

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 SEPTEMBER 2022

PLANNING APPLICATION – FIELD OPPOSITE WESTFIELD DRIVE WESTFIELD LOAN
FORFAR

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

Abstract: This report deals with planning application No. [19/00707/FULM](#) by Muir Homes for a residential development of 136 dwellinghouses including formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure on land opposite Westfield Drive, Westfield Loan, Forfar. This application is recommended for refusal.

1. RECOMMENDATION

It is recommended that the application be refused for the reasons given in Section 10 of this report.

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

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

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

3. INTRODUCTION

- 3.1 The applicant seeks full planning permission for a residential development of 136 dwellinghouses including formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure on land opposite Westfield Drive, Westfield Loan, Forfar. A plan showing the location and proposed layout of the site is provided at Appendix 1.
- 3.2 The application site extends to some 12.6ha and is located to the south of Glamis Road and to the west of Westfield Loan. Most of the land comprising the site is in agricultural use, but it includes areas of established planting.
- 3.3 The development provides for the erection of 136 dwellings including affordable housing. Two vehicular accesses are proposed, one from Glamis Road serving 101 dwellings and another from Westfield Loan serving 35 dwellings. The dwellings would consist of two, three, four and five bed properties within a combination of flatted, terraced, semi-detached, and detached buildings provided over two storeys. A combination of in-curtilage and on-street car parking is proposed with some dwellings containing integral garages. Surface water drainage is proposed to be achieved through Sustainable Urban Drainage Systems (SUDS) with a SUDS basin located in the northwest corner of the site. Landscape planting is proposed around the perimeter of the site and further landscaping is also incorporated throughout the development.

- 3.4 The application has been varied to reduce the site area and number of residential units; to amend the layout of the site, including relocation of house plots, alteration to road layouts, boundary enclosures, site levels, and landscaping proposals.
- 3.5 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 Land that encompasses the application site was allocated for residential development in the Angus Local Development Plan. That allocation was subject of unresolved objections and those objections were considered through examination held by a Scottish Government appointed Reporter. In relation to the allocation of land at Westfield, the Reporter concluded that *'Overall, I do not consider the matters raised in the representations to be insurmountable, but they should be subject to further investigation and assessment as set out in the developer requirements. On this basis, I accept the principle of the development of housing on the allocated site F4'*. The Reporters conclusions in relation to Westfield are set out in full in [Report 277/16](#) Appendix 1 (pg 244 – 247).
- 4.2 A Proposal of Application Notice ([18/00319/PAN](#)) in respect of a proposed residential development, open space and associated infrastructure on land adjoining Glamis Road and Westfield Loan, Forfar was submitted in April 2018. A briefing paper setting out key issues relevant to the consideration of any future planning application was circulated to members of the Development Standards Committee on 29 May 2018. That proposal of application notice includes the land that forms the current planning application site.
- 4.3 A Proposal of Application Notice ([21/00035/PAN](#)) in respect of a residential development of circa 125 units (25% affordable) incorporating formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure at Field Opposite Strathview, Westfield Loan, Forfar was considered by the Development Standards Committee at its meeting on 9 February 2021 (Report No. [30/21](#) refers). Committee noted the key issues identified in that report.
- 4.4 A Proposal of Application Notice ([22/00295/PAN](#)) in respect of a proposed residential development, open space and associated infrastructure on land at adjoining Glamis Road and Westfield Loan, Forfar was considered by the Development Standards Committee at its meeting on 21 June 2022 (Report No. [172/22](#) refers). Committee noted the key issues identified in that report and requested that consideration be given to impact on archaeological features and land contamination (including risk associated with anthrax). That proposal of application notice includes the land that forms the current planning application site.

5. APPLICANTS CASE

- 5.1 The following documents have been submitted in support of the application: -
- Pre-application Consultation Report
 - Design and Access Statement
 - Masterplan Framework (Parts 1 – 12)
 - Transport Assessment (Parts 1 – 3)
 - Flood Risk Assessment (Parts 1 and 2)
 - Noise Impact Assessment
 - School Impact Assessment
 - Preliminary Ecological Appraisal
 - Archaeological Assessment
 - Arboricultural Impact Assessment
 - Report on Site Investigation (Parts 1 – 5)

- Construction Environmental Management Plan
- Surface Water Management Plan and Appendices
- Scottish Water Pre-application Enquiry Response
- Softworks Planting Specification
- Planting Maintenance Schedule
- Tree Survey and Constraint Plans
- Tree Protection Plans
- Tree Survey Schedule
- Response to environmental health consultation
- Response to objection from Shoosmiths on behalf of Elite Homes
- Response to SEPA consultations
- Response to request for assessment of impact on health care infrastructure

5.2 The design and access statement and reports on the impact or potential impact of the proposed development are summarised at Appendix 2. Those documents and other documents identified above are available to view on the [Public Access](#) system.

6. CONSULTATIONS

- 6.1 **Angus Council – Roads** – provides general comment in relation to site accessibility and the capacity of the road network to accommodate the development. It indicates no objection to this particular phase of the development but advises that before any layout is approved, further information should be provided to demonstrate compliance with parking standards, along with details for the provision of a ghost island on the A94 at the site access; details of road widths and swept paths within the development; details of a scheme for the provision of footways on the south side of Glamis Road and on the west side of Westfield Loan, over the entire site frontages; and arrangements for pedestrians and cyclists to have priority over motor vehicles at road junctions and crossings where internal footpaths and/ or cycle tracks cross proposed internal roads. In relation to drainage and flood risk the proposal should make provision for Natural Flood Management (NFM) measures such as woodland and wetland creation and further information should be provided to demonstrate that the discharge of surface water to the Halfpenny Burn would not increase the flood risk to the A94 and downstream through Orchardbank.
- 6.2 **Angus Council – Environmental Health** – objects to the proposal because of the impact of noise from neighbouring land uses on the amenity of future residents. Specifically, the service advises that it is concerned that noise impact may be understated, and it does not support noise mitigation that relies upon future residents keeping windows closed. The service offers no objection in relation to land contamination.
- 6.3 **Angus Council – Landscape Services** – no objection but indicates the planting and landscaping could be improved to enhance amenity and biodiversity.
- 6.4 **Angus Council – Housing Service** – has advised a 25% affordable housing contribution is required from the proposed development which equates to 34 units. The final arrangements for the affordable housing would be subject of further discussions with the applicant, but at this stage it is indicated that the type of housing proposed in the application does not meet the current requirements for affordable housing in the area.
- 6.5 **Angus Council – Children and Lifelong Learning** – has advised that there is sufficient capacity at local primary and secondary schools and no developer contribution is required from the proposed development.
- 6.6 **SEPA** – has indicated that concerns regarding flood risk have been addressed and offers no objection subject to specified conditions.

