

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 27 SEPTEMBER 2023**

**CARLUNGIE FARM, CARLUNGIE, CARNOUSTIE**

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

**ABSTRACT:**

The Committee is asked to consider an application for a review in respect of Condition 3 of planning permission ref 22/00463/PPPL, for erection of 4 dwellinghouses at Carlungie Farm, Carlungie, Carnoustie.

**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 ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN**

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

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

**3. CURRENT POSITION**

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

**4. FINANCIAL IMPLICATIONS**

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

**5. EQUALITY IMPACT ASSESSMENT**

An equality impact assessment is not required.

**6. CONSULTATION**

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

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

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**ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL**

**APPLICATION NUMBER – 22/00463/PPPL**

**APPLICANT - Clova Farms Limited**

**PROPOSAL & ADDRESS – Demolition of redundant farm buildings and erection of 4 dwellinghouse at Carlungie Farm, Carlungie, Carnoustie**

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**Angus Council**

<b>Application Number:</b>	22/00463/PPPL
<b>Description of Development:</b>	Demolition of redundant farm buildings and erection of 4 dwellinghouses
<b>Site Address:</b>	Carlungie Farm Carlungie Carnoustie
<b>Grid Ref:</b>	351277 : 735903
<b>Applicant Name:</b>	Clova Farms Limited

**Report of Handling****Site Description**

The application site measures approximately 7,518sqm and currently contains a number of derelict traditional steading/agricultural buildings and some modern agricultural buildings with associated hardstanding areas. Agricultural land bounds the site to the north and west with other former agricultural buildings and a residential property (The Farmhouse, Carlungie) bounding the site to the east. The former agricultural buildings to the east have most recently been used as ancillary buildings for the farmhouse and an application to regularise this use is currently being considered. There is a further residential property called 'The Cottage' to the northeast. An indicative layout shows 4 dwellings being accommodated on the site with plot sizes ranging between 1,440sqm and 1,765sqm. The supporting information indicates the plans are indicative only. The applicant proposes to connect the development to the public water supply, make private foul drainage arrangements with new septic tanks and SUDS are proposed to deal with surface water drainage.

**Proposal**

The application has not been subject of variation.

**Publicity**

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 5 August 2022 for the following reasons:

- Neighbouring Land with No Premises

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

**Planning History**

96/00354/FULL for Partial Demolition of Farm Building was determined as "approved" on 22 November 1996.

22/00869/FULL for Change of Use of Agricultural Buildings to domestic storage buildings (retrospective) relates to 2 buildings adjoining the site and is currently pending consideration.

**Applicant's Case****Planning Statement:**

- Provides a site description;
- The applicant purchased Carlungie to amalgamate with their extensive contiguous landholdings to the east. The range of obsolete farm buildings at Carlungie are in a state of disrepair and surplus to the Applicant's requirements given the proximity of more modern and suitable farm buildings available on

adjacent landholdings;

- The former farmhouse along with its curtilage buildings have been sold on to a third party for private residential occupation;
- States the layout is indicative;
- Notes the bat survey and that the buildings should be demolished because of their condition and unsuitability for conversion (structural survey);
- States development plan policies and compliance with these.

#### **Carlogie Steading Bat Survey (October 2021) by Alison Hannah Ecology**

- Prior to proposed demolition works of Carlungie steading, bat activity survey work was carried out.
- Two individual soprano pipistrelles (*Pipistrellus pygmaeus*) were recorded roosting.
- As no bat maternity roosts were recorded, work can be carried out under a bat low impact (BLIMP) licence. A Bat Protection Plan should be produced, and two suitable bat boxes sited in nearby mature trees prior to work commencing.
- During the course of bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). If this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.

#### **Pre demolition Survey Report by Innes Aitkin Associates dated 09 May 2022:**

- Innes Aitken Associates have carried out a Pre-Demolition Building Survey Report. The report was commissioned to assess the overall condition of the existing steadings in order to ascertain whether any buildings are suitable for conversion. The report provides for a detailed appraisal of 15 individual buildings/ancillary structures.
- Buildings 1, 2, 3, 4, 5, 11 & 12 all comprise historic stone-built steading buildings with slate roofs, large cast iron valley gutters and cast iron rones/downpipes. There is widespread severe woodworm and rot to the roof structures throughout, which necessitates complete dismantling of all roof structures. Stone walls are aged and deteriorating, with extensive delaminating, splitting and scaling stonework, and pointing is in very poor condition throughout. There are areas of structural cracking and displacement to stone walls, due to roof spread as a result of decay to the roof structures, heavy deterioration of stone walls and pointing due to prolonged rainwater ingress requiring rebuilding, and structural failure of stone lintels. Full demolition is recommended.
- Building 6 simply comprises a timber canopy roof structure extending between buildings 3 & 8. The timber roof structure and roof coverings are in very poor condition, and structurally unsafe, with an imminent collapse and should be demolished as soon as possible.
- Buildings 7, 8, 9, 10, 13, 14 & 15 are all of relatively modern design and construction and have no intrinsic historic or design value and these can be readily demolished. Buildings 7 & 9 are at risk of collapse due to significant structural issues and in need of immediate demolition.
- There is evidence of potential asbestos, which would require specialist removal.
- In conclusion, the entire site should be fully demolished as soon as is practicable.

A bus timetable has also been submitted.

#### **Consultations**

**Historic Environment Scotland** - Offers no objection to the proposal but notes the potential impacts upon the setting of the scheduled monument located roughly 70m to the northwest of the site should be considered. They advise the council should consider controlling the scale and massing of buildings and the boundary treatments and screening could be provided on the boundary to partly mitigate impacts.

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

**Roads (Traffic)** - No objections subject conditions being attached. Notes the site is located to the north of the A92 Dundee to Arbroath road at Carlungie Farm. No vehicular access is available to the site directly from the A92. Access is taken from the unclassified Old Downie Road which no longer connects to the A92.

**Scottish Water** - No Objections and advised there is no Scottish Water wastewater infrastructure within the vicinity of the site.

**Service Manager Housing** - No objections. Indicated that an affordable housing requirement of 25% is required and could be delivered through payment of a commuted sum towards off site provision.

**Aberdeenshire Council Archaeology Service** - No objections subject to conditions.

**Environmental Health (Forfar)** - Offered no objection to the proposal subject to the attachment of conditions requiring a contaminated land investigation report and, where risks are identified, a detailed remediation strategy to be submitted.

**Flood Prevention Authority** - No objections but advised the applicant should submit details of the current drainage arrangements of the site and proposal for the treatment and attenuation of the surface water from both the roof water and any impermeable areas around the proposed dwellinghouses. These proposals should be designed in accordance with CIRIA's Guidance document C753.

**Parks & Burial Grounds** - There was no response from this consultee at the time of report preparation.

**People Directorate - Education** – Offers no objections or developer contributions required.

### **Representations**

There were no letters of representation.

### **Development Plan Policies**

#### **NPF4 – national planning policies**

Policy 1 Tackling the climate and nature crises  
 Policy 2 Climate mitigation and adaptation  
 Policy 3 Biodiversity  
 Policy 4 Natural places  
 Policy 5 Soils  
 Policy 6 Forestry, woodland and trees  
 Policy 7 Historic assets and places  
 Policy 9 Brownfield, vacant and derelict land and empty buildings  
 Policy 13 Sustainable transport  
 Policy 14 Design, quality and place  
 Policy 17 Rural homes  
 Policy 18 Infrastructure first  
 Policy 22 Flood risk and water management

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

Policy DS1 : Development Boundaries and Priorities  
 Policy DS2 : Accessible Development  
 Policy DS3 : Design Quality and Placemaking  
 Policy DS4 : Amenity  
 Policy DS5 : Developer Contributions  
 Policy TC2 : Residential Development  
 Policy TC3 : Affordable Housing  
 Policy PV5 : Protected Species  
 Policy PV7 : Woodland, Trees and Hedges  
 Policy PV8 : Built and Cultural Heritage  
 Policy PV15 : Drainage Infrastructure  
 Policy PV20 : Soils and Geodiversity

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.

In this case the development plan comprises: -

- National Planning Framework 4 (NPF4) (Published 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report.

The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located outwith a development boundary and is not allocated or otherwise identified for development in the ALDP. Policy DS1 of the Angus Local Development Plan (ALDP) indicates that proposals for development outwith development boundaries will be supported where they are of a scale and nature appropriate to the location and where they are in accordance with relevant policies of the ALDP. Both the ALDP and NPF4 encourage the reuse of brownfield land in preference to the use of greenfield land. NPF4 Policy 5 seeks to minimise the disturbance of soils from development and (amongst other things) only allows the development of prime quality land in limited circumstances. In all circumstances, it requires the layout and design to minimise the amount of protected land that is required.

NPF4 Policy 17 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations. It supports proposals for new homes in rural areas where the development is suitably scaled, sited and designed to be in keeping with the character of the area and in a number of specified circumstances. 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. This includes where development involves the 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. Policy TC2 also requires all 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 for housing in the countryside also require to be assessed against Angus Council Countryside Housing Supplementary Guidance.

The proposal would result in the removal of a mix of traditional and modern agricultural buildings to create four new house plots. The supporting information indicates the complex of farm buildings are now obsolete and surplus to the applicant's requirements given the proximity of more modern and suitable farm buildings available within their wider landholdings. The structural information suggests that the traditional buildings that remain cannot be converted due to numerous defects and recommends demolition of these buildings. Whilst this is unfortunate, if the buildings are unsafe and not suitable for conversion, the principle of demolishing these and redeveloping the site for housing in a manner which would deliver a significant visual and environmental improvement to the site, is acceptable. The principle of redevelopment the site for the scale of housing proposed is compatible with Policy TC2 and the Countryside Housing Supplementary Guidance.

In terms of land use compatibility, the site is surrounded by agricultural land and residential properties. There is an area to the east where former agricultural buildings are being used for domestic storage. An application has been submitted to regulate this adjoining use (ref: 22/00869/FULL) and is being considered alongside this application. Approval of these neighbouring buildings to domestic storage ensures there is no potential conflict in terms of land use.

The surrounding land is classified as prime quality agricultural land (3.1). However the extent of the site relates to a brownfield area and as such does not raise any issues against development plan policies which aim to protect prime quality land.



The proposed indicative plots are within the acceptable limits permitted within a Category 1 Rural Settlement Unit. At that size the site could accommodate 4 houses/plots in a manner that would provide a good residential environment for residents whilst minimising impacts on neighbouring property. The layout of the site and the design of buildings would be subject to a further matter specified in condition application. However there is no reason to consider that a suitably designed proposal could not be consistent with the character and pattern of development in the area and provide an acceptable design solution as considered against the Design and Placemaking and Countryside Housing Supplementary Guidance.

In terms of the built heritage, HES has indicated that proposed development lies about 70m southeast of a scheduled monument, they have not objected to the development but stated consideration should be given to controlling the scale and massing of buildings and the boundary treatments in order to limit impacts upon the setting of the scheduled monument. A further detailed application would be required for approval of matters relating to the layout of the site and the design of buildings but at this stage there is no reason to consider that an appropriately designed development could not be provided in a manner which would not unacceptably impact upon the setting of the scheduled monument. The layout provided is indicative only and is not approved. The current application also affects archaeological designations. However the Archaeology Service has not objected subject to conditions which require a programme of works and standing buildings survey.

The site is not subject of any natural heritage designation however some of the buildings on the site are of a construction potentially favourable for bats. A bat survey was submitted and this found two individual soprano pipistrelles (*Pipistrellus pygmaeus*) roosting at the site. As no bat maternity roosts were recorded, the survey indicates work can be carried out under a bat low impact (BLIMP) licence and that a Bat Protection Plan should be produced. The survey suggests two suitable bat boxes sited in nearby mature trees prior to work commencing. During bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). The survey indicates that if this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing. Subject to the mitigation measures proposed, the proposal is not considered to have any significant adverse impacts on protected species. A condition is attached to ensure works are undertaken in accordance with the submitted bat survey report.

Given the size of the site there is no reason to consider that there would not be adequate separation between the proposed dwellings and existing when assessed against council guidance. The Environmental Health Service notes the previous use of the site and has requested a planning condition to deal with potentially contaminated land. Further consideration of those matters would be dealt with through conditions but there is no reason to consider that a satisfactory residential environment could not be created.

Both NPF4 and the ALDP promote development in accessible locations with the overall aim of reducing dependency on the private car and encouraging sustainable travel options. Public transport availability in the area is generally limited. The site is within 800m of a bus stop on the A92. The nature and scale of the proposal would not support provision of additional services and is unlikely to make any meaningful impact in terms of helping sustain existing services. It is likely that the proposal would be accessed by private car and would increase reliance upon the car as a means of transport. However, in circumstances where the development would regenerate a brownfield site as set out in ALDP Policy TC2, that is not unacceptable and the development is not in itself a significant travel generating use. The location of the site would provide access to the natural environment, and vehicular access, parking and turning arrangements in the site would be assessed as part of any subsequent application. The Roads Service has offered no objection to the proposal subject to conditions.

Precise details of the proposed water supply, foul drainage and surface water drainage arrangements would be considered as part of any subsequent detailed application. However the application form indicates that the proposal would connect to the public water supply network and make provision for the sustainable drainage of surface water. The Roads Service (flooding and drainage) has raised no objections but stated that the location of the planning application site is close to the medium probability of the surface water flood envelope as given on SEPA's indicative flood map and is therefore likely to be at risk of flooding during an event of this return period. Notwithstanding this the Roads Service has considered that a planning condition requiring details of surface water management could be attached to

address this. There is no reason to conclude at this stage that the development of the site for housing could not be served by appropriate access or drainage arrangements.

Policy TC3 indicates that Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha. The site is of a scale that would require the provision of affordable housing (as the site exceeds 0.5ha) and a condition is attached to secure this. The council's housing service has confirmed an affordable housing contribution of 1 unit (or equivalent) would be sought.

In terms of other potential infrastructure impacts the Education Service were consulted and has raised no objections in terms of impacts upon the relevant primary or secondary schools. Given the scale and location of the proposal, the development is unlikely to result in any significant impacts on other infrastructure.

In terms of the detailed Countryside Housing Criteria provided at Appendix 3 of the Countryside Housing Supplementary Guidance, the proposal would not create a gap site or rounding off opportunity for additional greenfield development and it would not require the subdivision of an existing residential curtilage. The proposal would not extend ribbon development. Redevelopment of the redundant farm complex would not result in the coalescence of building groups. The proposal does not give rise to any significant issues in terms of the Appendix 3 requirements.

NPF4 Policy 1 gives significant weight to the global climate and nature crises. Policy 2 requires proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and requires that proposals are designed to adapt to current and future risks from climate change. Policy 3 requires proposals for local development to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

In respect of those policies, the proposal is for redevelopment of an existing brownfield site, in a location which is accessible to the public road network. There is no reason to conclude that the proposed dwellings could not be designed in a way which would minimise greenhouse gas emissions or in a manner which would be generally consistent with the aims of policies 1 and 2. The proposal would not have any significant impact on biodiversity subject to the conditions attached and additional landscaping could be provided at a detailed design stage to further enhance biodiversity at the site (Policy 3).

As with any proposal, it attracts support from some policies and is not entirely compatible with others. However, when those matters are balanced and considered in the round, the proposal is in general compliance with the development plan as the application proposes the redevelopment of a brownfield site in a manner that is generally consistent with development plan policy. There are no material considerations of sufficient weight which would warrant refusal of the application.

### **Human Rights Implications**

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

### **Decision**

The application is approved subject to conditions

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

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and

built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

**Conditions:**

1. The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.

Reason: In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.

