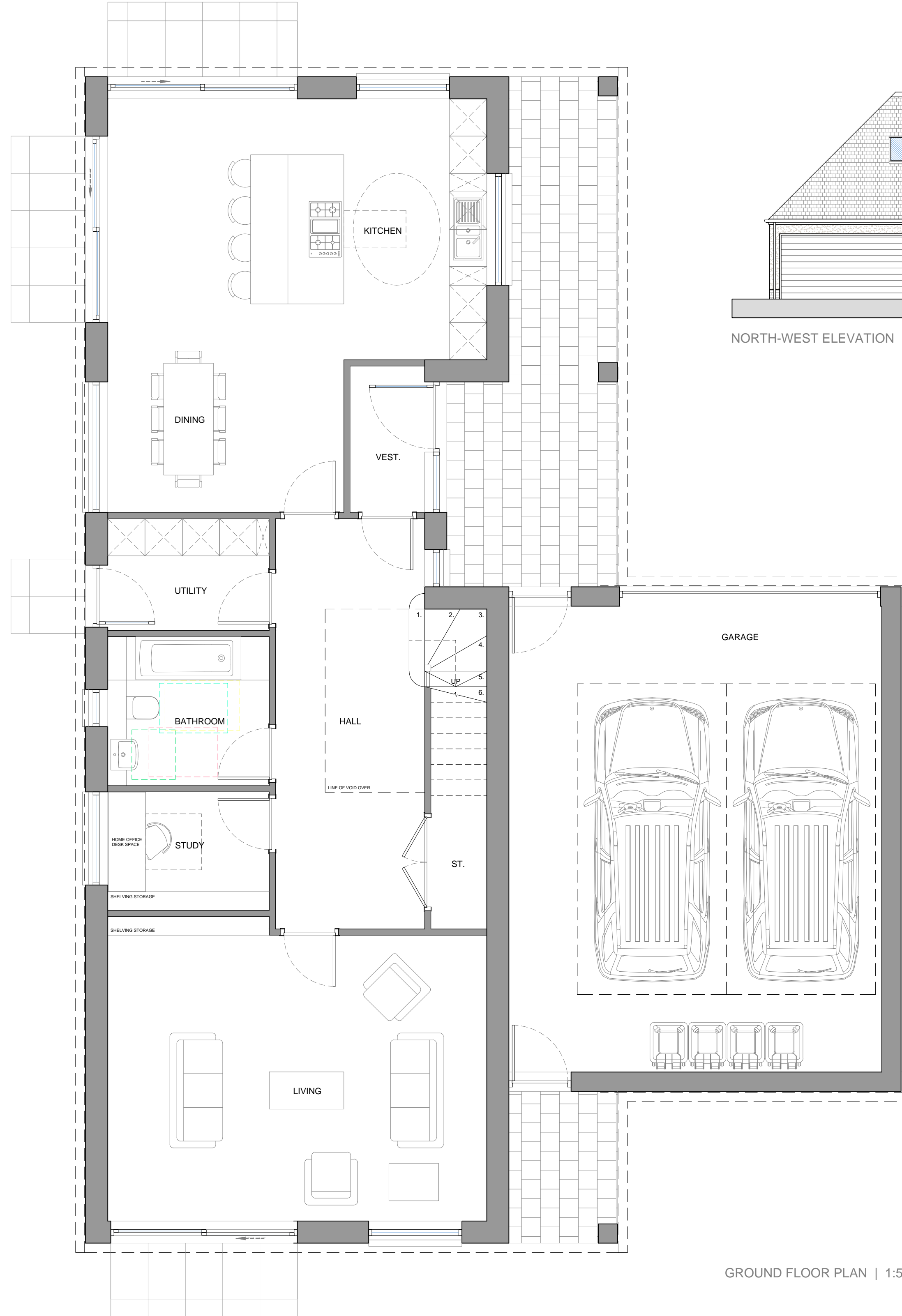
SOUTH-EAST ELEVATION | 1:100



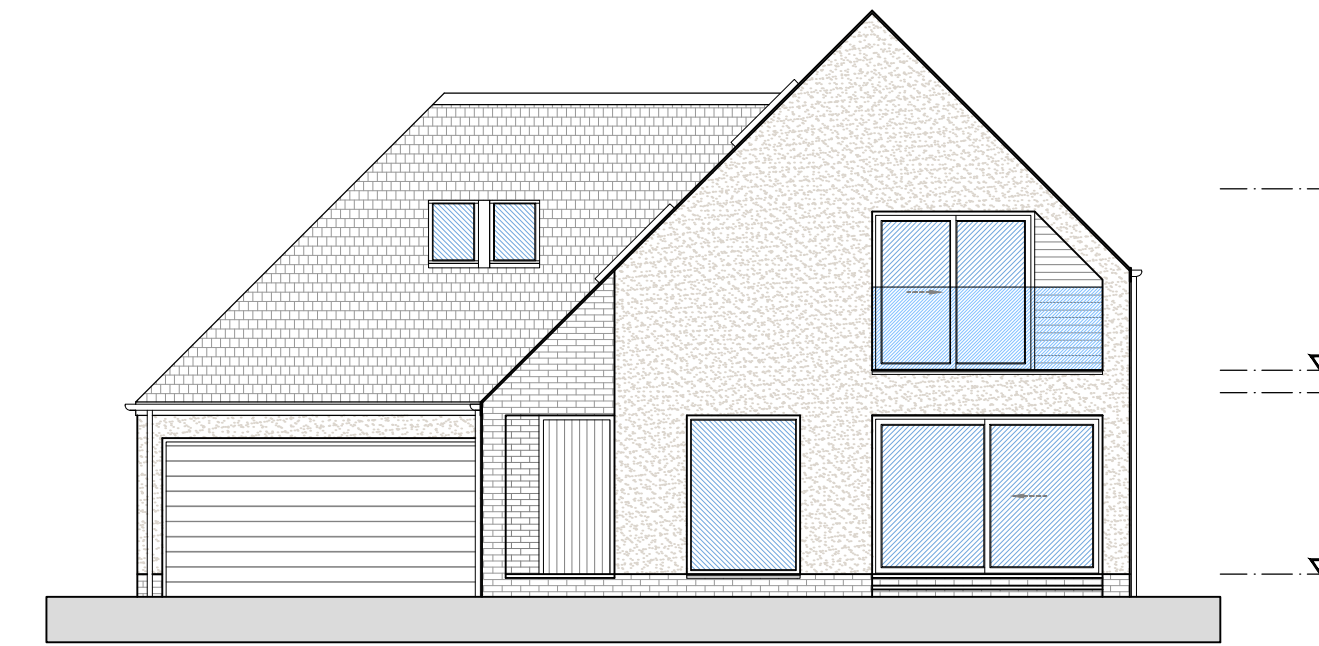
SOUTH-WEST ELEVATION | 1:100



FIRST FLOOR PLAN | 1:50



GROUND FLOOR PLAN | 1:50



NORTH-WEST ELEVATION | 1:100

Project No. 1095	Drawing No. 033	Rev. -
Rev Date	Amendment	

ITEM 8 (vii)

MATERIAL SPECIFICATION
ROOF - NATURAL SLATE
WALLS - BRICK STRETCHER BOND COLOUR: RED
ROUGHCAST RENDER. COLOUR: OFF WHITE
WINDOWS & DOORS - TIMBER ALUCLAD FRAME DOUBLE GLAZED UNITS. COLOUR: ANTHRACITE
RAINWATER GOODS - PPC ALUMINIUM. COLOUR: BLACK
GARAGE DOOR - ROLLER SHUTTER. COLOUR: ANTHRACITE
SCHEDULE OF ACCOMMODATION & DATA
HOUSETYPE 02 1 No. PLOTS (No. 2)
DETACHED 1.5 STOREY DWELLINGHOUSE
3 No. BEDROOMS 2 No. BATHROOMS 2 No. ENSUITES
GARAGE FLOOR AREA - 45m ²
GROSS INTERNAL FLOOR AREA - 220m ²

DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.