- 6.7 **Scottish Water** – no objection.
- 6.8 **Aberdeenshire Archaeological Service** – advise that conditions regarding archaeological mitigation should be attached to any permission that is granted, and that development and planting should avoid the scheduled area.
- 6.9 **Transport Scotland** – no objection. However, it is indicated that this is on the understanding that Angus Council will develop an appropriate scheme of mitigation for the A90 / A932 Dundee Road Lochlands Junction. The mechanism for this mitigation scheme must be agreed with any future applicants before any further part of the F4 site is developed in addition to the 136 residential units covered by this planning application.
- 6.10 **Historic Environment Scotland** – no objection but development and planting should avoid the scheduled monuments and large growing trees species should not be planted within proximity of the scheduled monuments. Scheduled monument consent is likely to be required for new paths within the designated area. Concern is expressed regarding potential impact on scheduled monuments arising from the proposed route of the link road connection between this phase of development and future phases to the south.
- 6.11 **NHS Tayside** – no comment.
- 6.12 **Ravenswood Medical Practice** – no comment.
- 6.13 **Community Council** – no comment.

7. REPRESENTATIONS

- 7.1 19 letters of representation have been received with 15 raising objection and 4 offering general comment. The letters of representation are provided at Appendix 3 and are available to view on the council's [Public Access](#) website.
- 7.2 The following matters have been raised as objections and are discussed under Planning Considerations: -
- Application is contrary to the development plan
 - Housing land audits indicate that there is a generous supply of housing land and development should not be allowed in advance of January 2021
 - No need for additional housing development and associated loss of agricultural land
 - Concern that the land has been allocated for development despite outstanding issues
 - New housing development should be directed to brownfield sites
 - Application should not be determined in advance of approval of a masterplan
 - Submitted masterplan is unacceptable: amongst other things, it contemplates a greater number of houses than identified by the land allocation; it is not accompanied by detailed assessments; it does not address potential mitigation for Lochlands junction; and it does not consider the requirement for a new primary school or address how that could be delivered
 - Inadequate supporting information
 - Unacceptable layout and design that responds poorly to the area
 - Concern regarding noise from neighbouring land uses and resultant compatibility of use/ amenity impacts, combined with concern regarding proposed mitigation to Glamis Road frontage
 - Inadequate or inappropriate provision of affordable housing
 - Loss of land for recreational access

- Adverse impacts on wildlife and habitat
- Adverse impact on scheduled ancient monuments
- Inadequate transport assessment, adverse impact on road network and safety, and poor accessibility
- Adverse impact on education infrastructure – suggestion that any new primary school provision should be to the north of the town
- Adverse impact on doctors surgeries
- Potential flood risk
- Land contamination and potential for release of anthrax
- Potential interference for transmitters and satellite dishes
- Loss of view
- Council should notify Scottish Ministers if it is minded to grant planning permission

7.3 The following general matters have been raised and are discussed under Planning Considerations: -

- Requirement for mitigation to address noise from industrial premises
- More social housing, and housing that meets the needs of communities is required
- Consideration required of impact on and capacity of infrastructure
- Consideration required of 20-minute neighbourhoods
- Issues associated with road capacity to accommodate the development
- Concern regarding loss of agricultural land and associated impacts of wildlife and habitats
- Existing development has exacerbated flooding

7.4 In addition, a number of procedural matters have been raised and they are addressed at this stage: -

- **The application has been subject of variation beyond the scope permitted by section 32A** – It is not unusual for an application to be subject of variation during the determination process, and the scope of variation in this case is not exceptional. The original application was for a major residential development with associated works, and the varied application is for a major residential development with associated works. Officers are satisfied that the variations that have been made to the application fall within the scope of section 32A.
- **Environmental impact assessment should be required** – the application has been subject of formal screening and it has been determined that environmental impact assessment is not required. The test for environmental impact assessment is if the development is *likely* to have significant effects on the environment, not whether there is the possibility of an impact. Discussion with consultation bodies did not identify likelihood of significant effects. Relevant matters can be appropriately addressed through the planning process.
- **Lawfulness of processing the application without prior approval of a masterplan** – In general terms, an application to develop an area of land can still be received, validated and processed albeit it is in conflict with any relevant development plan, irrespective of the extent of that conflict. There is nothing in the statutory or policy planning framework in Scotland which prevents such an application being made. It is open to a planning authority to choose to approve development that does not accord with a development plan if there are material planning reasons for so doing.

8. PLANNING CONSIDERATIONS

8.1 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.

8.2 In this case the development plan comprises: -

- [TAYplan](#) (Approved 2017)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 4 and have been considered in preparing this report.

Preliminary matters

8.4 The ALDP is more than 5-years old as it was adopted in September 2016. TAYplan was approved in October 2017 but Scottish Government has indicated that approved strategic development plans and any associated supplementary guidance will remain in force until the publication of NPF4. Issues associated with the age of the ALDP are addressed further below.

Principle of development and masterplan

8.5 The application site forms part of a larger area of land that is allocated in the ALDP for residential development (allocation F4 refers). The ALDP was prepared in the context of Scottish Planning Policy 2014 (SPP) and TAYplan 2012. The land allocation was made having regard to the current SPP. While TAYplan was updated in 2017, its policies remain consistent with SPP and do not differ materially from those contained in the 2012 plan in so far as they relate to the general principle of residential development on the application site. In that respect, the general principle of residential development of the application site is compatible with the policies of the development plan.