2. That application for approval of matters specified in condition must be made before -

- (i) the expiration of three years from the date of grant of planning permission in principle;
- (ii) the expiration of six months from the date on which an earlier application for such approval was refused, or
- (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed,

whichever is the latest. Only one application for approval under (ii) or (iii) may be made after the expiration of the three year period mentioned in (i).

Reason: In order to clarify the time period within which an application or applications for approval of the matters specified in condition must be made.

3. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are: -

- (a) The siting of the building(s);
- (b) The design and external appearance of the building(s);
- (c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);
- (d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;
- (e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;
- (f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.

Reason: To ensure that the matters referred to are given detailed consideration.

4. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide for a scheme for the delivery of 1 affordable housing unit or a suitable alternative provision in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the Angus Council Developer Contribution and Affordable Housing Supplementary Guidance or any subsequent policy or guidance that replaces it shall be provided.

Reason: To ensure provision of or a contribution towards affordable housing in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the associated Developer Contributions and Affordable Housing Supplementary Guidance.

5. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

6. No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

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

7. Prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites - Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the planning authority.

Reason: In order to ensure that a remediation strategy is in place for any land contamination identified, in the interest of public health and safety.

8. The development hereby approved shall be undertaken in accordance with Section 7 'Mitigation' of the 'Carlungie Bat Survey' by Alison Hannah Ecology, dated October 2021 and submitted in support of this application, unless otherwise modified by the conditions of an EPS licence, and if the demolition works are to be carried out within the bird nesting period (March to August) a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.

Reason: In order to minimise the likelihood of harm or disturbance to bats and nesting birds as a result of development taking place.

9. A nominal 2.0 metres wide grassed, road verge shall be provided adjacent to the carriageway of the public road, extending over the entire site frontage prior to the occupation of any dwellinghouse.

Reason: To provide an adequate safety zone between the site and the existing public road.

**Notes:**

1. The applicant that the verge crossing at the proposed access must be formed and constructed in accordance with the standards of Angus Council. An application form can be downloaded from the Angus Council website for the purpose.
2. Scottish Water has indicated that the development may impact on existing Scottish Water assets, therefore the applicant must identify any potential conflicts with Scottish Water Asset Impact Team directly as any conflict will be subject to restrictions on proximity of construction.

Case Officer: James Wright

Date: 19 May 2023

## Appendix 1 - Development Plan Policies

### **NPF4 – national planning policies**

#### Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

#### Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

#### Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
  - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
  - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and
  - v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

#### Policy 4 Natural places

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.

- c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
  - ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.

- d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:
- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
  - ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

- g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:
- i) will support meeting renewable energy targets; or,
  - ii) is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### Policy 5 Soils

- a) Development proposals will only be supported if they are designed and constructed:
- i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
  - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
- b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
- i. Essential infrastructure and there is a specific locational need and no other suitable site;
  - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
  - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
  - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and

In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

- c) Development proposals on peatland, carbon- rich soils and priority peatland habitat will only be

supported for:

- i. Essential infrastructure and there is a specific locational need and no other suitable site;
  - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
  - iii. Small-scale development directly linked to a rural business, farm or croft;
  - iv. Supporting a fragile community in a rural or island area; or
  - v. Restoration of peatland habitats.
- d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
  - ii. the likely effects of the development on peatland, including on soil disturbance; and
  - iii. the likely net effects of the development on climate emissions and loss of carbon.

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.

- e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
- i. the extracted peat is supporting the Scottish whisky industry;
  - ii. there is no reasonable substitute;
  - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of part of at least 1 metre across the whole site, including
  - iv. the time period for extraction is the minimum necessary; and
  - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

#### Policy 6 Forestry, woodland and trees

- a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.
- b) Development proposals will not be supported where they will result in:
- i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
  - ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
  - iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;
  - iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.
- c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.
- d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

#### Policy 7 Historic assets and places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any



proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:

- i. building is no longer of special interest;
- ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
- iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
- iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.

c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. architectural and historic character of the area;
- ii. existing density, built form and layout; and
- iii. context and siting, quality of design and suitable materials.

e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:

- i. reasonable efforts have been made to retain, repair and reuse the building;
- ii. the building is of little townscape value;
- iii. the structural condition of the building prevents its retention at a reasonable cost; or
- iv. the form or location of the building makes its reuse extremely difficult.

g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.

h) Development proposals affecting scheduled monuments will only be supported where:

- i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided;
- or
- iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.

j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.

k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.

l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.

m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.

n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:

- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
- ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### Policy 9 Brownfield, vacant and derelict land and empty buildings

a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

#### Policy 13 Sustainable transport

a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:

- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).

- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
  - ii. Will be accessible by public transport, ideally supporting the use of existing services;
  - iii. Integrate transport modes;
  - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
  - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
  - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
  - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
  - viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### Policy 14 Design, quality and place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

**Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

**Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

**Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

#### Policy 17 Rural homes

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

- i. is on a site allocated for housing within the LDP;
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- iii. reuses a redundant or unused building;
- iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. is for a single home for the retirement succession of a viable farm holding;
- vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

- i. supports and sustains existing fragile communities;
- ii. supports identified local housing outcomes; and
- iii. is suitable in terms of location, access, and environmental impact.

d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:

- i. is in an area identified in the LDP as suitable for resettlement;
- ii. is designed to a high standard;
- iii. responds to its rural location; and
- iv. is designed to minimise greenhouse gas emissions as far as possible.

#### Policy 18 Infrastructure first

a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.

b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are

to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

Policy 22 Flood risk and water management

a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- o the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

### **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>)

#### Policy PV20 : Soils and Geodiversity

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

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

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

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

All development proposals will incorporate measures to manage, protect and reinstate valuable soils,

groundwater and soil biodiversity during construction.

#### Policy DS5 : Developer Contributions

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

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

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

Contributions may be sought for the following:

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

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

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

**ANGUS COUNCIL**

**PLANNING**

**CONSULTATION SHEET**

PLANNING APPLICATION NO

**22/00463/PPPL**

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

04	08	22
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**PLEASE DO NOT TAKE AWAY THE LAST SET OF PLANS WHERE POSSIBLE COPIES WILL BE PROVIDED ON REQUEST**

**ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX**



## MEMORANDUM

TO: James Wright, Planning Officer (Development Standards)

FROM: Alan Milne, Environmental Protection Officer

YOUR REF: 22/00463/PPPL

OUR REF: Site 2351

DATE: 17 May 2023

SUBJECT: Demolition of redundant farm buildings and erection of 4 Dwellinghouses at Carlungie Farm Carlungie Carnoustie.

---

With reference to the above planning application and your consultation requesting comment regarding contaminated land, I can offer the following comments.

Available information including historic mapping and aerial photography has been reviewed. It would be useful to have some further information about the previous uses of the land and studies should be directed to any potential source of contamination. There may have been storage of chemicals, vehicles or fuel tanks, as well as processes in which chemicals were used that may have resulted in contamination. Of particular note is the Dam (pond) identified on historic maps at the western boundary of the site; it would be helpful to know how this was filled in and whether it presents a risk of harm from ground gasses.

I have no objections to the above application however would recommend the undernoted suspensive conditions be placed on any consent granted;

1) That, prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted for the written approval of the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites – Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33.

2) That where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the planning authority.

Tuesday, 02 August 2022



[Redacted]  
[Redacted]  
Local Planner  
Planning Service  
Angus Council  
Forfar  
DD8 1AN  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

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

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



Dear Customer,

[Redacted]  
**Carlungie Farm, Carlungie, Carnoustie, DD7 7SD**  
**Planning Ref: 22/00463/PPPL**  
**Our Ref: DSCAS-0069908-5WW**  
**Proposal: Demolition of redundant farm buildings and erection of 4 dwellinghouses**

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

**Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

**Water Capacity Assessment**

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

- ▶ This proposed development will be fed from Clatto Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

**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

- ▶ 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.

## Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

- ▶ 2" AC water main
- ▶ 2" PVC water main

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

## Surface Water

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

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

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

## General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:

- ▶ Site Investigation Services (UK) Ltd
- ▶ Tel: 0333 123 1223
- ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
- ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)

- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

### **Next Steps:**

#### ▶ **All Proposed Developments**

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

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

#### ▶ **Non Domestic/Commercial Property:**

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

#### ▶ **Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Angela Allison**


Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@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."*





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

Angus Council  
Orchard Business Park  
Forfar  
DD8 1AN

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300060744  
Your ref: 22/00463/PPPL  
20 September 2022

Dear Angus Council

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

Carlungie Farm Carlungie Carnoustie - Demolition of redundant farm buildings and  
erection of 4 dwellinghouses

Thank you for your consultation which we received on 09 September 2022. We have  
assessed it for our historic environment interests and consider that the proposals affect  
the following:

Ref	Name	Designation Type
SM90059	Carlungie, souterrain 160m WNW of	Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters  
including unscheduled archaeology and category B and C-listed buildings.

### Our Advice

The proposed development lies about 70m southeast of the above scheduled monument.  
The monument is also a Property in the Care of Scottish Ministers that is managed by  
Historic Environment Scotland and is open to visitors in the summer months.

The souterrain was excavated in 1950 and found to be one of the largest and most  
complex examples of its kind in Scotland. The excavation found remains of several  
prehistoric buildings that had stood close to the souterrain. Buried remains of more  
structures are expected to survive elsewhere within the scheduled monument.

The monument is probably the remains of a small farming settlement. Another prehistoric  
settlement is known about 500m to the northeast. There is no indication that particular  
views were important in the siting of the souterrain. At present the setting of the  
scheduled monument is characterised by its location within an arable agricultural  
landscape.



The proposed development would involve replacement of a steading and some relatively modern farm buildings with four houses. The development would be clearly visible from the monument about 70m away. The monument would retain its existing views in other directions and there is no indication that views to the southwest have particular significance. However, there would be a very visible change in the character of the setting, with farm buildings being replaced by dwellings.

We recommend your council considers the impact on the setting of the monument in reaching a decision on the application. We recommend you consider controlling the scale and massing of buildings and the boundary treatments. Screening could be provided on the boundary of the proposed development. This could partly mitigate the impact on the setting of the monument.

The impact on the monument's setting is unlikely to be of national significance and we do not object to the proposals.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

### Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

Please contact us if you have any questions about this response. The officer managing this case is Richard Heawood who can be contacted by phone on 0131 668 8077 or by email on [Richard.Heawood@hes.scot](mailto:Richard.Heawood@hes.scot).

Yours faithfully

**Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. SC045925

VAT No. GB 221 8680 15

**Claire Herbert**

---

**From:** Claire Herbert  
**Sent:** 16 August 2022 11:34  
**To:** Angus Planning (PLNProcessing@angus.gov.uk); James Wright - Angus Council (WrightJ@angus.gov.uk)  
**Subject:** Planning Application Consultation 22/00463/PPPL - Archaeology response

**Plan App No:** 22/00463/PPPL

**Planning Officer:** James Wright

**Proposal:** Demolition of redundant farm buildings and erection of 4 dwellinghouses

**Address:** Carlungie Farm Carlungie Carnoustie

**Postcode:**

**Grid Reference:** NO 5127 3590

The above application affects the archaeology site NO53NW0039, a farmstead dating to the 18th-19th Century, possibly earlier, and occupies an area in close proximity to several souterrains, in extant and cropmark form (Angus HER sites NO53NW0014 designated as a scheduled monument, NO53NW0032, NO53NW0024). The presence of these sites indicates the potential for further, previously unrecorded, archaeological remains to survive within the proposed development site, which from reading the structural assessment report for the farmstead is relatively undisturbed in terms of groundbreaking taking account of the earth floors, lack of foundations for the buildings themselves, stone pads for timer posts etc mentioned.

If the application is minded for approval I would ask that the following conditions are applied:

***Programme of archaeological works***

*No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.*

***Reason: To safeguard and record the archaeological potential of the area.***

The above should take the form of an archaeological watching brief over all groundbreaking works to be undertaken by a suitably qualified archaeological contractor.

And:

Applicable to the extant farmstead, to be undertaken by a suitably qualified archaeological contractor:

***Level 1 Standing Buildings Survey***

No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

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

Should you have any comments or queries regarding the above, please do not hesitate to contact me.

Kind regards,  
Claire

**Claire Herbert MA(Hons) MA MCIfA**

**Archaeologist**

Archaeology Service, Planning and Economy, Environment and Infrastructure Services  
Aberdeenshire Council

T: 01467 537717

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

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

Search the Historic Environment Record: <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: [https://www.instagram.com/abshire\\_archaeology](https://www.instagram.com/abshire_archaeology)

Twitter: [https://twitter.com/AbshireArch\\_CH/](https://twitter.com/AbshireArch_CH/)

YouTube: <https://www.youtube.com/channel/UCI3fCWk-cwaN2Nj1G0BkHPg>

[REDACTED]  
**From:** Georgia Kirtsi-Mathieson

**Sent:** Fri, 3 Feb 2023 13:27:04 +0000

**To:** James Wright

**Subject:** Planning Application 22/00463/PPPL - Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm, Carlungie, Carnoustie

Hi James

[REDACTED]  
**Planning Application 22/00463/PPPL | Demolition of redundant farm buildings and erection of 4 dwellinghouses | Land at Carlungie Farm, Carlungie, Carnoustie**

[REDACTED]  
Further to your consultation request, I have now considered the above planning application and have the following observations and requirements with regard to the disposal of surface water within the context of Sustainable Urban Drainage Systems (SUDS) and potential implications for flooding:

[REDACTED]  
**Observations**

1. The planning application is for the demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm, Carlungie in Carnoustie, DD7 7SD.  
[REDACTED]
2. The location of the planning application site is close to the medium probability of the surface water flood envelope as given on SEPA's indicative flood map. It is therefore likely to be at risk of flooding during an event of this return period.  
[REDACTED]
3. The surface water drainage proposal for the site is not detailed.  
[REDACTED]

**Requirements**

4. Based on the above, the applicant should submit details of the current drainage arrangements of the site and proposal for the treatment and attenuation of the surface water from both the roof water and  
[REDACTED]

[REDACTED]

any impermeable areas around the proposed dwellinghouses. These proposals should be designed in accordance with CIRIA's Guidance document C753.

[REDACTED]

Based on the above, I have no objection to the above planning application on the grounds of flood risk on condition that requirement 4 is being adhered to. Should you have any further queries please contact me.

[REDACTED]

Regards

[REDACTED]

Georgia

[REDACTED]

Georgia Kirtsi-Mathieson | Design Engineer - Flood Risk and Structures | Angus Council | [kirtsi-mathiesong@angus.gov.uk](mailto:kirtsi-mathiesong@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

[REDACTED]

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[REDACTED]

For information on COVID-19 goto [www.NHSInform.scot](http://www.NHSInform.scot)

[REDACTED]

Think green – please do not print this email

[REDACTED]

**HOUSING DIVISION - CONSULTATION ON PLANNING APPLICATION**

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

**PLANNING APPLICATION REF:**  
22/00463/PPPL

**PLANNING OFFICER:- James Wright (Ext: 2629)**

**DESCRIPTION OF DEVELOPMENT:**

**Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm Carlungie Carnoustie**

The associated application and other documents submitted with the application may be viewed online at <https://planning.angus.gov.uk/online-applications/> using the reference number **22/00463/PPPL**

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

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

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

Please provide the below information answering the questions listed:

**Part A: Background Information**

1. Date: 09.08.2022

2. Housing Ref: S005 / 22

3. Planning Ref: 22/00463/PPPL

4. Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm Carlungie Carnoustie

5. Housing Market Area: South

6. Percentage Affordable Housing Provision Required: 25% as set out in ALDP Policy TC3: Affordable Housing.



7. Total number of units of affordable housing required: 1

**Part B: Serviced Land**

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

**Notes: see additional notes/comments**

**Part C: Social Rented Housing**

1. Number of units of social rented housing required:

2. Mix of property types and sizes required:

**Notes: see additional notes/comments**

**Part D: Affordable Housing for Sale**

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

2. Mix of property types and sizes required:

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

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

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

**Notes: see additional notes/comments**

**Part E: Commuted Payments**

1. Total number of units of affordable housing required:

2. Benchmark land value:

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

**Additional Notes/Comments:**

The type of housing in the application does not meet the current requirements for affordable housing.