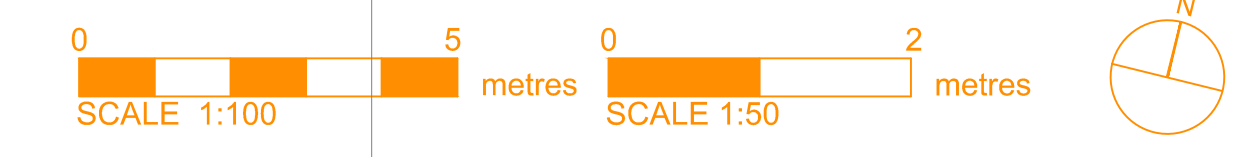


187 Strathmartine Road, Dundee, DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

Project Title
PROPOSED RESIDENTIAL DEVELOPMENT
AT
FORMER SITE OF THE CATS HOTEL, BALRUDDERY
INVERGOWRIE
FOR
MR D HAGAN

Element
PLOT 2 PLANS & ELEVATIONS

Date 11.2021	Drawn By. FML
Scale 1:100 & 1:50 @ A1	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 033
	Rev. -

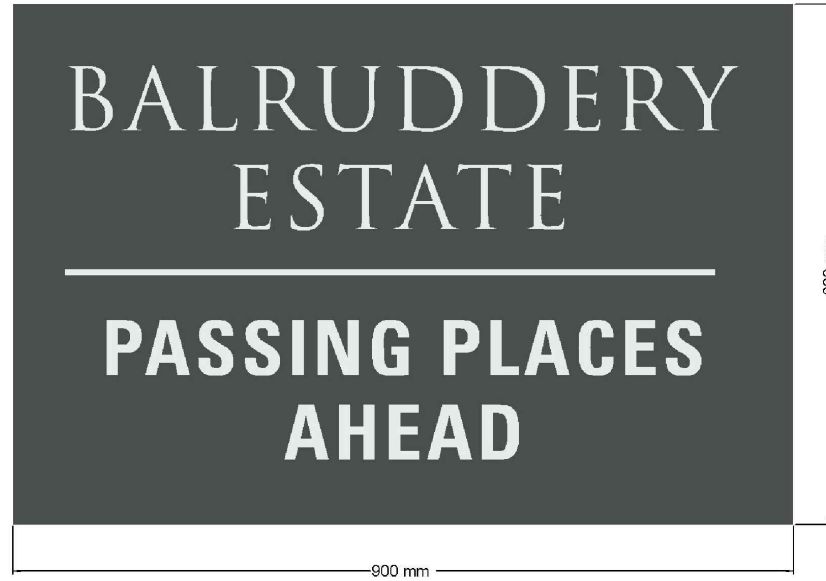


033_PLOT 2 PLANS & ELEVATIONS | A1

© Fraser Middleton, Chartered Architect, 2002
All Rights Reserved in Chapter IV of the copyright Design and Patent Act 1988 have been generally asserted

ITEM 8(viii)

Project No. 1095	Drawing No. 034	Rev. -
Rev Date	Amendment	



DRAWING TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DETAILS AND SPECIFICATION. ENGINEERS DETAILS TO TAKE PRECEDENCE.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.

ALL DIMENSIONS IN MILLIMETRES UNLESS STATED OTHERWISE.

CONTRACTOR NOT TO SCALE DIMENSIONS FROM DRAWINGS REFER TO ARCHITECT FOR DIMENSIONS IF NOT INDICATED ON THE DRAWING.



187 Strathmartine Road, Dundee, DD3 8BL
 t : 01382 831557 f : 01382 831558
 e : enquiries@arktx.co.uk

Project Title
 PROPOSED RESIDENTIAL DEVELOPMENT
 AT
 FORMER SITE OF THE CATS HOTEL, BALRUDDERY
 AVERGOWRIE
 FOR
 MR D HAGAN

Element
 PASSING PLACE SIGNAGE

Date NOV 2021	Drawn By PML
Scale NTS @ A4	CAD Ref. NEW BUILD
Project No. 1095	Type P
	Drawing No. 034
	Rev. -

© Crown Intellectual Property Reserved. All Rights Reserved in Chapter IV of The Copyright Design and Patents Act 1988 have been generally reserved.

034_PASSING PLACE SIGNAGE | A4 | NTS