8.6 The F4 land allocation indicates that 38.8ha of land at Westfield is allocated for a residential development of around 300 dwellings in the period 2021 – 2026. The supporting text indicates that the allocated site has an overall capacity of around 300 units. The allocation indicates that development should commence at the north of the site with access from Glamis Road. It also states that no development will be allowed until a full assessment of the potential impact on the A90 junctions (including Lochlands) is completed and any resulting mitigation is agreed with Angus Council and Transport Scotland. The allocation states that development proposals should be in accordance with a masterplan prepared for the site addressing specified matters.

8.7 The current application proposes 136 dwellings on around 12.6ha of the allocated site. The proposed development is in the northern part of the land allocation and most of the units would be accessed from Glamis Road with 35 accessed from Westfield Loan. The general approach towards the development and the location of an initial phase is in broad accordance with the F4 allocation.

8.8 A masterplan has been submitted in support of the application. That document indicates it has been prepared jointly by those with an interest in the overall land allocation. The document suggests that the site has capacity to deliver around 335 homes on part of the allocated land. This comprises around 170 homes and a local centre in the north, and around 160 homes located at the south. It is indicated that other land within the current allocation has further development potential and would come forward through a future local development plan. The document suggests that the safeguarded land has the potential to deliver significantly more development and would again come forward through future local development plans. It is suggested that the approach articulated through the document would create a walkable neighbourhood with community facilities within an easy, attractive and safe walk of new and existing residents. It is indicated a primary street is provided centrally within the concept masterplan, while strategic green corridors connect to the safeguarded land, wider countryside and existing settlement.

- 8.9 The masterplan document indicates that it has been informed by a landscape and visual appraisal, and that a transport assessment has been undertaken which shows that the allocation F4 has the capacity for 300 residential units. It indicates that Transport Scotland has confirmed that 175 units would be acceptable using an access from Glamis Road. The masterplan shows further potential access points on Westfield Loan which may be capable of accommodating an additional 125 homes. It is indicated that the junctions have not been tested, but if any or all were not acceptable to Transport Scotland the housing could be directed through the allocation towards Glamis Road.
- 8.10 Planning Advice Note 83 provides guidance on master planning. It indicates that an effective masterplan should explain how a site, or series of sites, will be developed, describing and illustrating the proposed urban form in three dimensions. It should show how that form will achieve the intended vision for the place, and how a distinct and appropriate character will be created. It should also describe how the project will be implemented through a delivery strategy which sets out phasing, timing and funding. It indicates that site appraisal and understanding is key to the preparation of an effective masterplan. In relation to Westfield the Reporter that considered objections to the ALDP stated that *'The large area of land release at Westfield warrants a masterplanned approach. As the site appears constrained in the short term and subject to further detailed assessment, the later phasing is a sensible approach.'* The Reporter also stated *'The primary concern of the council in the development of Westfield relates to its potential impact on the A90 road junctions. The allocation of site F4 has therefore been held back until the second phase of the plan, in order that a full assessment of the potential impact on the road junctions can be completed and any resulting mitigation agreed. The submission of a transport assessment and masterplan for the site will ensure that these matters are given adequate assessment and scrutiny.'*
- 8.11 In this case the general approach to the masterplan is to indicate that detailed studies and assessment will be provided with future planning applications. The submitted masterplan has largely been prepared in the absence of detailed technical assessments to justify the proposed approach, and specifically to demonstrate the suggestion that the site can accommodate significantly more homes than the 300 set out in the land allocation. This has implications in terms of understanding how development on this part of the site would fit into the wider development and it provides no clarity on when new infrastructure or mitigation would be required or how that would be delivered.
- 8.12 The masterplan does not include *a full assessment of potential impact on the road junctions* and no mitigation has been agreed in relation to the A90 Lochlands junction as anticipated by the Reporter. The masterplan advocates provision of further vehicular access points on Westfield Loan to serve the remainder of the allocated land. However, it is understood that Transport Scotland would not accept further accesses on Westfield Loan without mitigation at the A90 Lochlands junction. The masterplan suggests that in such circumstance all development traffic would use the proposed Glamis Road junction. This approach would have implications in terms of the layout and design of this phase of the development, and it could have implications for the deliverability of the remainder of the allocated land. Specifically, the council's roads service has indicated that it would require two access points on Glamis Road and no provision is made for that within the current application or in the masterplan and there is no indication that this would be achievable. There are technical constraints regarding the location of any such access given the presence of existing junctions on Glamis Road and the location of the scheduled monument within the site, and a further access would require a breach of the proposed noise attenuation barrier which could give rise to amenity issues. In addition, Historic Environment Scotland has raised concern regarding the route of the future 'link road' between the northern and southern sections of the allocation and its potential impact

on the scheduled monument. Halfpenny Burn is located to the west of the monument and the burn, and any associated flood extents, might affect scope for realignment of that route. Constraints associated with noise from neighbouring land uses are discussed further below.

- 8.13 In these circumstances, while the principle of development on this part of the site is compatible with development plan policy, the masterplan is not considered to provide a sound basis for determination of the application having regard to the desirability of coordinating development of the F4 allocation and wider safeguarded land.

Housing land supply

- 8.14 Planning policy at all levels seeks to ensure that a minimum 5-year supply of effective housing land is available at all times. TAYplan Policy 4 requires local development plans to identify sufficient land to meet the housing land requirement (set at 88 homes per year for the West Angus Housing Market Area (HMA)) and ensure the maintenance of a minimum 5-year effective housing land supply. The ALDP allocated sufficient land to meet that requirement.

- 8.15 However, allocated sites have not delivered new homes in accordance with developers anticipated programming, and monitoring undertaken through the Angus Housing Land Audit 2021 identifies that there is a shortfall of 138 units in the 5-year effective housing land supply. The draft 2022 audit suggests that a shortfall continues around that scale. The Reporter in relation to the recent appeal at [Garth Farm Forfar](#) concluded that the shortfall should be considered of reasonable scale for the West Angus HMA, but also noted that this should be considered in the context of a marginal shortfall across Angus as a whole.

- 8.16 Issues regarding housing land supply and the identified shortfall in effective land supply are addressed further below.

Compatibility of land use and provision of a satisfactory residential environment

- 8.17 Development plan policy requires that new residential development is compatible with current and proposed land uses in the surrounding area, and that it provides a satisfactory residential environment for residents. The broad principle of the acceptability of residential development at this site has been established by the ALDP land allocation. However, the land allocation requires the design and layout of the development to take account of neighbouring land uses.