Due to the nature of the development an on-site contribution is not considered to be appropriate. A solitary affordable unit on a small-scale rural site such as this would not be attractive to a Registered Social Landlord and the type of units proposed do not appear, based on the limited information available, to be suitable for an affordable housing for sale product.

Therefore, payment of a commuted sum is deemed to be the most appropriate

[REDACTED]  
method of securing an affordable housing contribution.  
[REDACTED]

The current commuted sum in the South Market Area is £30,000 however commuted sum values change on a yearly basis, please see webpage below for more information.  
[REDACTED]

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

However, if the applicant wishes to provide a single affordable unit onsite, we would request early engagement with our service to discuss how this could be delivered to meet affordable housing requirements in the area.  
[REDACTED]

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

**Officer: Jamie Ross**  
[REDACTED]

**Job Title: Housing Policy Officer**  
[REDACTED]

**Extension:** [REDACTED]

**Should you wish to discuss this consultation request please contact the named Planning Officer.**  
[REDACTED]

**EDUCATION DEPARTMENT - CONSULTATION ON PLANNING APPLICATION**

**QUANTIFYING IMPLICATIONS OF DEVELOPMENT PROPOSAL ON  
INFRASTRUCTURE**

**PLANNING APPLICATION REF:**

**22/00463/PPPL**

**DESCRIPTION OF DEVELOPMENT:**

**Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm Carlungie Carnoustie**

**PLANNING OFFICER:-**

**JAMES WRIGHT (EXT: 2629)**

The associated application and other documents submitted with the application may be viewed online at <https://planning.angus.gov.uk/online-applications/> using the reference number **22/00463/PPPL**

**APPLICANT:** A & J Stephen Ltd

<b>TOTAL NUMBER OF HOUSES PROPOSED:</b>	4
<b>NUMBER OF AFFORDABLE HOUSING UNITS:</b>	0
<b>NUMBER OF 1 BEDROOM UNITS:</b>	0
<b>NUMBER OF RETIREMENT UNITS:</b>	0

**CONSTRUCTION SCHEDULE:** N/A

**REASON FOR CONSULTATION:**

An application for a housing development has been submitted for consideration by Angus Council and your comments are invited on the application. The local development plan seeks to ensure that any new developments can be accommodated within existing infrastructure provision. If the development is likely to require improvements to existing education infrastructure, this should be identified as early in the process as possible. Policy DS5 allows the Council to seek developer contributions where that contribution is required to fund improvements required as a direct result of a development.

Please provide the below information answering the questions listed.

The application site lies within the following school catchment areas:

**Primary:** Newbigging Primary School

**Secondary:** Carnoustie High School

**NUMBER OF SCHOOL CHILDREN LIKELY TO BE GENERATED BY THE DEVELOPMENT**

How many school children do you anticipate would be generated by the proposed development? (using standard multipliers)

Primary children: 1

Secondary children: 1

**PRIMARY EDUCATION**

Primary school serving development: Newbigging Primary School

Current/latest school roll: 8

Notional school capacity: 45

**SECONDARY EDUCATION:**

Secondary school serving development: Carnoustie High School  
 Current/latest school roll: 730 Notional school capacity: 1024

If the school is close to or at capacity; taking into account the number of pupils likely to be generated by the proposed development, is it necessary for the school capacity to be increased?

**Primary:**

yes  no

**Secondary:**

yes  no

Should a financial contribution be sought from the developer, are there any firm proposals for works to expand the capacity of the school?

**Primary:**

yes  no

**Secondary:**

yes  no

Please provide details (if applicable):

If there are no plans to increase capacity at the school(s), are there other mitigation measures that could be used to offset the impact of the development? Is a financial contribution required to achieve this? If yes, please explain how money would be spent.

What level financial contribution is sought and how has this level been established?

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

**Officer:**

**Stuart Gray**

**Job Title:**

**Team**

**Leader -**

**School**

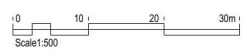
**Operations**

**Extension:**

**E mail:**

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

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**EXISTING SITE PLAN**  
 1:500


REV	DESCRIPTION	DATE

**CHRIS ANDREWS**  
 ARCHITECTURAL TECHNOLOGIST  
 WWW.CA-AT.COM      CHRIS@CA-AT.COM

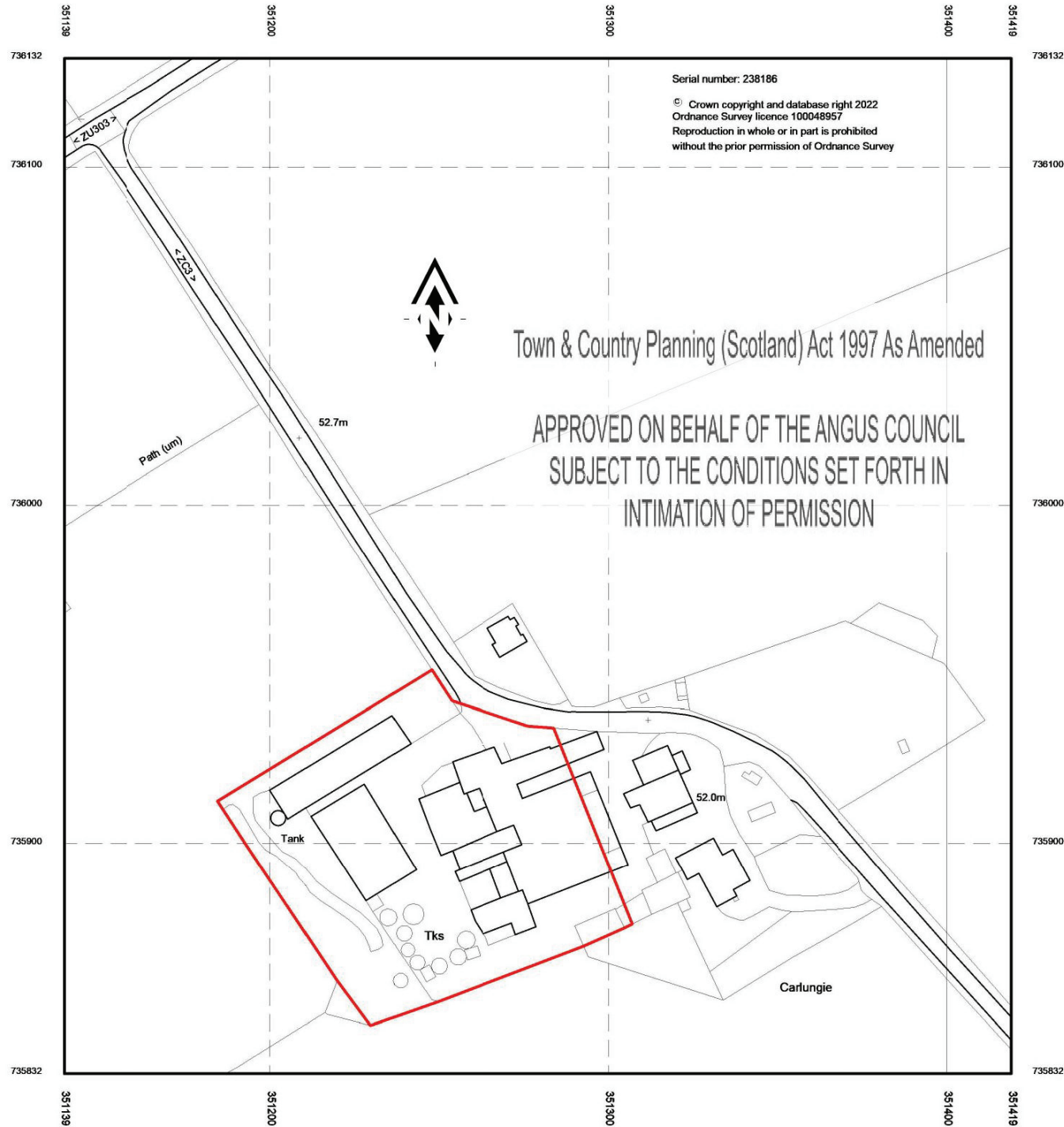
**PROJECT:**  
 CARLUNGIE FARM STEADING  
 CARLUNGIE,  
 CARNOUSTIE,  
 ANGUS  
 DD7 7SD

**TITLE:**  
 EXISTING SITE PLAN

**STATUS:**  
**FOR PLANNING**  
**DOC NO:** PL-90-A2L-002      **REVISION:**  
**SCALE:** [A2] As indicated      **DATE:** 26/06/2022

 OVERALL SITE AREA  
 7565m<sup>2</sup> / 0.7565Ha / 1.866a  
**EXISTING SITE AREAS KEY**

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REV	DESCRIPTION	DATE
-----	-------------	------

**CHRIS ANDREWS**  
 ARCHITECTURAL TECHNOLOGIST  
 WWW.CA-AT.COM CHRIS@CA-AT.COM

**PROJECT:**  
 CARLUNGIE FARM STEADING  
 CARLUNGIE,  
 CARNOUSTIE,  
 ANGUS  
 DD7 7SD

**TITLE:**  
 LOCATION PLAN

**STATUS:**  
**FOR PLANNING**

**DOC NO:**  
 PL-90-A3L-001

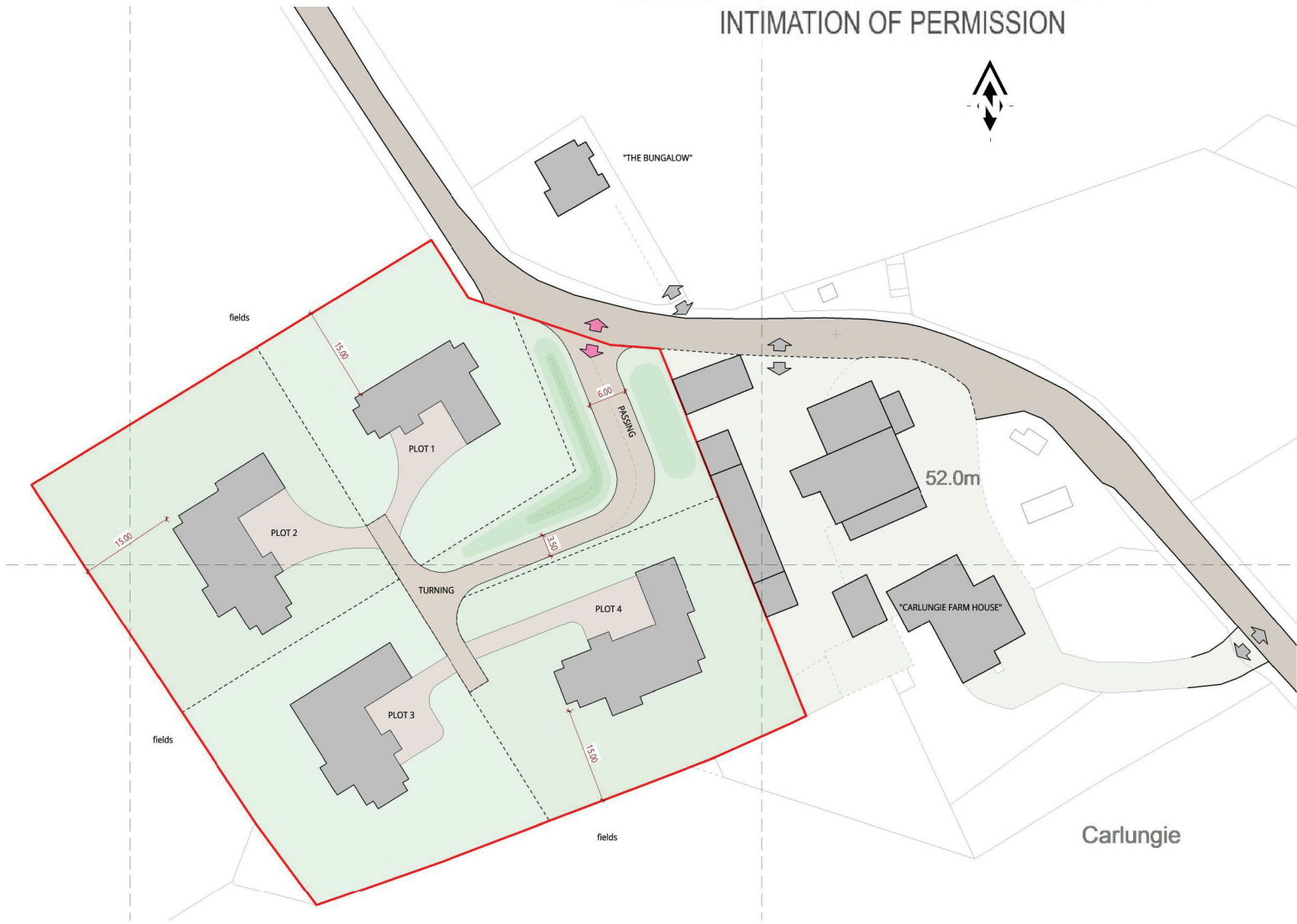
**REVISION:**

**SCALE:**  
 [A3] 1 : 1250

**DATE:**  
 26/06/2022

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APPROVED ON BEHALF OF THE ANGUS COUNCIL  
 SUBJECT TO THE CONDITIONS SET FORTH IN  
 INTIMATION OF PERMISSION



PROPOSED SITE PLAN  
 1:500

REV	DESCRIPTION	DATE

**CHRIS ANDREWS**  
 ARCHITECTURAL TECHNOLOGIST  
 WWW.CA-AT.COM    CHRIS@CA-AT.COM

**PROJECT:**  
 CARLUNGIE FARM STEADING  
 CARLUNGIE,  
 CARNOUSTIE,  
 ANGUS  
 DD7 7SD

PLOT	GROSS PLOT AREA	DWELLING FOOTPRINT (INCL DOUBLE GARAGE)	BEDROOMS
1	1440m <sup>2</sup>	200m <sup>2</sup>	5
2	1765m <sup>2</sup>	277m <sup>2</sup>	5
3	1625m <sup>2</sup>	264m <sup>2</sup>	5
4	1730m <sup>2</sup>	277m <sup>2</sup>	5
<b>TOTAL</b>	<b>6560m<sup>2</sup></b>	<b>1018m<sup>2</sup></b>	

**TITLE:**  
 PROPOSED SITE PLAN

**STATUS:**  
**FOR PLANNING**

**DOC NO:** PL-90-A2L-100    **REVISION:**

**SCALE:** [A2] As indicated    **DATE:** 20/06/2022

PROPOSED SITE AREAS KEY

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



**PLANNING PERMISSION IN PRINCIPLE APPROVAL  
REFERENCE : 22/00463/PPPL**

To: **Clova Farms Limited  
c/o About Planning Ltd  
Emelda Maclean  
Millars House  
41 Gray Street  
Broughty Ferry  
Dundee  
DD5 3BJ**

With reference to your application dated **27 July 2022** for planning permission in principle under the above mentioned Acts and Regulations for the following development viz:-

**Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm Carlungie Carnoustie for Clova Farms Limited**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission in Principle (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docqueted as relative hereto in paper or identified as approved on the Public Access portal. The permission is subject to the following conditions, namely:-

- 1 The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.
- 2 That application for approval of matters specified in condition must be made before -
  - i. the expiration of three years from the date of grant of planning permission in principle;
  - ii. the expiration of six months from the date on which an earlier application for such approval was refused, or
  - iii. the expiration of six months from the date on which an appeal against such refusal was dismissed,whichever is the latest. Only one application for approval under (ii) or (iii) may be made after the expiration of the three year period mentioned in (i).
- 3 Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are: -
  - a) The siting of the building(s);
  - b) The design and external appearance of the building(s);
  - c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);
  - d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the



occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;

- e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;
  - f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.
- 4 The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide for a scheme for the delivery of 1 affordable housing unit or a suitable alternative provision in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the Angus Council Developer Contribution and Affordable Housing Supplementary Guidance or any subsequent policy or guidance that replaces it shall be provided.
  - 5 No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.
  - 6 No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.
  - 7 Prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites - Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the planning authority.
  - 8 The development hereby approved shall be undertaken in accordance with Section 7 'Mitigation' of the 'Carlungie Bat Survey' by Alison Hannah Ecology, dated October 2021 and submitted in support of this application, unless otherwise modified by the conditions of an EPS licence, and if the demolition works are to be carried out within the bird nesting period (March to August) a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.
  - 9 A nominal 2.0 metres wide grassed, road verge shall be provided adjacent to the carriageway of the public road, extending over the entire site frontage prior to the occupation of any dwellinghouse.