- 8.18 The site is bound to the north by the A94 public road and Orchardbank industrial estate beyond. A main access to the industrial estate sits opposite the site around the mid-point of the site frontage, and yard areas and parking associated with industrial uses front Glamis Road and take access from it in the vicinity of the application site.

- 8.19 A noise impact assessment has been submitted in support of the application and it has regard to traffic noise and noise from the industrial estate. The assessment suggests that accepted noise limits within the proposed dwellings can be met subject to the provision of appropriate mitigation. That mitigation would require the construction of an earth bund of 3-metres height with a 2-metre high acoustic fence on top along the Glamis Road frontage of the site, and a requirement that 51 of the dwellings would rely on having windows closed to ensure acceptable levels of noise internally.

- 8.20 The council's environmental health service has indicated some concern regarding the methodology used to undertake the noise assessment and the potential for noise emissions to be understated. However, and notwithstanding that, it has also indicated

that it does not support mitigation that requires windows in new properties to be closed for residents to enjoy recognised noise levels. The government's Planning Advice Note (PAN) 1/2011 states '*It is preferable that satisfactory noise levels can be achieved within dwellings with the windows sufficiently open for ventilation*'. The PAN recognises that satisfactory internal noise levels with open windows may not always be achievable but indicates that it is always preferable. The Royal Environmental Health Institute of Scotland (REHIS) Briefing Note 017 which was developed in response to PAN 1/2011 provides examples of exceptional circumstances where it may be appropriate to allow internal criteria to be met with windows closed and an alternative means of ventilation provided. However, it advises that exceptional circumstances will generally apply only to sites, which are small to medium in scale, within urban areas. This may include sites in established residential areas; brownfield sites; town and village centres, and sites near public transport hubs. The application site does not fall into any of the exceptional circumstances where departure from the guidance would be considered appropriate. While the REHIS document is under review, it is relevant to note that some weight was attached to its content by the Reporter in determining the [Garth Farm](#) appeal.

- 8.21 In relation to outdoor areas, the applicants noise impact assessment quotes British Standard 8233 and states '*it is desirable that the external noise level does not exceed 50db LAeq,T, with an upper guideline value of 55dB LAeq,T, which would be acceptable in noisier environments*'. It goes on to indicate that '*it is also recognised that these guideline values are not achievable in all circumstances where development may be desirable*'. In this case the submitted information appears to indicate that around 16 dwellings would experience outdoor noise levels in private garden areas of between 50 and 55dB, while one property would experience outdoor noise levels in its private garden area in exceedance of 55dB. A number of properties would experience noise in excess of the 50 and 55dB levels in front garden areas.
- 8.22 The appeal decision in relation to residential development at [Garth Farm](#) raised similar issues with the prospective developer seeking to rely upon closed windows as a means of achieving recognised noise levels within properties. In that case the Reporter found that relevant guidance suggested development should be designed to achieve the lowest practical noise levels. The Reporter indicated that he shared the council's concerns that it would not be desirable for new residents in a greenfield housing development to have to keep windows closed to achieve acceptable internal noise levels.
- 8.23 In this case, more than a third of the proposed properties would be required to have windows closed to meet recognised noise levels, and 17 properties would experience noise levels in their private garden areas at levels where moderate or serious annoyance might occur. The outcome is that lower amenity levels (by having to close windows or accept additional noise) would be experienced by a significant number of residents in and around their homes in surroundings where noise pollution would not be expected. Such impact could be reduced or avoided through the design process, particularly in circumstances where the overall land allocation for 300 houses comprises an area close to 39ha.
- 8.24 The applicants have stated that the '*F4 allocation for 300 units looks sizeable, however there are numerous physical constraints on the site*'. They express concern that to amend the layout to '*design out*' the need for noise mitigation would write off a significant element of the site and suggest this would not be consistent with delivering the housing numbers on the allocated housing site. That apparent concern about the ability to deliver the 300 homes on the allocated site is not entirely consistent with the masterplan which suggests that significantly more than 300 homes could be delivered on the allocated land.
- 8.25 The proposed development site forms part of a larger area of land that is allocated for residential development. That larger area is sizeable, and it is greenfield in nature.

There is no specific justification for the number of residential units proposed on this part of the larger allocated site or for the layout that has been provided. There appears no reason why a development on the site could not be designed such that the occupants of properties would be able to enjoy acceptable noise levels within their properties with windows (or doors) open, and that similarly they could enjoy their outdoor amenity areas without experiencing noise levels at the higher end of or above recognised standards. There is no evidence to suggest that amending the layout would compromise the ability to deliver the 300 homes that the wider area of land is allocated to deliver. The proposal is contrary to policies DS4 and TC2 of the ALDP by virtue of the proximity of the proposed houses to noise generating uses and the consequential adverse impact on the amenity of future residents by virtue of noise. The proposal is also contrary to allocation F4 as the design and layout does not take account of neighbouring uses.

Design quality and amenity

- 8.26 The proposed site layout is provided at Appendix 1. Creating successful quality places underpins the development plan policy framework. The council's design and placemaking supplementary guidance sets out design requirements for new development proposals. These draw upon the positive elements and characteristics of successful places in Angus. These attributes include an outward facing perimeter block structure where the frontage of buildings face streets and public spaces, paths and open space areas are connected, overlooked, and feel safe to use, and where car parking does not dominate the street scene or diminish place quality.
- 8.27 The proposal provides a range of house types, and the general design of the buildings is appropriate for the location. The position of houses and their relationship to neighbouring property exceeds the council's spatial standards and while the amenity of occupants of neighbouring property would change, the impacts would not be unacceptable when measured against established standards. There are large areas of open space and in some locations proposed houses would front onto those areas providing natural surveillance. The layout allows for the retention of some trees and hedgerows and provision of SUDs, open space, additional planting and pedestrian linkages. Whilst individually these are positive attributes, they are not utilised or integrated in the overall design to support biodiversity and green network opportunities.
- 8.28 As detailed above, a significant number of properties would be affected by noise from neighbouring uses. The failure to provide a high-quality living environment for future residents is a fundamental failure of the proposed design and layout. The provision of a linear, engineered earth bund with a 2-metre high fence atop as a frontage to Glamis Road to mitigate noise would not appear particularly welcoming along this prominent route. The impact of the bund on existing trees is unclear; an extensive length of fence at this location is not considered appropriate in terms of visual amenity; and its effectiveness as an acoustic screen would be reduced if it was not appropriately maintained through the passage of time.
- 8.29 While areas within the development reflect the general policy requirement for an outward facing perimeter block layout, and some areas of new open space would benefit from natural surveillance from the new properties, there are significant areas where the layout provides for private boundaries to form the main interface with the public realm in prominent locations. The houses to the south of the open space and play area at the west of the site would all have rear boundaries backing on to the adjacent play area. The houses at the southeast of the site would typically have rear elevations, private garden areas, and parking forming the interface with the public realm. The majority of houses to the east of the scheduled monument would have rear elevations and private garden areas facing the resultant open space area, and most houses on the Westfield Loan frontage would have rear elevations and private garden areas facing the public road. This is not consistent with the supplementary

guidance which seeks to promote outward facing perimeter block development and it is not consistent with the policy aim of creating successful places set out in the development plan. The policy aim has been supported by appeal reporters in recent decisions on other large housing sites in Angus.

- 8.30 The council's design and placemaking supplementary guidance indicates that developments should provide a variety of plot widths and sizes and a mix of building types, design, size and height to create visual interest. It states that large housing developments comprising uniform plot widths and sizes and/ or buildings of predominantly the same type, design, size and height will only be acceptable where it is demonstrated that the form of development is necessary to meet an identified housing need. In large developments it indicates that a range of private garden sizes should be provided, but generally the private amenity space should be no smaller than the floor area (all floors) of the house, while new build flats should be provided with a minimum of 25sqm per flat. It further indicates that to make places sustainable and adaptable, proposals should provide a mix of dwelling types and sizes to meet a range of housing needs. In this case, a range of plot sizes would be provided, and all dwellings would have a private outdoor area. While some, particularly, the terraced properties, do not meet the recommended minimum private outdoor standard, the broad range throughout the site would meet a range of needs. The proposal includes a range of detached, semi-detached, and terraced buildings, including 20 flatted dwellings, but while the building heights vary, they are all provided over 2-storeys. This provides limited variety or visual interest and is not reflective of the wider area where there are typically a range of single and 2-storey properties that create character. It adds to a sense of uniformity and lack of distinctiveness that the design guidance seeks to avoid. While the ground floor flatted dwellings would assist in providing a mixed community, the absence of single storey properties reduces the accessibility and attractiveness of the development for a broader spectrum of the community. No information has been provided to demonstrate that the development is meeting a particular housing need, the housing service has indicated that the affordable housing does not meet current need, and the predominance of 2-storey buildings is not consistent with the design guidance. The design and access statement indicates that all houses would have level access from the street or paths leading to doors and internally they would be designed to meet building standards. However, the housing service has confirmed that the council has an overall target of at least 20% of new affordable housing supply being delivered to meet particular needs, with at least half (that is, 10% of new supply) to full wheelchair standard. No information has been supplied to evidence how this target would be met on site, or to demonstrate that any house types would comply with the Housing for Varying Needs Standards.
- 8.31 The design and placemaking supplementary guidance indicates that proposals should make provision for car parking in accordance with council standards in a manner that does not detract from the character and visual quality of the place. It indicates that a range of parking solutions should be adopted to reduce the impact of parked cars on the street scene and to provide a safe and welcoming environment. It further states that a predominance of on-street parking or parking in front of dwellings should be avoided. In this case, a predominance of car parking has been avoided on the main access roadway from Glamis Road. However, on other streets within the development properties typically have integral garages with the majority of front garden areas accommodating in-curtilage parking. At the southwest of the site, the frontage area between buildings would comprise largely car parking and roadway. The overall impression is of a layout that would be dominated by car parking at the expense of creating a safe and pleasant environment. The nature of the front garden car parking is such that the development would generally have an open-plan appearance as scope to provide meaningful front garden enclosure would be limited. For these reasons, the proposal is not consistent with the council's design guidance or design policy aspirations of creating a high-quality place.

- 8.32 The proposal provides a layout and design that responds poorly to the site and its surroundings. The layout and design do not comply with the council's design and placemaking supplementary guidance in a number of significant respects and there is no justification for that on a large greenfield site. The development would not provide a good living environment for future residents; it would not be safe and pleasant, welcoming or adaptable, and it is contrary to policy 2 of TAYplan and policies DS3, DS4, TC2, and allocation F4 of the ALDP.

Built heritage and archaeology

- 8.33 The application site includes scheduled ancient monuments and those are of significant value. Historic Environment Scotland (HES) has indicated that it does not object to the application but has advised that development and planting is unlikely to be approved within the scheduled areas. Discrepancy between various drawings submitted in relation to landscaping and planting proposals is identified. HES has also indicated that the formation of paths within the scheduled areas may be acceptable but would require scheduled monument consent. Concern is expressed regarding the proposed future road link between the application site and the southern part of the allocated site, and the potential for that to impact on scheduled monuments. The council's archaeological advisor has provided similar advice as HES in relation to the scheduled areas. It has advocated the provision of a 10-metre buffer around the scheduled areas to accommodate planting and has suggested conditions that should be imposed if planning permission is granted. On the basis of available advice, the proposal is unlikely to give rise to unacceptable impacts on the built heritage interests subject to appropriate conditions, but there are outstanding issues regarding the proposed link road to the south of the site and its potential impact on scheduled monuments.