The foregoing conditions are imposed by the Council for the following reasons:-

- 1 In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.
- 2 In order to clarify the time period within which an application or applications for approval of the matters specified in condition must be made.
- 3 To ensure that the matters referred to are given detailed consideration.
- 4 To ensure provision of or a contribution towards affordable housing in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the associated Developer Contributions and Affordable Housing Supplementary Guidance.
- 5 To safeguard and record the archaeological potential of the area.
- 6 To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.
- 7 In order to ensure that a remediation strategy is in place for any land contamination identified, in the interest of public health and safety.
- 8 In order to minimise the likelihood of harm or disturbance to bats and nesting birds as a result of development taking place.
- 9 To provide an adequate safety zone between the site and the existing public road.

**The reason(s) for the foregoing decision by the Council are as follows:-**

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Dated this **23 May 2023**

Jill Paterson  
Service Lead  
Planning and Sustainable Growth  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

The decision was based on the following amendment(s):-

**Amendments:**

The application has not been subject of variation.

**Informatives:**

1. The applicant that the verge crossing at the proposed access must be formed and constructed in accordance with the standards of Angus Council. An application form can be downloaded from the Angus Council website for the purpose.
2. Scottish Water has indicated that the development may impact on existing Scottish Water assets, therefore the applicant must identify any potential conflicts with Scottish Water Asset Impact Team directly as any conflict will be subject to restrictions on proximity of construction.

**It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.**

**WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS**



# **WARNING**

**NON-COMPLIANCE WITH ANY OF THE CONDITIONS TO THIS PLANNING CONSENT COULD LEAD TO ENFORCEMENT ACTION BEING PURSUED BY THE COUNCIL.**

**NOTE: CONDITIONS ATTACHED BY THE COUNCIL TAKE PRECEDENCE OVER THE SUBMITTED/ APPROVED PLANS.**

**NO ALTERATIONS OR DEVIATIONS FROM THE APPROVED PLANS SHOULD BE UNDERTAKEN WITHOUT THE PRIOR APPROVAL OF THE PLANNING AUTHORITY. FAILURE TO OBTAIN APPROVAL COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN.**

Produced by:

Angus Council  
Planning Service  
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

The duration of any permission granted is set out in conditions attached to the permission. Where no conditions are attached the duration of the permission will be in accordance with sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

## PLANNING DECISIONS

### Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
<b>Development Standards Committee/Full Council</b>	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>
<b>Delegated Decision</b>	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.	<b>Local Review Body –</b> <b>See details on attached Form 2</b>
<b>Other Decision</b>	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	<b>DPEA (appeal to Scottish Ministers)</b> – <b>See details on attached Form 1</b>

**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  
Planning Service  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Telephone 03452 777 780  
E-mail: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)  
Website: [www.angus.gov.uk](http://www.angus.gov.uk)



## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)**

### **The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1**

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of appeal should be addressed to The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

### The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided through  
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

A Notice of Review Form and guidance can be found on the national e-planning website <https://eplanning.scotland.gov.uk>. Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



**NOTIFICATION OF INITIATION OF DEVELOPMENT**

AC13

This notice must be fully completed by the person intending to carry out the development as approved in application reference **22/00463/PPPL** for **Demolition of redundant farm buildings and erection of 4 dwellinghouses** at **Carlungie Farm Carlungie Carnoustie** for **Clova Farms Limited** dated **23 May 2023** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

**Full Name:**

**Address:**

**Do you own the land subject to the above permission?**

**If not, please provide the full name and address of the land owner:**

**Is there a person appointed to oversee the development? If so, please provide their full name and contact details:**

**Date you intend to commence the above development:**

**NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)**

AC13

This notice should be fully completed by the person who completed the development approved in application reference **22/00463/PPPL** for **Demolition of redundant farm buildings and erection of 4 dwellinghouses** at **Carlungie Farm Carlungie Carnoustie** for **Clova Farms Limited** dated **23 May 2023** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

**Full Name:**

**Address:**

**Date of completion of the above development:**

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013**

**SCHEDULE 7**

Development at **Carlungie Farm Carlungie Carnoustie**

Notice is hereby given that planning permission has been granted subject to conditions to **Clova Farms Limited** on **23 May 2023**.

Application reference **22/00463/PPPL**

The development comprises **Demolition of redundant farm buildings and erection of 4 dwellinghouses**

Further Information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at:

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

Enquiries should be directed to the Service Manager at the above address or to [planning@angus.gov.uk](mailto:planning@angus.gov.uk)

## SGN Overbuild Advisory Note

*There are a number of risks created by built over gas mains and services; these are:*

- *Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.*
- *Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.*
- *Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.*

*Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:*

1. *Check your proposals against the information held at <https://www.linsearchbeforeudig.co.uk/> to assess any risk associated with your development and*
2. *Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:*

*Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)*

***In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.***

*Further information on safe digging practices can be found here:*

- *Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>*
- *Further information can also be found here <https://www.sgn.co.uk/help-and-advice/diggingsafely>*

# PLANNING

## Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

**Q.1 I was given the advice and help I needed to submit my application/representation:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.2 The Council kept me informed about the progress of the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.3 The Council dealt promptly with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.4 The Council dealt helpfully with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.5 I understand the reasons for the decision made on the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.6 I feel that I was treated fairly and that my view point was listened to:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OVERALL SATISFACTION:** Overall satisfaction with the service: .....

**Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?**

<b>Very satisfied</b>	<b>Fairly satisfied</b>	<b>Neither Satisfied nor Dissatisfied</b>	<b>Fairly Dissatisfied</b>	<b>Very Dissatisfied</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OUTCOME:** Outcome of the application:

**Q.8 Was the application that you had an interest in:-**

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
----------------------------	--------------------------	----------------------------	--------------------------	-----------	--------------------------

**Q.9 Were you the:-** Applicant  Agent  Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.  
Thank you for taking the time to complete this form.

Days of Operation

**Monday to Friday Schoolday**Commencing **01 November 2021**

Service Number

**S039\_Ar**

Service Description

**Arbroath - Kingoodie**

Service No.	39	39	39	39	39	39	39		39	39		39	39	39	39	39	39	39	39	
Arbroath Saltire Centre	-	-	0655	-	0750	0905	0935	then	05	35	Until	1405	1435	1505	1535	1605	1635	1705	1735	1805
Warddykes Brothock Way	-	-	0658	-	0753	0908	0938	at	08	38		1408	1438	1508	1538	1608	1638	1708	1738	1808
Warddykes opp Primary School	-	-	0700	-	0755	0910	0940	these	10	40		1410	1440	1510	1540	1610	1640	1710	1740	1810
Arbroath bus station	-	-	0706	-	0801	0916	0946	times	16	46		1416	1446	1516	1546	1616	1646	1716	1746	1816
Arbroath bus station 2	0517	0642	0712	0740	0807	0922	-	each	22	-		1422	-	1522	-	1622	-	1722	-	-
Muirdrum bypass	0529	0654	0724	0753	0820	0934	-	hour	34	-		1434	-	1534	-	1634	-	1734	-	-
Ethiebeaton Park opp Dobbie's	0537	0702	0732	0802	0829	0942	-		42	-		1442	-	1542	-	1642	-	1742	-	-
Balgillo Road Ballinard Road	0543	0708	0738	0808	0835	0948	-		48	-		1448	-	1548	-	1648	-	1748	-	-
Dundee Seagate opp M&S	0554	0719	0752	0830	0857	1002	-		02	-		1502	-	1602	-	1702	-	1802	-	-
Dundee Whitehall St W3	-	0723	-	0834	0901	1006	-		06	-		1506	-	1606	-	1706	-	1806	-	-
Dundee High Street H3	0559	-	0757	-	-	-	-		-	-		-	-	-	-	-	-	-	-	-
Perth Road opp Grosvenor Road	-	0733	-	0844	0911	1016	-		16	-		1516	-	1620	-	1720	-	1816	-	-
Ninewells Hospital C	-	0739	-	0850	0917	1022	-		22	-		1522	-	1627	-	1727	-	1822	-	-
Invergowrie railway station	-	0746	-	-	0924	1029	-		29	-		1529	-	1634	-	1734	-	1829	-	-
Kingoodie The Green	-	0748	-	-	0926	1031	-		31	-		1531	-	1636	-	1736	-	1831	-	-

Days of Operation

**Monday to Friday Schoolday**Commencing **01 November 2021**

Service Number

**S039\_Ar**

Service Description

**Arbroath - Kingoodie**

<b>Service No.</b>	<b>39</b>	<b>39</b>
Arbroath Saltire Centre	1835	1905
Warddykes Brothock Way	1838	1908
Warddykes opp Primary School	1840	1910
Arbroath bus station	1846	1916
Arbroath bus station 2	-	-
Muirdrum bypass	-	-
Ethiebeaton Park opp Dobbie's	-	-
Balgillo Road Ballinard Road	-	-
Dundee Seagate opp M&S	-	-
Dundee Whitehall St W3	-	-
Dundee High Street H3	-	-
Perth Road opp Grosvenor Road	-	-
Ninewells Hospital C	-	-
Invergowrie railway station	-	-
Kingoodie The Green	-	-

Days of Operation

**Monday to Friday Schoolday**Commencing **01 November 2021**

Service Number

**S039\_Ar**

Service Description

**Arbroath - Kingoodie**

Service No.	39	39	39	39	39	39	39	39		39	39		39	39	39
Kingoodie The Green	-	-	-	0753	-	-	-	0938	then	-	38	Until	-	1738	1838
Invergowrie Main Street	-	-	-	0758	-	-	-	0943	at	-	43		-	1743	1843
Ninewells Hospital C	-	-	-	0804	-	0852	-	0949	these	-	49		-	1749	1849
Perth Road Grosvenor Road	-	-	-	0811	-	0859	-	0956	times	-	56		-	1756	1856
Dundee High Street H3	0600	-	0800	0824	-	0909	-	1009	each	-	09		-	1809	1909
Seagate opp bus station	0605	-	0805	0829	-	0914	-	1014	hour	-	14		-	1814	1914
Balgillo Road Muirside Terrace	0619	-	0822	0846	-	0928	-	1028		-	28		-	1828	1928
Ethiebeaton Park Dobbie's	0625	-	0828	0852	-	0934	-	1034		-	34		-	1834	1934
Muirdrum bypass	0633	-	0836	0900	-	0942	-	1042		-	42		-	1842	1942
Timmergreens Condor Drive	-	-	0845	-	-	-	-	-		-	-		-	-	-
Arbroath bus station	0645	-	0850	0912	-	0954	-	1054		-	54		-	1854	1954
Arbroath bus station 2	0650	0745	0900	-	0930	1000	1030	1100		30	00		1830	1900	-
Arbroath Saltire Centre	0655	0750	0905	-	0935	1005	1035	1105		35	05		1835	1905	-



Days of Operation

**Saturday**Commencing **01 November 2021**

Service Number

**S039\_Ar**

Service Description

**Arbroath - Kingoodie**

Service No.	39	39	39	39	39		39	39		39	39	39	39	39	39
Arbroath Saltire Centre	-	0705	0800	0835	0905	then	35	05	Until	1635	1705	1735	1805	1835	1905
Warddykes Brothock Way	-	0708	0803	0838	0908	at	38	08		1638	1708	1738	1808	1838	1908
Warddykes opp Primary School	-	0710	0805	0840	0910	these	40	10		1640	1710	1740	1810	1840	1910
Arbroath bus station	-	0716	0811	0846	0916	times	46	16		1646	1716	1746	1816	1846	1916
Arbroath bus station 2	0652	0722	0817	-	0922	each	-	22		-	1722	-	-	-	-
Muirdrum bypass	0704	0734	0829	-	0934	hour	-	34		-	1734	-	-	-	-
Ethiebeaton Park opp Dobbie's	0712	0742	0837	-	0942		-	42		-	1742	-	-	-	-
Balgillo Road Ballinard Road	0718	0748	0843	-	0948		-	48		-	1748	-	-	-	-
Dundee Seagate opp M&S	0732	0802	0857	-	1002		-	02		-	1802	-	-	-	-
Dundee Whitehall St W3	0736	-	0901	-	1006		-	06		-	1806	-	-	-	-
Dundee High Street H3	-	0807	-	-	-		-	-		-	-	-	-	-	-
Perth Road opp Grosvenor Road	0746	-	0911	-	1016		-	16		-	1816	-	-	-	-
Ninewells Hospital C	0752	-	0917	-	1022		-	22		-	1822	-	-	-	-
Invergowrie railway station	0759	-	0924	-	1029		-	29		-	1829	-	-	-	-
Kingoodie The Green	0801	-	0926	-	1031		-	31		-	1831	-	-	-	-

Days of Operation

**Saturday**Commencing **01 November 2021**

Service Number

**S039\_Ar**

Service Description

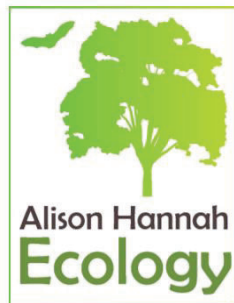
**Arbroath - Kingoodie**

Service No.	39	39	39	39	39	39	39	39		39	39		39	39	39
Kingoodie The Green	-	-	-	-	0808	-	-	0938	then	-	38	Until	-	1738	1838
Invergowrie Main Street	-	-	-	-	0813	-	-	0943	at	-	43		-	1743	1843
Ninewells Hospital C	-	-	-	-	0819	-	-	0949	these	-	49		-	1749	1849
Perth Road Grosvenor Road	-	-	-	-	0826	-	-	0956	times	-	56		-	1756	1856
Dundee High Street H3	-	-	-	0809	0839	-	-	1009	each	-	09		-	1809	1909
Seagate opp bus station	-	-	-	0814	0844	-	-	1014	hour	-	14		-	1814	1914
Balgillo Road Muirside Terrace	-	-	-	0828	0858	-	-	1028		-	28		-	1828	1928
Ethiebeaton Park Dobbie's	-	-	-	0834	0904	-	-	1034		-	34		-	1834	1934
Muirdrum bypass	-	-	-	0842	0912	-	-	1042		-	42		-	1842	1942
Arbroath bus station	-	-	-	0854	0924	-	-	1054		-	54		-	1854	1954
Arbroath bus station 2	0700	0755	0830	0900	0930	1000	1030	1100		30	00		1830	1900	-
Arbroath Saltire Centre	0705	0800	0835	0905	0935	1005	1035	1105		35	05		1835	1905	-

# Carlungie Steading Bat Survey



October 2021



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## Executive Summary

Prior to proposed demolition works of Carlungie steading, bat activity survey work was carried out. Two individual soprano pipistrelles (*Pipistrellus pygmaeus*) were recorded roosting.