Natural heritage

- 8.34 The proposed development would result in landscape change, and it would be visible from the public road network, core paths, and surrounding public areas. However, that change has been accepted through allocation of the site for residential development in the ALDP. The application site sits on a lower part of the overall land allocation and therefore its visual impact in terms of the wider area and setting of Forfar is limited. New built development would generally be seen in the context of existing development in the wider area, and the land could be developed in a manner that would not give rise to unacceptable landscape or visual impact. However, issues associated with the design of the proposal are identified above.
- 8.35 The applicants have submitted information in relation to the ecological value of the site and it indicates the proposal would not give rise to any significant impact on natural heritage interests. The site is not subject of any natural heritage designation and there is no information to indicate that it is of significant habitat value for protected species. Mitigation measures could be deployed to minimise adverse impacts. The various plans regarding landscape proposals submitted with the application are not entirely consistent and the arboricultural assessment has not been updated to reflect the changes made to the overall layout. While some trees and hedgerows would be retained, it is possible that important trees, including those at the northern extent of Westfield Loan would have to be removed to facilitate the development. The roads service has indicated that a footway should be provided along the Westfield Loan frontage of the site and in the context of the current proposed layout, it is difficult to imagine that could happen without loss of existing trees and stone dykes that are of some habitat value. New planting could be provided but that would take time to establish.
- 8.36 The proposed SUDS basin has the appearance of an engineered feature and appears to be designed as a dry basin. Consultation responses have identified criticism of this approach and have suggested opportunity for pond and wetland

creation in the vicinity of the Halfpenny Burn to improve biodiversity and to reduce flood risk elsewhere. There would be potential to improve habitat value of the SUDS basin and to improve planting within the site to enhance biodiversity and amenity. The site is predominantly productive agricultural land and there is no reason to consider the proposal would give rise to unacceptable impacts on natural heritage interests, but opportunity for significant biodiversity improvement is not realised.

Infrastructure and accessibility

- 8.37 The site has reasonable accessibility to nearby shops and services, there are established footpath links in the area to primary and secondary schools, and it is on a bus route. Its general accessibility and associated suitability for residential development has been established through its allocation in the ALDP.
- 8.38 Transport Scotland and the roads service have indicated no objection in principle to development on this part of the wider land allocation. The roads service has identified that further information in relation to a number of details would be required before the final layout is approved and has identified that other matters could be addressed by planning conditions. It has suggested that a footway should be provided to the south of Glamis Road along the site frontage, and that could be provided as a cycleway having regard to likely future usage. It has also suggested that a footway is provided along the site frontage to the west of Westfield Loan but no provision is made for that in the submitted layout. Such provision would be desirable but in the context of the proposed layout this would likely result in the loss of existing trees and stone walls. However, amendment to the layout could provide for such footway provision within the site, set back from the roadway, overlooked by front elevations of houses, and in a manner that would reduce potential for loss of existing landscape features. That approach could deliver the pedestrian linkage sought by the roads service and address issues of conflict with the council's design guidance highlighted above.
- 8.39 Transport Scotland has indicated that while it does not object to the planning application, this is on the basis that an appropriate scheme of mitigation for the A90 Lochlands junction would be provided, and that the mechanism for this mitigation scheme would be agreed before any further part of the F4 site is developed. It is further understood that Transport Scotland would be unlikely to accept further development that relied upon access on Westfield Loan without that mitigation, and this has potential implications for the masterplan and for the development of this site as detailed above.
- 8.40 The council's developer contributions and affordable housing supplementary guidance indicates that new residential development will be required to make contribution towards provision of increased capacity at Forfar Academy and Langlands Primary School. However, the applicant has provided a school impact assessment and it indicates pupils from the development could be accommodated within both schools without requirement for extension or reconfiguration. The council's children and lifelong learning service has indicated there is sufficient capacity at primary and secondary schools to accommodate children that might be anticipated from the development.
- 8.41 The supplementary guidance indicates that contributions may be required towards the A90 junctions (including Lochlands) on the strategic road network and the West Port junction on the local road network where impacts are identified. Contribution from this site might be appropriate where mitigation is required in association with the delivery of the F4 land allocation. The current masterplan does not allow any such requirement to be identified or quantified. However, contribution from this development in isolation is not required.
- 8.42 The supplementary guidance does not identify any specific requirement for further developer contribution in relation to this site.

Flood risk and drainage

- 8.43 The proposed houses would connect to the public sewer for foul drainage and to the public water supply. Scottish Water has indicated no objection and this approach is consistent with development plan policy. It is indicated that surface water would be addressed by SUDS and this is compatible with development plan policy.
- 8.44 A flood risk assessment has been submitted and reviewed by SEPA and the council's roads service in its capacity as flood prevention authority. The council's roads service has indicated that the proposal should make provision for Natural Flood Management (NFM) measures such as woodland and wetland creation to reduce potential for flooding in the vicinity of the A94. SEPA initially objected to the application as a number of properties would be subject to flood risk but identified measures that could be deployed to allow its objection to be removed. The applicant has indicated an intention to adopt an identified mitigation strategy and has recently submitted information to address SEPA's objection. It is relevant to note that the proposed mitigation would require amendment of ground levels outwith the revised application boundary, but that could be controlled by means of an appropriately worded planning condition. SEPA has confirmed that it no longer has objection to the application subject to appropriate conditions.

Affordable housing

- 8.45 Development plan policy and associated supplementary guidance indicates that 25% of the total number of residential units should be provided as affordable housing. The applicant has indicated that this requirement would be met with 34 of the 136 dwellings identified as affordable housing. However, the council's housing service has indicated that the type of housing proposed in the application does not meet the current requirements for affordable housing in the area. While the number of affordable housing units proposed is acceptable, the value of that contribution is diminished given that the type of affordable housing proposed does not meet current requirements in the area. Affordable housing provision that does not reflect local housing need is not compatible with policy TC3 of the ALDP.

Other development plan matters

- 8.46 The applicant has provided a report of site investigation document and it considers the suitability of the land having regard to possible ground conditions and contamination. The document recognises that an area of land to the south of the planning application site was used in connection with the burial of anthrax. It indicates that sampling was undertaken to test for the presence of anthrax in the area surrounding the woodland area to the south and west of Westfield Loan. The document advises that anthrax was not detected in any of the eight soil samples analysed. The document does not identify any significant issues in relation to contamination and ground gas emissions. The council's environmental health service has reviewed the proposal and the submitted assessment and has confirmed it is satisfied that this site does not pose a significant risk of harm to the proposed use from land contamination. The anthrax burial area is understood to be around 80m south of the application site and is separated from it by existing built development.
- 8.47 Development of the application site would result in the loss of over 12ha of prime quality agricultural land. Policy 9 in TAYplan seeks to protect prime agricultural land where the advantages of development do not outweigh the loss of this land. Policy PV20 of the ALDP states that development proposals on prime agricultural land will only be supported where they support delivery of the development strategy and policies of that plan. In this case the land is allocated for residential development in the ALDP and the acceptability of the loss of agricultural land has been accepted through the plan-making process. This site contributes to the effective housing land

supply in the council's housing land audit, and delivery of housing on this site would support the development strategy in the ALDP. The loss of prime agricultural land in this case is compatible with development plan policy.

- 8.48 The proposal does not give rise to significant issues in terms of other development plan policy.

Development plan conclusion

- 8.49 The application site forms part of a larger area of land that is allocated for residential development in the period 2021- 2026. The principle of residential development on the site is compatible with and attracts strong support from development plan policy. However, for the reasons set out above, the detailed layout and design of the proposal is not compatible with development plan policy or with relevant supplementary guidance. Overall, the proposal is contrary to development plan policy.

Other material considerations

- 8.50 In addition to the matters covered by development plan policy it is necessary to have regard to other material planning considerations. In this case those are Scottish Planning Policy (SPP), relevant planning issues raised in supporting information and in letters of representation to the application in so far as they are not addressed in the discussion above, relevant planning history in the wider area, and draft NPF4.
- 8.51 Paragraph 33 of SPP 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 is more than 5-years old as it was adopted in September 2016. Paragraph 125 of SPP also says where a shortfall in the 5-year effective housing land supply exists, housing land policies of the development plan should not be considered as being up-to-date. In these circumstances the presumption in favour of development that contributes to sustainable development is engaged as a significant material consideration in this case.
- 8.52 Paragraph 29 of SPP identifies sustainability principles that should be used to guide decisions. Some of the identified matters have also been raised in representation to this application and where appropriate they are addressed below to reduce repetition.
- 8.53 The first two criteria relate to economic impact. In this respect residential development would provide employment opportunities and there would be economic benefit associated with construction activity and the delivery of new homes. The proposal would not conflict with any economic strategies.
- 8.54 The third principle relates to design quality and the six qualities of successful places. The proposed houses are not unattractive, but for the reasons set out above, the proposed layout does not respond well to the character of the surrounding area and does not comply with the council's design policies. Private areas associated with the houses would form the interface with the public realm at various locations across the site; there is significant reliance upon car parking provision in front garden areas; the resultant layout is such that residents of properties would not enjoy a high standard of amenity by virtue of noise and/or associated mitigation; and there is limited variety in terms of building height (in terms of storeys). Accordingly, the proposal would not be safe and pleasant, welcoming, or adaptable and it would not support good design and meet the qualities of successful places.
- 8.55 The fourth principle relates to making efficient use of land, buildings and infrastructure. This development would involve loss of over 12ha of prime quality agricultural land; it would not involve reuse of existing buildings or brownfield land;

but it is located in an area where, generally, it can be accommodated by existing infrastructure. However, the land is allocated for residential development in the local development plan, and planning policy allows for loss of prime quality agricultural land where the advantages of development outweigh its loss. Construction of new homes where there is an identified shortfall in housing land supply would be circumstances where the benefit of development would justify loss of prime land.

- 8.56 The fifth principle relates to accessibility. SPP aims to promote development which meets its travel demands first through walking, then cycling, then public transport and finally through the use of private cars. Transport Scotland has indicated it has no objection to this development in relation to impact on the trunk roads network. The roads service has indicated it has no objection to the principle of the development subject to provision of additional information and improvements to pedestrian and cyclist provision. These matters could potentially be addressed by planning conditions, but impact on existing landscape features would occur. There is uncertainty regarding the ability of the remainder of the allocated F4 site to be accessed in the manner anticipated by the submitted masterplan.
- 8.57 The sixth principle relates to delivery of infrastructure. Available information indicates that there are no issues associated with capacity at schools that would accommodate children from the development. The F4 allocation identifies that land safeguarded for further residential development in the period beyond 2026 may also include a new primary school. However, this proposal does not require a new school and it is beyond the remit of this application to consider the location of any new primary school. The council's developer contributions and affordable housing supplementary guidance does not identify a requirement for new residential development to make contribution towards healthcare infrastructure in Forfar. No objection or concern has been raised in relation to this application by NHS Tayside or local health care providers and the additional population from this allocated site was a known factor when relevant parties were consulted on the developer contribution supplementary guidance. There is no evidence to suggest that there is not adequate infrastructure to meet the needs of the development. The masterplan does not demonstrate what infrastructure or mitigation would be required to facilitate additional residential development on the remainder of the allocated F4 site or on the larger area of safeguarded land.
- 8.58 The seventh principle relates to climate change mitigation and adaptation including taking account of flood risk. SEPA and the council's roads service raised concern regarding potential flood risk, but that matter is now addressed. Limited information has been provided to demonstrate how the proposals would incorporate measures to assist in carbon reduction, but any new dwellings on the site would be required to comply with relevant building regulations.
- 8.59 The eighth principle relates to improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation. The proposal makes provision for open space, and areas within the site would be pleasant for social interaction. The detail of those areas could be improved by planning condition. The proposal would or could include provision for linkages to other services and facilities in the wider area by means other than private car.
- 8.60 The ninth principle requires proposals to have regard to the principles of sustainable land use set out in the government's Land Use Strategy, and the proposal does not give rise to any significant conflict in that respect.
- 8.61 The tenth principle relates to protecting, enhancing, and promoting access to cultural heritage, including the historic environment. The application site includes scheduled ancient monuments. However, while some concern was originally expressed, Historic Environment Scotland has indicated that it has no objection to the application, and the council's archaeological service has suggested conditions that would mitigate

adverse impact on archaeological interests. The proposal would not result in significant adverse impact on cultural heritage or historic environment assets.