As no bat maternity roosts were recorded, work can be carried out under a bat low impact (BLIMP) licence. A Bat Protection Plan should be produced, and two suitable bat boxes sited in nearby mature trees prior to work commencing.

During the course of bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). If this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.

## 1. Introduction

Carlungie steading, DD5 3RL, Carnoustie consists of a number of disused farm buildings. Hugh Niven (the client) intends to have these buildings demolished and to build residential properties on the site. Alison Hannah Ecology (AHE) were commissioned to carry out appropriate bat survey work.

## 2. Site Description

Carlungie steading, DD5 3RL, 3 km northeast of Carnoustie, Angus (grid reference NO 51277 35912), consists of a variety of disused original stone-built barns with metal barns added at later dates. Fuller descriptions of the buildings are included in section 5.2.

The steading is set in an agricultural area. Other than a group of mature broadleaved trees directly south and east of the site, there are occasional trees along the Buddon Burn c. 830 m to the southwest and a tree-lined section of the Pitcurlie Burn c. 1.7 km to the east. The nearest woodland blocks are just over 2 km to the northeast and northwest of the site. Bat foraging areas around the site are therefore limited and with little or no connectivity.

## 3. Legislation

Legislation relating to bats is included in Appendix A.

## 4. Methodology

### 4.1 Desk Study

A data search was carried out on 8<sup>th</sup> August 2021 for publicly available bat records on the NBN Gateway<sup>1</sup>.

---

<sup>1</sup> [NBN Gateway - National Biodiversity Network](#)

## 4.2 Preliminary Roost Assessment

A preliminary Roost Assessment (PRA) was carried out by a licenced bat surveyor on 3<sup>rd</sup> August 2021. The aim of the PRA is to assess the potential for, or any evidence of the presence of roosting bats associated with specific habitat features. Where significant potential for roosting is identified, further bat roost surveys are generally necessary to determine the presence or likely absence of a roost, and to characterise any roost present. The method described below has been followed with due consideration for the current best practice guidelines (Collins, 2016).

A detailed ground level inspection of the exterior and interior of structures at the Site was undertaken to (i) identify any Potential Roost Features (PRFs) and potential bat ingress/egress points, and (ii) locate any evidence of bats such as live or dead specimens, droppings, urine splashes, fur-oil staining, feeding remains (e.g., moth wings) and/or squeaking noises. Torches, an endoscope and high-powered binoculars were used to search gaps where appropriate.

## 4.3 Evaluation

Following the assessments, each structure/building was assigned one of the following categories in respect of its potential to support roosting bats (adapted from Collins, 2016):

- Negligible – no obvious PRFs
- Low – a structure with one or more PRFs that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis by large numbers of bats.
- Moderate – a structure with one or more PRFs that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat; but unlikely to support a roost of high conservation status.
- High – a structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.

## 4.4 Activity surveys

Based on the Preliminary Roost Assessment (see section 5.2), 6 buildings were determined to have moderate bat roost potential, 4 to have low potential, and 5 to have negligible potential. As such in accordance with BCT good practice guidelines, one dusk emergence (10<sup>th</sup> August 2021) and one dawn re-entry survey (27<sup>th</sup> August 2021) were undertaken to confirm the presence/likely absence of roosting bats in association with the buildings. The activity surveys also covered a Sycamore tree within the steading area (see Figure 2) that would be removed as part of the development.

The positions of the surveyors around the buildings during the surveys are illustrated in Figure 2 in Appendix D.

The dusk emergence surveys commenced 15 minutes before British Summer Time (BST) sunset and finished 1.5 hours after BST sunset. The dawn re-entry survey started approximately 1.5 hours before BST sunrise and finished 15 minutes after sunrise.

The surveys were carried out by six experienced surveyors, as summarised in Table 1 below.

**Table 1. Bat Activity Survey Details**

Date	Survey Type	Weather	Sunset/Sunrise	Start Time	Finish Time
10/08/21	Dusk emergence	15.1 <sup>0</sup> C, 100% cloud cover, wind still, rain at start of survey became increasingly heavier (see section 4.7 Survey Limitations).	21:02	20:47	22:00 *
27/08/21	Dawn re-entry	12.5 <sup>0</sup> C, 100% cloud cover, wind still, dry	06:03	04:33	06:18

\* See section 4.7 Survey Limitations concerning the early finish time

During the survey, each surveyor watched for any bats emerging from the buildings or using key flight lines. Surveyors were equipped with Echo Meter Touch 2 detectors connected to Apple I pads with Echo Meter Recording Software installed, BatBox Duets with associated recording devices or an Anabat Express. Records were made of all observed bat activity, including time, species and any information regarding behaviour, including the direction of flight, and activity type, e.g., foraging/commuting.

Following the surveys, all bat calls were downloaded from the bat detectors and analysed using Kaleidoscope. Sonograms were reviewed to identify any bat calls and/or the presence of non-bat audio data. Non-bat 'noise' files were removed from the data set. Where possible, confirmed bat calls were assigned a bat species (noctule *Nyctalus noctula*) or genus (e.g., *Nyctalus* sp.) based on known parameters (e.g., peak frequency of call, call duration, inter-pulse interval).

#### 4.5 Assessment

Any bat roosts identified during the surveys have been evaluated with consideration for Wray *et al.* (2010), which provides guidance on assessing the conservation value of bat roosts according to type and species. This guidance has been adapted and is summarised in the Tables in Appendix B.

known parameters (e.g., peak frequency of call, call duration, inter-pulse interval).

#### 4.6 Breeding Birds

Whilst carrying out the bat PRA and activity surveys, signs of nesting and roosting birds were checked for.



#### 4.7 Survey Limitations

It was not possible to view all roof angles of buildings within the middle section of the steading. However, no bats were observed coming from or heading to these sections, so this is not considered a significant limitation.

The predicted weather forecast for the dusk survey on 10<sup>th</sup> August was incorrect and it was raining. The rain became progressively heavier during the survey and the survey was finished 30 minutes before the recommended survey finish time. As the pipistrelle roost emergence time (around 20 minutes after sunset) was covered and soprano pipistrelle activity was recorded, this was not considered to be a significant limitation. During the dawn emergence survey carried out on 27<sup>th</sup> August under suitable weather conditions, only pipistrelle activity was recorded so it is not considered likely that any later emerging species were missed at the dusk emergence survey.

## 5. Results

### 5.1 Desk Study

The search on NBN Gateway produced no bat records within 2 km of the site.

### 5.2 Preliminary Roost Assessment

No signs of bat use were recorded. The buildings with slate roofs and lead flashing had various gaps providing bat roost potential. Overall, the buildings (Figure 2) were found to have a mixture of bat roost potential as follows:

- 6 buildings with moderate bat roost potential (C, H, K, M, N & O)
- 4 buildings with low bat roost potential (F, G, I & L)
- 5 buildings with negligible bat roost potential (A, B, D, E & J)

The buildings are described in Table 2 below.

**Table 2. Building descriptions and bat roost potential**

Building	Description	Bat Roost Potential	Photo ref.
A	Open lean to. Metal frame and beams, corrugated cement/asbestos sheet roofing.	Negligible	1
B	Barn, open on southern side. Brick walls, metal roof beams with corrugated cement/asbestos sheet roofing.	Negligible	2
C	Barn with stone walls, wooden beams and slate roof. Open on western side. <b>1 swallow nest</b> on internal beams.	Moderate	3,4
D	Open lean to with gently sloping corrugated cement/asbestos sheet roofing over metal roof beams; corrugated metal northern side, other sides open	Negligible	5
E	Open lean to with metal frame and beams and corrugated metal roof.	Negligible	6
F	Barn with stone walls (wooden panelling at front); wooden beams and slate roof with skylights and some holes.	Low	7
G	Barn with stone wall to rear and partial wooden wall on front; wooden beams and slate roof with several holes.	Low	8,9

Building	Description	Bat Roost Potential	Photo ref.
H	Barn with stone walls, wooden beams and sarking and slate roof. Open on south side. <b>5 swallow nests</b> on beams.	Moderate	10
I	Barn with stone walls, wooden beams and spaced sarking with slates. Some holes in roof.	Low	11
J	Open lean to with wooden walls; beams a mixture of metal and wood; corrugated cement/asbestos sheet roof.	Negligible	12
K	Barn with stone walls and slate roof; wooden beams and sarking. <b>Pair of stock doves</b> on a nest.	Moderate	13
L	Large barn with stone walls, wooden beams and slates on spaced sarking board; skylights. Open and draughty.	Low	14
M	Barn with stone walls, wooden beams and sarking and slate roof; skylight.	Moderate	15
N	Barn with stone walls, wooden beams and sarking and slate roof; skylights.	Moderate	16
O	Shed with stone walls, wooden beams and sarking and slate roof, skylight.	Moderate	17

### 5.3 Activity surveys

Overall, there was a very low level (a maximum of 20 bat passes between all surveyors for the site) of mainly soprano pipistrelle (*Pipistrellus pygmaeus*) and occasional common pipistrelle (*Pipistrellus pipistrellus*) activity around the site, mainly around the tree to the east of the site around the farmhouse not within the site boundary.

Two bat roosts were identified, as detailed in Table 3 below.

**Table 3. Bat Roosts recorded**

Roost Number	No. of bats	Recorded at	Species	Roost type	Notes
1	1	10 <sup>th</sup> August dusk survey	Soprano pipistrelle	Summer non-breeding	One bat emerged from the open western side of building C at 21:24, then re-entered, presumably due to the rain (see Appendix E).
2	1	27 <sup>th</sup> August dawn survey	Soprano pipistrelle	Summer non-breeding	One bat circled then landed on the eastern wall on building N at 05:39, then crawled behind the gutter pipe (see Appendix E).

#### 5.4 Hibernation Potential

Given the low overall bat activity, it is not considered likely that the buildings will be used for hibernation. It is also understood that roof stripping of the buildings will be carried out before the mid-hibernation period (December to February).

#### 5.5 Breeding Birds

Six swallow nests and a pair of nesting stock doves were recorded within buildings proposed for demolition (see Table 2).

### 6. Discussion

No bat records were found as part of the data search and no signs of bat use were recorded at the preliminary roost assessment. During activity surveys, a low level of soprano and common pipistrelle activity was recorded.

Two individual soprano pipistrelles were recorded roosting in buildings. The Soprano pipistrelle is common and widespread and is the most common bat in Scotland, with the UK population estimated at approximately 720,000 individuals (PTES, 2021). Populations of common and soprano pipistrelle appear to have stabilized (Barlow et al., 2015) after historical declines (e.g., Stebbings, 1988), although both species are negatively impacted by urbanisation (Lintott et al., 2016).

As such, the roosts of soprano pipistrelles associated with buildings are considered to be of low conservation significance (Mitchell-Jones, 2004) and in line with the adapted guidance from Wray *et al.*, 2010 (detailed in Appendix B), these two non-maternity roosts are of 'Local' importance.

## 7. Mitigation

A Bat Protection Plan (BPP) should be produced, to be submitted with the BLIMP licence application, detailing appropriate work procedures and mitigation measures for the loss of bat roosts 1 and 2, including the siting of two bat boxes on nearby mature trees.

## 8. References

Barlow, K. E., Briggs, P. A., Haysom, K. A., Hutson, A. M., Lechiara, N. L., Racey, P. A. et al. (2015). Citizen science reveals trends in bat populations: the National Bat Monitoring Programme in Great Britain. *Biol. Conserv.* **182**: 14– 26.

Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn.) The Bat Conservation Trust, London.

PTES (2020) <https://ptes.org/get-informed/facts-figures/common-soprano-pipistrelles/> Accessed 07/09/2021.

Stebbing, R. E. (1988). *Conservation of European bats*. Christopher Helm, London.

Wray, S., Wells, D., Long, E. and Mitchell-Jones, T., 2010. Valuing bats in ecological impact assessment. In *Practice - Bulletin of the Chartered Institute of Ecology and Environmental Management*, 70, pp.23-25.

## Appendix A. Legislation

All bat species in the U.K. are afforded full statutory protection as European Protected Species (EPS) listed on Schedule 2 of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended in Scotland, which transpose into Scots Law, the European Community's Habitats Directive (92/43/EEC). Under the terms of Regulation 39(1), with certain exceptions, it is an offence to deliberately or recklessly:

- harass a wild bat or group of wild bats;
- to disturb a wild bat while it is occupying a building or place which it uses for shelter or protection;
- to disturb a wild bat while it is rearing or otherwise caring for its young;
- to obstruct access to a breeding site or resting place of a wild bat, or otherwise to deny the bat use of the breeding site or resting place;
- to disturb a wild bat in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs;
- to disturb a wild bat in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young; or
- to damage or destroy a breeding site or resting place of such an animal.

All the above protections apply regardless of the stage of the life of the animal in question.

Of the 18 U.K. bat species, ten occur in Scotland: Common pipistrelle (*Pipistrellus pipistrellus*), Soprano pipistrelle (*P. pygmaeus*), Nathusius' pipistrelle (*P. nathusii*), Natterer's (*Myotis nattereri*), Daubenton's (*M. daubentonii*), Noctule (*Nyctalus noctule*), Brown long-eared bat (*Plecotus auratus*), Leisler's (*N. leisleri*), Whiskered (*M. mystacinus*), and Brandt's (*M. brandtii*) bats.