- 8.62 The eleventh principle relates to protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment. There is no evidence to suggest that the proposal would give rise to any unacceptable impacts on protected species or their habitats. The SUDS basin is not especially well-designed to enhance biodiversity, but the proposal would not give rise to unacceptable impacts on natural heritage interests or the wider environment.
- 8.63 The twelfth principle relates to reducing waste, facilitating its management and promoting resource recovery and the proposal does not give rise to any significant issues in terms of this matter.
- 8.64 The thirteenth and final principle relates to avoiding over-development, protecting the amenity of new and existing development and considering implications of development for water, air and soil quality. The proposed development would generally meet the council's spatial standards for a development of this nature. However, by virtue of the proximity of proposed homes to neighbouring noise generating uses, the development would not protect the amenity of new residents due to exposure to adverse noise levels. It would also not meet the council's design quality policies in relation to reducing the dominance of car parking or avoiding interface between private areas and the public realm. Beyond the issues already identified above, the proposal would not give rise to significant impacts on water, air and soil quality.
- 8.65 In this case the proposal is compatible with some of the SPP criteria that indicate a sustainable development, but not all are met. Most significantly, the development does not support good design and meet the qualities of successful places and it would not provide a good living environment for future residents due to adverse noise levels from neighbouring land uses.
- 8.66 In relation to other matters, interested parties have raised concern regarding the principle of residential development at this site, and that matter is discussed above. However, the release of greenfield land for construction of new homes is required to meet housing land requirements identified through TAYplan and its associated housing need and demand assessment. The allocation of land at Westfield for residential development in the local development plan was subject of examination and supported by a Scottish Government appointed Reporter. It is not unusual or inappropriate for sites to be allocated subject to a requirement that specific matters are addressed through subsequent process.
- 8.67 Interested parties have commented that the proposal is contrary to development plan policy. While the principle of residential development on the application site is compatible with development plan policy, the detail of this proposal is contrary to policy and associated guidance for the reasons set out above.
- 8.68 There are issues with the masterplan submitted in support of this application. It has been prepared largely in the absence of supporting assessments to justify the proposed approach, and specifically to justify the suggestion that the site can accommodate significantly more homes than anticipated by the land allocation. That has implications in terms of understanding how development on this part of the site would fit into the wider development and it provides no clarity on when new infrastructure or mitigation would be required or how that would be delivered. However, and notwithstanding those deficiencies, there is a shortfall in effective housing land supply within the West Angus HMA, and, as indicated above, SPP recognises that this may justify allowing a development that does not fully comply with development plan policy. In such circumstance, the absence of an appropriate masterplan for the land allocation would not necessarily justify refusal of an

application if all other aspects were acceptable, and it was demonstrated that development on one part of the site would not prejudice delivery of new homes on the remainder of the allocated land.

- 8.69 There is no evidence that residential development on this site would adversely affect telecommunications or other technological communications. Loss of view is not a material planning consideration and the principle of residential development on the site has been established through the local development plan process.
- 8.70 The council does not have a financial interest in this development. The principle of large-scale residential development on this site is compatible with development plan policy. While there are issues associated with the detail of the proposal such that it does not comply with specific policies, it does not represent a significant departure from the development plan. There is no requirement for Scottish Ministers to be notified of any intention to approve the application.
- 8.71 The planning history of the wider area is of some relevance in so far as it aids understanding of housing land supply issues. There is a recognised shortfall in effective housing land supply within the West Angus HMA, and while that shortfall may not be insignificant, an Appeal Reporter has indicated that this must be balanced against the fact that the level of shortfall across the Angus Council area is very small. Recent appeal decisions at [Gowanbank, Forfar](#) and [Garth Farm, Forfar](#) indicate strong support for the council's design and placemaking supplementary guidance and its aim of promoting perimeter block development that avoids private garden areas and rear elevations of dwellings forming the main interface with public areas. The Garth Farm appeal decision also supports the council's position that new residential development on large greenfield sites should not reply upon dwellings having windows closed for residents to enjoy acceptable noise levels within their properties.
- 8.72 Draft NPF4 is currently subject of consultation and may be amended following that consultation. The published draft suggests that the scale of the overall housing land requirement across Angus is likely to be lower than current TAYplan requirement, that position may change. Limited weight should be attached to draft NPF4 at this stage.

Conclusion

- 8.73 Planning legislation requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. However, SPP indicates that development plan policies will not be considered up-to-date when a plan is more than 5-years old and/ or where there is a shortfall in the 5-year effective housing land supply.
- 8.74 SPP indicates that where relevant policies in a development plan are out-of-date, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. It is an established principle that development which would remedy, to some extent, a housing shortfall will almost inevitably contribute to sustainable development. However, decision-makers must also consider any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in the SPP, and to determine if a proposal is, in overall terms, a sustainable development.
- 8.75 In this case, the proposal would help address a reasonably significant housing land shortfall within the West Angus HMA, and there is a strong public interest in ensuring that the shortfall is met. However, there is also a strong public interest in ensuring that new development is of a high design standard and that it provides a good living environment for future residents. For the reasons set out above, it is apparent that this proposal has significant design failings, and it would not provide a good living environment for future residents by virtue of noise and associated mitigation

requirements. A development of overall poor design quality that does not provide an acceptable residential amenity for future residents is not regarded in overall terms as a sustainable development. The long-term harm which would be associated with the proposal outweighs any benefits of addressing a shortfall in housing land supply.

9. OTHER MATTERS

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.

10. CONCLUSION

It is recommended that the application be refused for the following reasons: -

1. The application is contrary to policy 2 of TAYplan and policies DS3, DS4, TC2 and F4 of the Angus Local Development Plan and its associated supplementary guidance as the layout and design of the development does not deliver a high design standard that contributes positively to the character and sense of place of the area and as it would not provide an acceptable residential amenity or environment for future residents by virtue of noise from neighbouring land uses.
2. The application is contrary to and policy TC3 of the Angus Local Development Plan and its associated developer contributions and affordable housing supplementary guidance as the type of housing proposed does not meet current requirements for affordable housing in the area.
3. The proposal does not represent sustainable development in terms of Scottish Planning Policy and is not consistent with its policies as it would not support good design and meet the qualities of successful places, and as it would not protect the amenity of new residents due to exposure to adverse noise levels.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

REPORT AUTHOR: JILL PATERSON
EMAIL DETAILS: PLANNING@angus.gov.uk

DATE: 6 SEPTEMBER 2022

APPENDIX 1: LOCATION PLAN/ SITE LAYOUT PLAN
APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING ASSESSMENTS
APPENDIX 3: LETTERS OF REPRESENTATION
APPENDIX 4: DEVELOPMENT PLAN POLICIES
APPENDIX 5: PLANNING SERVICE PRESENTATION