## Appendix B. Roost Assessment

Table B.1 - Categorising Bats by Distribution and Rarity (Adapted from Wray et al., 2010)

Rarity within range	Species
Rarest (under 10,000)	Greater mouse-eared bat Greater horseshoe Grey long-eared bat Bechstein's bat Barbastelle Alcathoe
Rarer (10,000 – 100,000)	Lesser horseshoe Whiskered/Brandt's bat (S) Nathusius' pipistrelle (S) Serotine Leisler's bat (S)
Common (over 100,000)	Common pipistrelle (S) Soprano pipistrelle (S) Brown long-eared bat (S) Noctule (S) Natterer's bat (S) Daubenton's bat (S)

(S) = Species Occurs in Scotland

Table B.2 - Valuation of Roosts (Adapted from Wray et al., 2010)

Geographic frame of reference	Roost types
International	SAC sites
National	Sites meeting SSSI guidelines Maternity sites of rarest species
Regional	Large swarming sites Mating sites for rarer/rarest species Maternity sites of rarer species Significant hibernation sites for rarer/rarest species, or all species assemblages
County	Feeding perches of rarer/rarest species Small numbers of rarer/rarest species (not maternity sites) Hibernation sites for small numbers of common/rarer species Maternity sites of common species
Local (Parish or District)	Feeding perches Individual bats of common species Small numbers of common species (not maternity sites) Mating site of common species

Appendix C. Figure 1

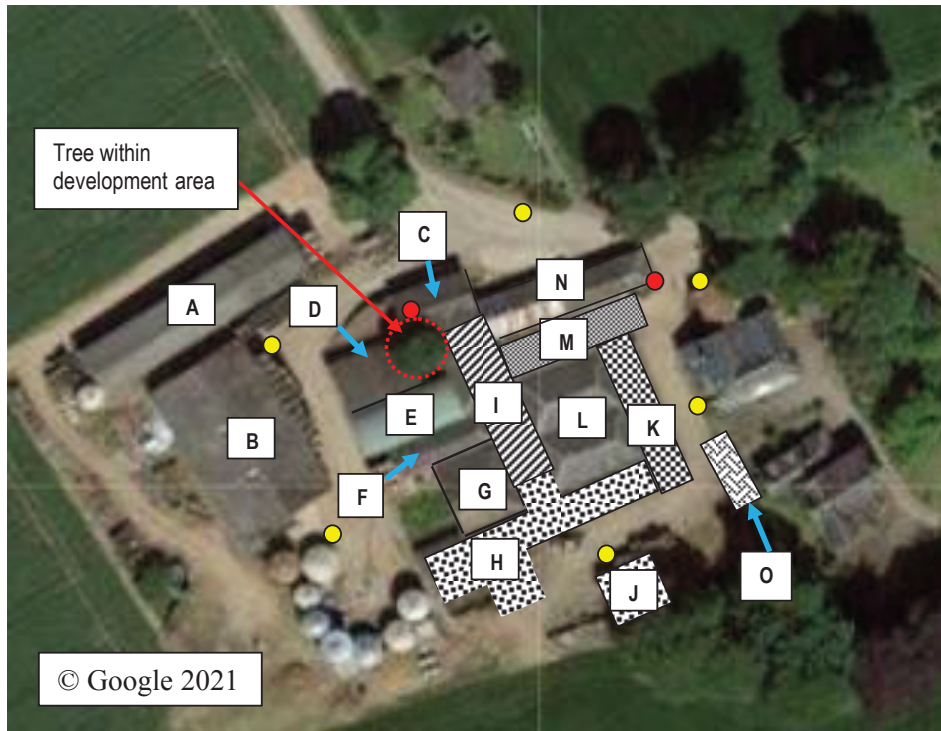
Figure 1. Site Location



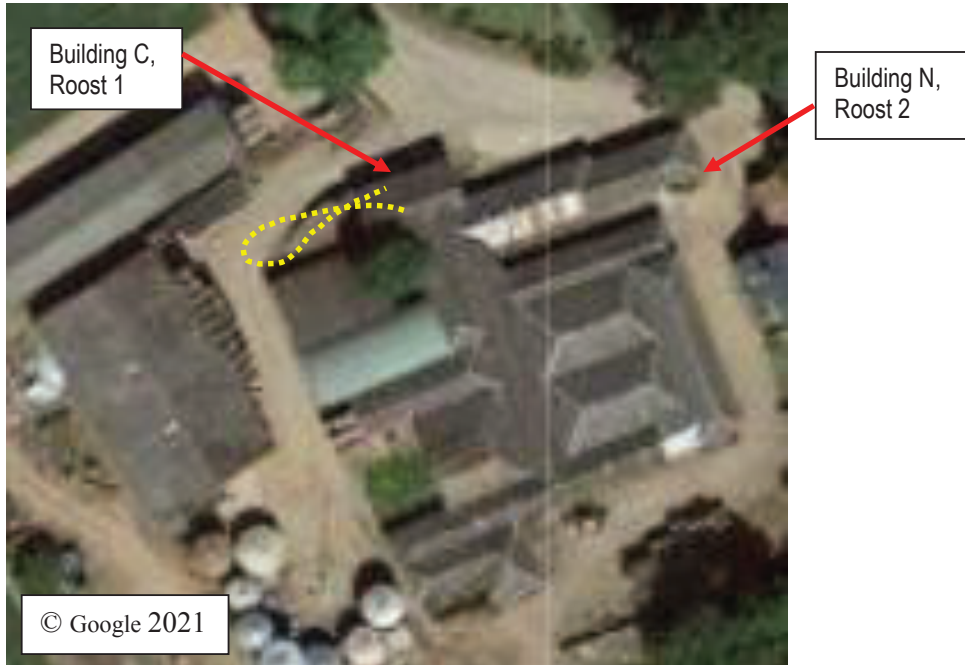


Appendix D. Figure 2

Figure 2. Site Plan



- Bat Roost
- Surveyor location

**Appendix E. Bat Roosts**

**Roost 1.** One soprano pipistrelle emerged from the western open end of barn C during the dusk survey, circled, then re-entered (as indicated by the dashed yellow line), presumably due to the rain.



**Roost 2.** One soprano pipistrelle entered a roost area behind the gutter pipe on the eastern edge of building N during the dawn survey, as indicated by the red arrow.

Appendix F. Photographs



Photo 1. Building A.



Photo 2. Building B



Photo 3. Building C



Photo 4. Building C, internal



Photo 5. Building D.



Photo 6. Building E.



Photo 7. Building F.



Photo 8. Building G



Photo 9. Building G internal.



Photo 10. Building H.



Photo 11. Building I internal.



Photo 12. Building J.





Photo 13. Building K.



Photo 14. Building L, internal (external photo not possible as surrounded by other buildings on all sides).



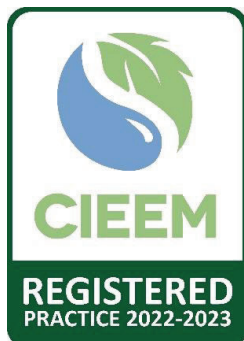
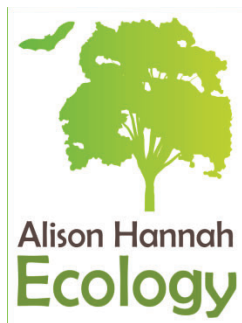
Photo 15. Building M, internal. Gate on right leads into building L.



Photo 16. Building N, southern side; part corrugated metal roof, part slate roof.



Photo 17. Building O (the buildings to the right and left are not within the site).



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10<sup>th</sup> March 2022

### **Carlungie Steading, Carnoustie DD5 3RL: Bat Species Protection Plan – Method Statement**

This Bat Protection Plan (BPP) provides details of the protection measures proposed for two Soprano Pipistrelle (*Pipistrellus pygmaeus*) non-maternity bat roosts at Carlungie Steading. The Steading buildings will be demolished, resulting in the loss of these two roosts.

Work is proposed to commence around 4<sup>th</sup> April 2022. The two buildings with roosts should be demolished within 3 months.

As the roosts both non-maternity roosts of Soprano Pipistrelles, the works have been added to a Bat Low Impact Licence (BLIMP). An analysis of the three tests for the granting of a licence, as summarised in Table 1 (Appendix A), shows that the three conditions for the granting of a licence are met.

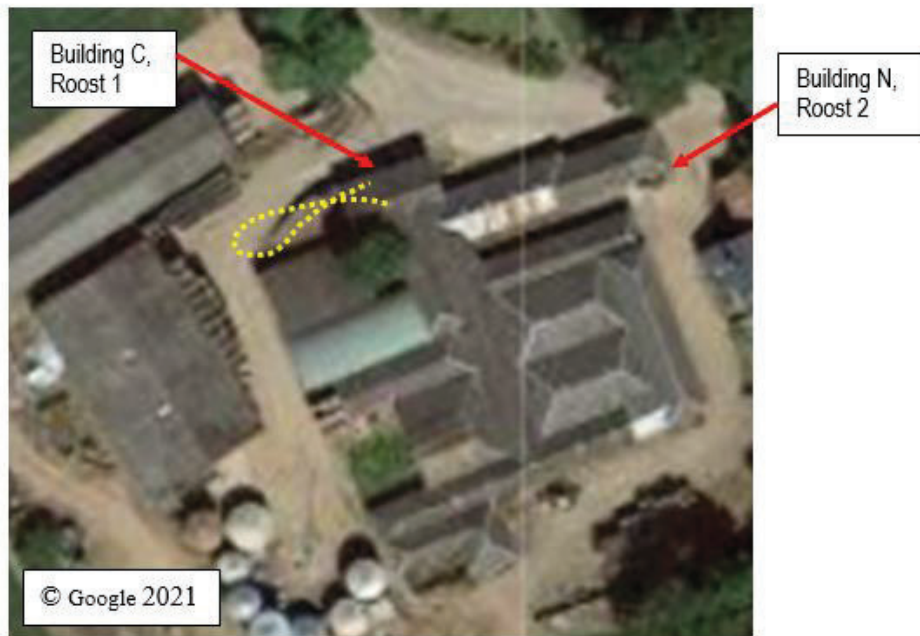
### **Mitigation**

In order to mitigate the impact on bats as a result of demolition works, and provide adequate replacement roosting opportunities should they be required, the following procedures will be followed:

- Two styrocrete crevice boxes will be fitted to nearby mature trees prior to work commencing under advice of a licensed bat worker.
- All those on site to be briefed via a short toolbox-talk on the procedures to follow should a bat be found;
- In the event that any bats are found during supervised works the licensed bat worker will catch them by hand, or a hand net, and place them in a breathable holding bag for immediate relocation to a pre-erected bat box. Care will be taken to move the bat quickly and with minimal handling. Injured bats will be immediately taken into care (as directed by the Bat Worker's Manual, 2004). Details of a local bat carer will be carried by the licensed bat worker throughout the works;

- Once potential roost areas have been stripped under direction (should this be required), further work will then proceed swiftly without the supervision of an ecologist. In the unlikely event that a bat is found during any of the building works when the named ecologist is not present, contractors will be instructed to stop work immediately and contact the named ecologist for advice;
- In the event more than five bats are found in one location, a different species or different roost type to that covered by the licence is discovered, work must cease, and advice sought from NatureScot (01463 725149) or a licensed bat worker (BLIMP Licence holder, Alison Hannah: 07913 308893);
- A procedure will be put in place to ensure that this method statement is adhered to.

## Bat Roost Locations



**Roost 1.** One soprano pipistrelle emerged from the western open end of barn C during the dusk survey, circled, then re-entered (as indicated by the dashed yellow line), presumably due to the rain.



**Roost 2.** One soprano pipistrelle entered a roost area behind the gutter pipe on the eastern edge of building N during the dawn survey, as indicated by the red arrow.

Appendix A: Table 1. Analysis of the three licensing tests

Test	Relevant Factors
The activity proposed must fall within one of the licensable purposes listed in Regulation 44.	<p>Regulation 44(2)(e), is applicable here, i.e.:</p> <p><i>'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'</i></p> <p>The relevant sections here are social and economic reasons. The farm buildings are disused and will be demolished to make space for new residential properties.</p>
There is no satisfactory alternative.	<p>The following alternatives to the licensable actions have been considered:</p> <p>Do nothing – this is not considered a satisfactory alternative because the aims of the project will not be met.</p> <p>Timing of work – changes to timings would not negate the need for a licence because the roosts would still be destroyed as a result of the works.</p> <p>Micro-siting work /use alternative site/route etc. – not applicable here.</p> <p>Retain bat roosts – the buildings are not suitable for conversion and will therefore be demolished.</p>
The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.	<p>Soprano pipistrelle bats are generally well understood and are common and widespread throughout Scotland and are in a favourable conservation status with favourable range status, population status, habitat status and have favourable future prospects.</p> <p>A number of precautionary and mitigatory measures will be put in place in order to minimise any potential impacts on bats. Following implementation of these measures, it is highly unlikely that the loss of two non-maternity roosts will have a significant effect on the population of soprano pipistrelles in general, nor on the population in Angus.</p>

## Planning Supporting Statement

Planning Application (Planning Permission in Principle) for the Demolition of Redundant Farm Buildings and Erection of 4 no. Dwellinghouses at Carlungie Farm Steadings, Carlungie, Angus





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1. INTRODUCTION	3
2. SITE DESCRIPTION	4
3. THE PROPOSAL	8
4. THE DEVELOPMENT PLAN	11
5. MATERIAL CONSIDERATIONS	18
6. CONCLUSIONS	19

Document 1: Alison Hannah Ecology Survey (Bats) and Bat Protection Plan

Document 2: Innes Aitken (Pre-Demolition Building Survey Report)

Document 3: Bus Route Information

## 1.0 Introduction

- 1.1 This Planning Supporting Statement (PSS) has been prepared, on behalf of Clova Farms Limited (the "Applicant"), to accompany a Planning Application, for Planning Permission in Principle, to Angus Council (AC) for the following proposal:

**"Demolition of redundant farm buildings and erection of 4 no. Dwellinghouses at Carlungie Farm Steadings, Carlungie, Carnoustie, Angus, DD7 7SD"**

- 1.2 The Planning Application has been submitted in accordance with the requirements of Section 32 of Town and Country Planning (Scotland) Act, 1997 (as amended) (the "Act").

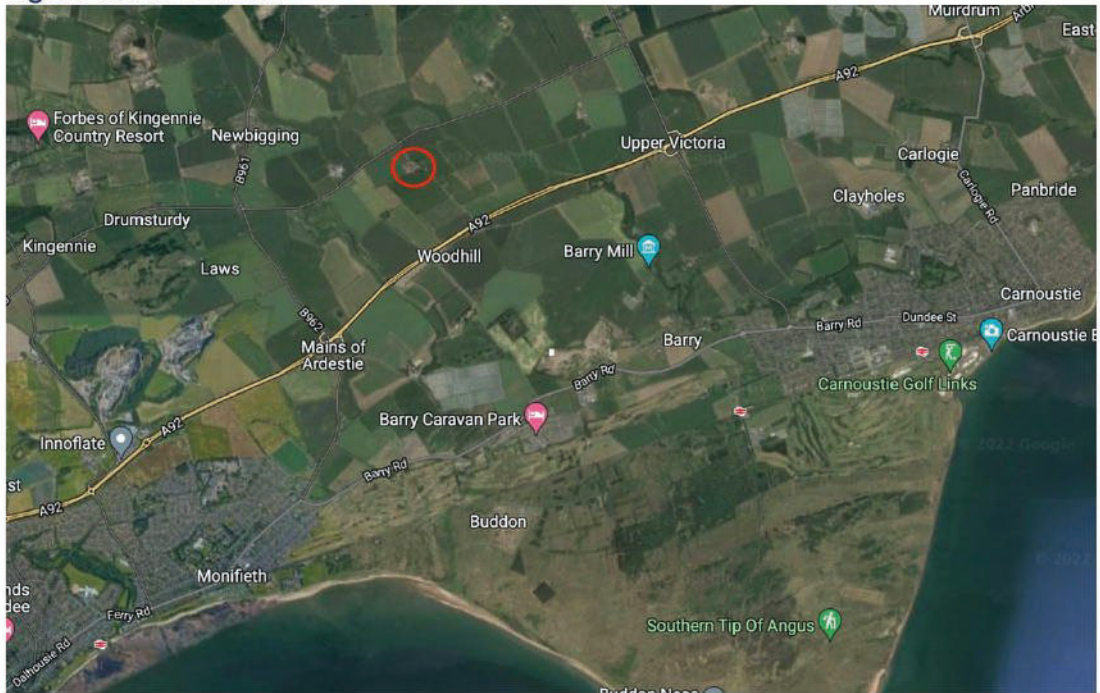
- 1.3 This PSS has regard to Section 25 of the Act which requires the following:

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

## 2.0 Site Description

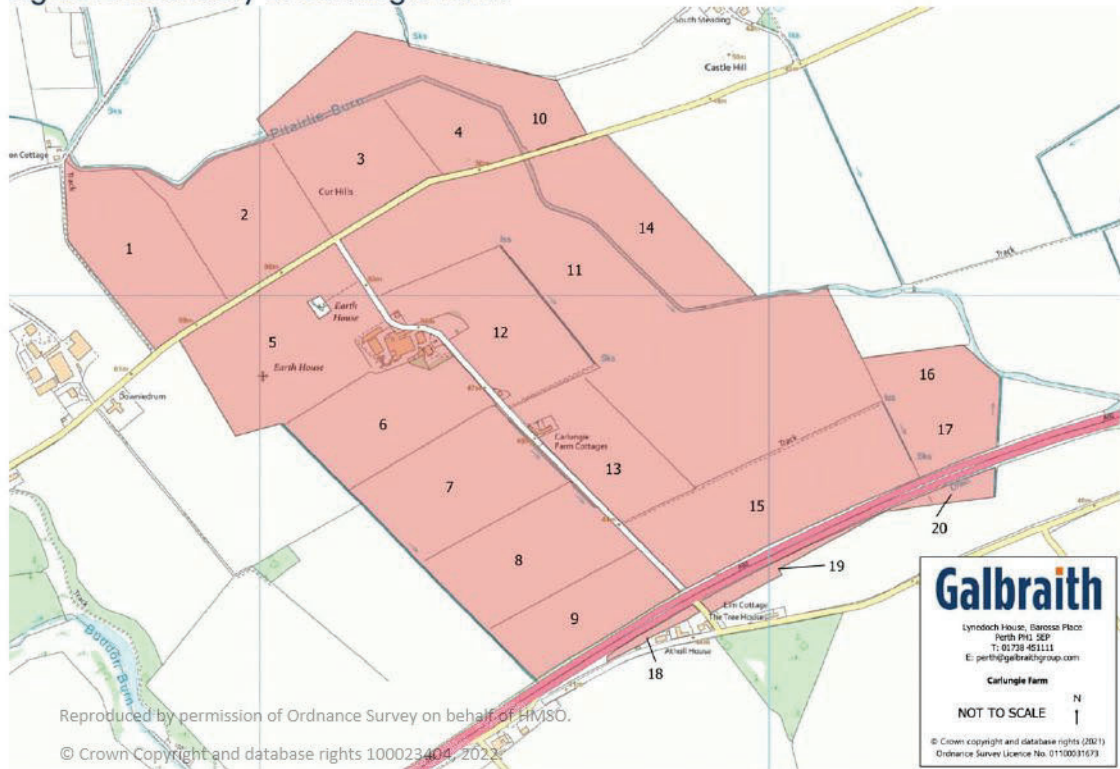
- 2.1 Figure 1: Site Context illustrates that the site is located to the north of the A92 Trunk Road, leading from Dundee to Arbroath. Carnoustie lies approximately 7.5km to the southeast and Monifieth lies approximately 5.2km to the southwest.

Figure 1: Site Context



- 2.2 Figure 2: Boundary of Carlungie Farm illustrates the extent of the farm coloured pink, with the A92 running along the southern boundary of the site. The land extends northerly to the Pitairlie Burn, which then bisects the Farm on its eastern side.
- 2.3 Figure 2 also illustrates the minor public road serving Carlungie southwards from the public road between Newbigging Toll and “The Marches”.
- 2.4 The steadings, subject to this Application lie to the west of the Carlungie public road, to the southeast of ‘field 5’, adjacent to the former farmhouse, with 5 additional cottages lying in relative proximity.

Figure 2: Boundary of Carlungie Farm

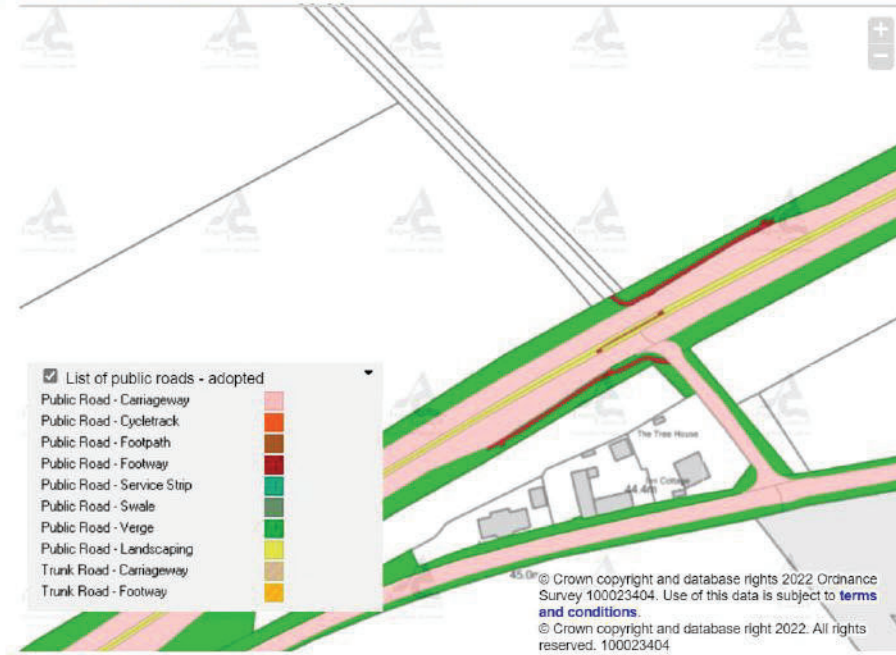


2.5 The Adopted part of Carlungie road terminates just south of Carlungie Farm Cottages, as illustrated in Figure 3: Road Status, but the road itself continues southwards to its stopped up position with the A92 however there is a cycle/pedestrian connection through to a properly signed/formed crossing point over the carriageways as illustrated in Figure 4: Cycle/Pedestrian Connection.

Figure 3: Road Status

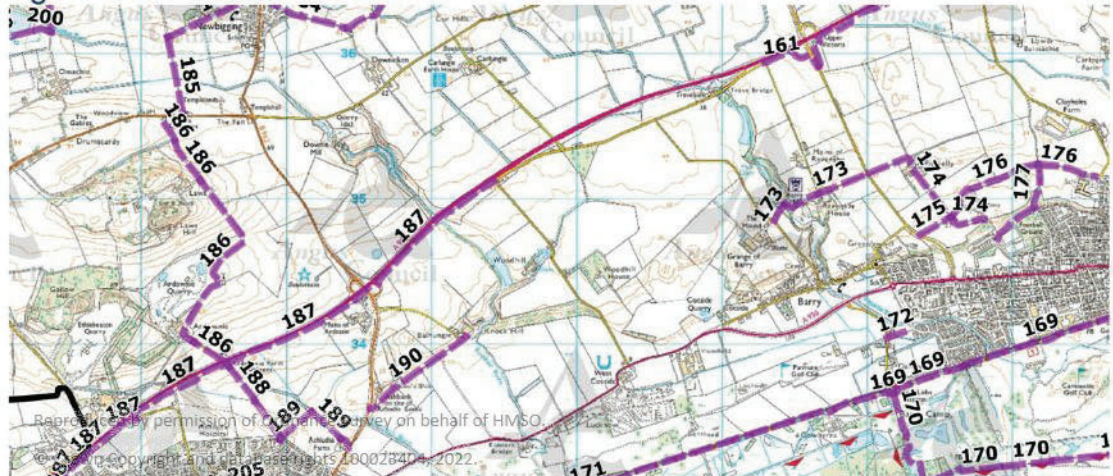


Figure 4: Cycle/Pedestrian Connection



2.6 Either side of the A92 crossing are sheltered bus stops (known as Carlungie Road End) served by Stagecoach’s 39 route (Document 3). The bus stops are only some 600m from the Application Site. The path on the south side then leads via Woodside to the 187 Core Path westwards to Ethiebeaton/Monifieth and eastwards to the 161 Core Path to Carnoustie, as illustrated in Figure 5: Core Path Connections.

Figure 5: Core Path Connections



2.8 The bus route provides ease of access to Ethiebeaton, 4km away, which provides for a range of services including David Lloyd Leisure Centre, Premier Inn, Costa Coffee, McDonalds, Longparke Farm Shop & Restaurant, Innoflate Leisure Centre, and a Sainsburys within Dobbies Garden Centre.

- 2.9 Newbigging Primary School to the northwest is understood to be at only 35% capacity. The school is located at a distance of 2.4 km.
- 2.10 The Applicant purchased Carlungie last year to amalgamate with their extensive contiguous landholdings to the east. The range of obsolete farm buildings at Carlungie are in a state of disrepair and surplus to the Applicant's requirements given the proximity of more modern and suitable farm buildings available on adjacent landholdings.
- 2.11 Figure 6: Site Location illustrates the site's location, to the west of the former farmhouse and to the southwest of "The Bungalow", a detached 2-bedroom single storey dwelling. The former farmhouse along with its curtilage buildings has been sold on to a third party for private residential occupation. It should be noted that the four Cottages to the south are being retained by the Applicant for letting out and indeed "Carlungie Farm Cottages" of which there are three are currently subject to planning application 2021/00990/FULL for upgrading.

Figure 6: Site Location



- 2.12 Figure 7: Aerial Photograph illustrates the cluster of buildings viewed from the southeast.

Figure 7: Aerial Photograph



2.13 Carlungie Earth House is located to the northwest and is a Scheduled Ancient Monument (SAM) (Historic Environment Reference: SM90059). Figure 8: Carlungie Earth House SAM identifies the curtilage of the designation.

Figure 8: Carlungie Earth House SAM



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### 3.0 The Proposal

3.1 The Planning Application is for Planning Permission in Principle for:

“Demolition of redundant farm buildings and erection of 4 no. Dwellinghouses at Carlungie Farm Steadings, Carlungie, Carnoustie, Angus, DD7 7SD”

3.2 Figure 9: Proposed Site Plan illustrates the proposals with an indicative site layout.

Figure 9: Proposed Site Plan



3.3 The proposed 4 no. dwellinghouses are clustered in a group with a central orientation. SUDs facilities are provided along the entrance to the site, which is off the public road.

3.4 A bat survey, carried out by Alison Hannah Ecology, is attached as Document 1 and confirms, in summary:

- Prior to proposed demolition works of Carlungie steading, bat activity survey work was carried out. Two individual soprano pipistrelles (*Pipistrellus pygmaeus*) were recorded roosting.



- As no bat maternity roosts were recorded, work can be carried out under a bat low impact (BLIMP) licence. A Bat Protection Plan should be produced, and two suitable bat boxes sited in nearby mature trees prior to work commencing.
  - During the course of bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). If this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.
- 3.5 It should be noted that the Applicant by way of requisite Licence has now carried out certain works to the roosts and bat boxes erected. Demolition will be undertaken out with the bird nesting period and the Applicant is content to accept a planning condition addressing these requirements.
- 3.6 Innes Aitken Associates have carried out a Pre-Demolition Building Survey Report which is attached as Document 2. The report was commissioned to assess the overall condition of the existing steadings in order to ascertain whether any buildings are suitable for conversion. The report provides for a detailed appraisal of 15 individual buildings/ancillary structures. The report concludes that:
- Buildings 1, 2, 3, 4, 5, 11 & 12 all comprise historic stone-built steading buildings with slate roofs, large cast iron valley gutters and cast iron rones/downpipes. There is widespread severe woodworm and rot to the roof structures throughout, which necessitates complete dismantling of all roof structures. Stone walls are aged and deteriorating, with extensive delaminating, splitting and scaling stonework, and pointing is in very poor condition throughout. There are areas of structural cracking and displacement to stone walls, due to roof spread as a result of decay to the roof structures, heavy deterioration of stone walls and pointing due to prolonged rainwater ingress requiring rebuilding, and structural failure of stone lintels. Full demolition is recommended.
  - Building 6 simply comprises a timber canopy roof structure extending between buildings 3 & 8. The timber roof structure and roof coverings are in very poor condition, and structurally unsafe, with an imminent collapse and should be demolished as soon as possible.
  - Buildings 7, 8, 9, 10, 13, 14 & 15 are all of relatively modern design and construction and have no intrinsic historic or design value and these can be readily demolished. Buildings 7 & 9 are at risk of collapse due to significant structural issues and in need of immediate demolition.
  - There is evidence of potential asbestos, which would require specialist removal.
- 3.7 Following the conclusions of the above report, it was decided that because of their condition and unsuitability for conversion the buildings should be demolished.

## 4.0 The Development Plan

- 4.1 Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission (other than for a national development) shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The Development Plan comprises the TAYplan Strategic Development Plan (SDP), 2017 and the Angus Local Development Plan (LDP), 2016. Given the strategic nature of the SDP, it is not considered to have a direct implication on the proposal, with the LDP providing the relevant policy context in this case.

### Angus Local Development Plan (ALDP), 2016

- 4.3 The ALDP, adopted 2016 identifies that the site is located in the countryside, within a Category 1 Rural Settlement Unit (RSU), as defined in the ALDP. The site does not benefit from any other known statutory designations.
- 4.4 Table 1: ALDP, adopted 2016 identifies the policies contained in the ALDP, which are considered to be relevant to the proposal, together with the Proposal's compliance.

Table 1: ALDP, adopted 2016

Policy Description	Proposal Compliance
<p><b>Policy DS1 Development Boundaries and Priorities:</b>            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...</p> <p>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.</p> <p>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</p>	<p>Policy DS1 is supportive of development which is of a scale and nature appropriate to its location and where it complies with other relevant policies of the ALDP.</p> <p>The existing complex of farm buildings are densely compacted into the site and the proposed four houses not only significantly reduce the 'built nature' of the site, but also reflect the scale and nature of the existing 6 no. dwellings at Carlungie Farm.</p> <p>The Building Survey Report by Innes Aitken Associates categorically supports full demolition of all the existing vacant and derelict farm</p>

Policy Description	Proposal Compliance
<p>accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.</p>	<p>buildings on this unused brownfield land.</p> <p>The re-use of this site for 4 no. dwellings is therefore supported by Policy DS1.</p> <p>The proposal will not have an adverse impact on ecological issues, with mitigation for the two bats identified already undertaken.</p> <p><b>The principle of the proposal complies with Policy DS1.</b></p>
<p><b>Policy DS3 Design Quality and Placemaking:</b> 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:</p> <ul style="list-style-type: none"> <li>○ Distinct in Character and Identity</li> <li>○ Safe and Pleasant</li> <li>○ Well Connected</li> <li>○ Adaptable</li> <li>○ Resource Efficient</li> </ul> <p>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.</p>	<p>The design concept relates to the creation of 4 no. dwellinghouses.</p> <p>The scale and nature of the development is in keeping with the character of the local landscape and pattern of development and there is no known impact on the built or natural environment.</p> <p>The site is easily accessible, from an existing road, which would have been intensively used with the farming operation. There are bus stops to the south of the site allowing access by public transport and services. There are also a number of core paths readily accessible promoting active travel.</p> <p>The principle of development illustrates compliance with Policy DS3. The detailed elements of this Policy can be achieved through the final design for the proposed houses.</p> <p><b>The principle of the proposal complies with Policy DS3.</b></p>
<p><b>Policy DS4 Amenity:</b></p>	<p>The proposed houses have been</p>

Policy Description	Proposal Compliance
<p>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...</p>	<p>designed to retain the residential amenity of the existing adjacent former Farmhouse and cottages.</p> <p>The indicative siting and layout of the proposed houses has been specifically designed to ensure that the amenity between the existing two adjacent houses and those proposed for is secured.</p> <p>The removal of the existing redundant agricultural buildings will also secure the removal of a potentially non-conforming use agricultural uses adjacent to existing residential properties.</p> <p>The principle of the proposal complies with Policy DS4.</p>
<p><b>Policy TC2: Residential Development</b> All proposals for new residential development, ... must:</p> <ul style="list-style-type: none"> <li>o Be compatible with current and proposed land uses in the surrounding area;</li> <li>o Provide a satisfactory residential environment for the proposed dwelling(s);</li> <li>o Not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and</li> <li>o Include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.</li> </ul> <p>In countryside locations Angus Council will support proposals for the development of houses which fall into</p>	<p>The proposed residential development is compatible with the adjoining residential uses at Carlungie Farm. The proposal provides for a satisfactory residential environment and does not have an adverse impact on surrounding amenity, access or infrastructure.</p> <p>The affordable housing requirements of the site are addressed under Policy TC3: Affordable Housing.</p> <p>In terms of allowable development in the countryside, the proposal complies with Policy TC2, in that it is for, the <i>“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.”</i></p>

Policy Description	Proposal Compliance
<p>relevant categories, the following of which is relevant:</p> <ul style="list-style-type: none"> <li>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;”</li> </ul>	<p>This is demonstrated by the submitted structural survey of the condition of the existing derelict farm buildings on this brownfield site. The proposed replacement of these buildings with 4 no. houses will result in a significant visual and environmental improvement, including addressing existing contamination.</p> <p><b>The proposal complies with Policy TC2.</b></p>
<p><b>Policy TC3 Affordable Housing</b>  Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha. ... Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.</p>	<p>The proposal relates to 4 no. houses on a site area of 0.75 hectares. The ALDP Supplementary Guidance on Developer Contributions &amp; Affordable Housing confirms:</p> <p>“Contributions will not usually be sought for residential development of less than 10 units, however where the site is for less than 10 units but exceeds 0.5ha then contributions will be sought.”</p> <p>The Applicant is content to comply with this requirement.</p> <p><b>The proposal complies with Policy TC3.</b></p>
<p><b>Policy PV5: Protected Species</b>  Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.</p>	<p>The bat survey, carried out by Alison Hannah Ecology, confirms that no bat maternity roosts were recorded at the site and that work can be carried out under a bat low impact (BLIMP) licence. Mitigation has now been completed under Licence.</p> <p><b>The proposal complies with Policy PV5.</b></p>
<p><b>Policy PV6 Development in the Landscape:</b>  Development which has an adverse effect on landscape will only be</p>	<p>The proposed new houses reflect the scale of and are sympathetic to the existing 6 no. houses at Carlungie. The scale, density and nature of the</p>

Policy Description	Proposal Compliance
<p>permitted where:</p> <ul style="list-style-type: none"> <li>○ The site selected is capable of accommodating the proposed development;</li> <li>○ The siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;</li> <li>○ Potential cumulative effects with any other relevant proposal are considered to be acceptable; and</li> <li>○ Mitigation measures and/or reinstatement are proposed where appropriate.</li> </ul>	<p>proposal should be preferred, within this local context to the redundant farm buildings.</p> <p>The indicative layout has been specifically designed to absorb into the landscape, which is topographically flat and currently occupied by densely located redundant farm buildings which do not contribute to the local environment or landscape.</p> <p>Mitigation and positive enhancement are provided through the removal of derelict buildings, the remediation of contaminated land and the replacement of farm buildings, adjacent to existing houses with new houses, rather than new industrialised farm buildings.</p> <p><b>The proposal complies with Policy PV6.</b></p>
<p><b>Policy PV8 Built and Cultural Heritage:</b> Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:</p> <ul style="list-style-type: none"> <li>○ The proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;</li> <li>○ Any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and</li> <li>○ Appropriate measures are provided to mitigate any identified adverse impacts.</li> </ul>	<p>Figure 5: Carlungie Earth House SAM identifies the curtilage of the designation, which is 'tightly' wrapped around the Earth House and does not extend to the Application site.</p> <p>The proposal will not adversely affect the integrity of this designated site, but rather reflect its former residential use, in this locality.</p> <p><b>The proposal complies with Policy PV8.</b></p>
<p><b>Policy PV15 Drainage Infrastructure:</b> ... Outwith areas served by public</p>	<p>The proposal will connect to the public water supply and use private drainage</p>

Policy Description	Proposal Compliance
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.	arrangements with septic tank and soakaway for the discharge of foul water. A SUDS system would be used for surface water discharge. Detailed matters regarding these arrangements would be addressed through the detailed planning submission and building warrant approval process.  <b>The proposal complies with Policy PV15.</b>
<p><b>Policy PV18 : Waste Management in New Development</b></p> <p>Proposals for new residential, commercial should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.</p>	<p>The Applicant will make provision for recycling of waste on a private basis and through the construction process.</p> <p><b>The proposal complies with Policy PV18.</b></p>

4.5 It is considered that the proposed development complies with the requirements of the ALDP 2016.

4.6 The ALDP, 2016 Countryside Housing Supplementary Guidance forms part of the statutory ALDP. The following relevant Guidance is considered to support the proposal:

[ALDP, 2016 Countryside Housing Supplementary Guidance \(SG\), 2016](#)

4.7 Paragraph 3.3 of the SG states, of relevance:

“Regeneration or redevelopment of brownfield sites will only be permitted where the development delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use; the mere fact that a site is brownfield in nature is not a sufficient reason for its redevelopment.” Requiring, inter alia, that the number of new houses that will be acceptable on rural brownfield sites depends on:

- The extent of environmental degradation, contamination and derelict buildings;
- The overall size of the previously developed area of land;
- The scope for improvements to visual amenity; and
- The character of the surrounding landscape/built environment;

- Compliance with applicable detailed Criteria (e.g. standard of access required);
  - Development will be up to a maximum of four new houses, except where a marginally greater number is justified;
  - The entire area of brownfield land must be remediated.
- 4.8 The proposal relates to a maximum of 4 no. houses and complies with the above criteria.
- 4.9 The SG also requires information on the planning history of the site and a statement on justification for the demolition and replacement of the derelict farm buildings.
- 4.10 Having regard to the above, it is considered that the Application accords with the provisions of the Development Plan, as required by S25 of the Act.



## 5.0 Material Considerations

- 5.1 It is considered that Scottish Government (2014) Scottish Planning Policy (SPP) is a material planning consideration in support the proposal:
- 5.2 Paragraph 75 of SPP identifies some key policy principles for promoting rural development including encouraging rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.
- 5.3 This proposal would support rural development, through the provision of new homes and with the creation of employment opportunities associated with the construction of the houses. The proposal provides for a complementary design proposal, having regard to adjacent residential land uses.

## **6.0 Conclusion**

- 6.1 It is considered that the proposal accords with the provisions of the Development Plan and that there are material considerations in support of the proposal.
- 6.2 It is, therefore, respectfully requested that this Planning Application is granted, having regard to the requirements of Section 25 of The Town and Country Planning (Scotland) Act 1997 as amended.

DOCUMENT 1

DOCUMENT 2

DOCUMENT 3



**PRE-DEMOLITION BUILDING SURVEY REPORT**

**OF:**

**CARLUNGIE FARM STEADINGS  
CARLUNGIE  
CARNOUSTIE  
ANGUS  
DD7 7SD**

**FOR:**

**CLOVA FARMS LIMITED  
WESTBY  
64 WEST HIGH STREET  
FORFAR  
ANGUS  
DD8 1BJ**

**ISSUED:**

**09 MAY 2022**

**FILE REF:**

**DB0295/01R**

## **INTRODUCTION**

In accordance with instructions received from ACT Property Consulting, on behalf of Clova Farms Ltd, an inspection of Carlungie Farm Steadings, Carlungie, Angus was carried out Tuesday 3<sup>rd</sup> May 2022 in order to assess the overall condition and the need for demolition as part of a proposal to redevelop the site and erect new housing..

Our inspection was carried out in dry and overcast weather conditions.

## **BRIEF DESCRIPTION**

The subjects comprise a group of farm steading buildings and farm sheds.

For the purposes of this report, the public highway that allows access to the site is deemed to be situated due north of the site.

## **LIMITATIONS**

No enquiries have been undertaken with the Local Authority to ascertain whether there are any outstanding orders, statutory notices or restrictions which may apply to the property.

No tests or specialist inspections of the electrical, plumbing, drainage and mechanical services installations have been arranged.

This report excludes any investigations into structural engineering design, compliance with legislation relating to buildings, contamination or suitability of the ground on which the building is constructed, or the use of deleterious materials such as high alumina cement, calcium chloride, calcium silicate brickwork, chemical constituents in concrete, cavity wall tie failure, radon gas seepage, woodwool slab permanent shuttering, asbestos, PCBP or any similar materials except insofar as such materials may come to knowledge in the normal course of inspecting the materials and state of repair.

We could not inspect parts of the structure which were covered, unexposed or inaccessible and we cannot therefore accept liability in respect of any defect which may subsequently become apparent arising from timber diseases of any description, woodworm, beetle infestation, insect attack, the presence of vermin, the position of reinforcement, ties or bearings or any other concealed defects.

In accordance with our normal practice, we confirm that this Report is confidential to the party to whom it is addressed or their Professional Advisers for the specific purpose to which it refers. No responsibility is accepted to any third party and neither the whole of this Report nor any part or reference thereto may be published in any document, statement or circular, nor in any written communication with third parties without our prior written approval on the form and context in which it appears.

You should note that we have not carried out a detailed survey for the existence of asbestos-containing materials within the subjects and can advise that it is a legal requirement under the Control of Asbestos Regulations 2012 that such a specialist survey is carried out, that all asbestos-containing materials are identified & analysed and their type and condition recorded, and that a plan is implemented, managing the related risks.

You should be aware of the potential for the presence of a herbaceous perennial plant, known as Japanese Knotweed and confirm that we have not carried out any investigations as to ground conditions, imported material or whether the site and surrounding area is, or has, in the past, been contaminated. Our Report has been prepared on the assumption that the subjects are not adversely affected by ground conditions, or any form of contamination in respect of Japanese Knotweed. Therefore, unless otherwise stated, for the purposes of this Report, we have assumed that there is no Japanese Knotweed within the boundaries of the property, or within neighbouring properties or ground. The identification of Japanese Knotweed should be investigated by a recognised Specialist and must be removed/treated by persons with appropriate skills and knowledge, and we would advise that the removal and eradication can be expensive. In the course of our survey, if we believe we have identified any Japanese Knotweed, we will recommend that this is the subject of further investigation by appropriate parties to confirm its presence or otherwise.

*Carlungie Farm Steadings, Carlungie, Angus*

PRE-DEMOLITION BUILDING SURVEY REPORT

We have not carried out a Flood Risk Assessment of the site. SEPA Flood Maps are available online at <http://map.sepa.org.uk/floodmap/map.htm> but cannot be relied upon for commercial purposes. We recommend that you discuss further with your Insurer to ensure that the property can be insured under competitive commercial terms.



## 1.00 GENERAL SITE

The subjects comprise a group of farm steading buildings and farm sheds, accessed from the public highway to the north by a bitumen macadam surfaced shared private roadway, which extends around the sides and rear of the main central steading buildings. Steading buildings adjoining the east side of the main central steading buildings are not to be demolished and are to be retained and sold off along with the main detached stone-built farm house, ancillary detached stone-built farm building, small stone-built outbuildings and a more modern small bungalow. The proposal is to demolish all other buildings and structures to the west, within the red-outlined site in the Site Plan in Appendix A to this report. Building numbers in this report correlate with those on the Site Plan.

The shared entrance road leading to the site is in a reasonable condition. Surfacing to roadways/yards around the buildings is generally in poor condition. There is a concrete-surfaced lane between Buildings 2 & 12, which is in extremely poor condition, with concrete heavily and extensively cracked and breaking up.

There is a pile of corrugated broken presumed asbestos cement cladding lying in the rear yard adjacent to the south boundary. The cladding is generally badly broken-up and there are numerous scattered fragments of presumed asbestos cement embedded within the surrounding yard areas. There are also widespread fragments of presumed asbestos cement sheeting along the north side of Building 14, and a pile of badly broken presumed asbestos cement sheeting at the west side of Building 14. Asbestos cement, when damaged, is a danger to health, and all asbestos cement should be safely removed to a licensed asbestos tip, by a licensed contractor. This will likely include scraping and removing the contaminated soil to a licensed tip. Careful attention should be paid to removing other areas of asbestos cement sheeting. It must be noted that, under the Control of Asbestos Regulations 2012, a Refurbishment and Demolition Survey of all parts of the site will be required to be carried out prior to any works being carried out, to determine the presence of all asbestos-containing materials. We noted that stripping of roofing slates has already commenced.

There is a relatively small area of heavy oil contamination to the ground at the south elevation of the building to the east of Buildings 1, 2 & 3. Whilst this ground is situated within the plot of land to be sold off separately, contamination may have continued below ground into the subjects and a contamination survey may require to be carried out.

The west half of the site is raised approx. 1.1m above the level of the adjoining field to the north, (Building 3 is currently within this field) and the raised yard area is retained by a stone dyke. A double leaf steel farm gate allows access to the west yard. There is also a short length of stone retaining wall stretching part way down the west side of Building 14. There is a sluice gate near the north end of the retaining wall at the west side of Building 14.; there is a smaller stone open sluice at the west end of the stone retaining wall between Buildings 13 & 14. The stone dyke along most of the yard's north boundary, and between Buildings 13 & 14, has collapsed and is now essentially rubble, although the dyke remains relatively intact at its east end, at the location of the gate, albeit there are various cracked and open joints. The stone dyke at the west side of Building 14 is dilapidated, with various large areas of missing stonework and large bulging areas. We consider there would be little benefit in attempting to salvage the remnants of the stone dykes and the site will require to be re-graded and levelled, as the retaining wall along the yard's north boundary is situated between Buildings 13 & 14, both of which will be within the proposed development site.. The steel farm gate is in poor condition and can be readily removed.

There is a stone retaining wall along the east part of the south site boundary – some repairs have been carried out to the top of this wall in the past but other repairs and repointing are necessary. It should be possible to keep this wall.

There is a vehicular access ramp leading up to Building 11, which has a floor height approx. 2.1m higher than adjoining road level, this ramp being retained by a sandstone retaining wall. There is a plastic fuel tank at the top of this ramp. The sandstone copes to this wall are largely missing and there is widespread structural cracking to the wall, due to the wall being insufficient to retain pressure from the soil behind. Notwithstanding its poor condition, this ramp and fuel tank would require to be removed as part of the proposed redevelopment works.

## **2.00 BUILDINGS 1 & 2**

These buildings comprise a large open cattle shed, with higher level walkway & feed trays along its west side (Building 1), and a large and a small store at its northeast corner, having substantial internal sandstone walls separating them from Building 1 – this store forms the east half of Building 2, the west half being contiguous and open plan with Building 1. The roof over Building 1 comprises large timber trussed rafters supporting timber purlins, which in turn support timber battens, with slate coverings – most of the slating has wide-spaced joints between slates, to aid ventilation. There are clay ridge tiles and zinc hip flashings. The roof layout of Building 1 comprises two large pitched and hipped roofs of similar size and design, both surrounded on all sides by cast iron valley gutters, rainwater discharging into cast iron downpipes. There are a number of cast iron skylights and there are 2 No. small zinc vents at the top of each main north/south roofslope, to aid ventilation. . Steel valley gutters are mostly supported on rafter ends above supporting stone walls but there is a substantial timber beam spanning east-west running under the middle valley gutter, poorly supported by 4 No. cast iron columns, on basic exposed concrete, stone and brick founds. There is a similar timber beam below the valley gutter between the contiguous west half of Building 2 and Building 1, poorly supported on 3 No. cut tree trunks, resting on basic exposed stone pads, as well as a timber post resting on the raised walkway to the west. There are various timber joists and supporting braces below the east and west roofslopes of Building 1.

The roof over Building 2 is of simple pitched design and comprises timber joists and rafters, supporting close boarded timber sarking, with slate coverings, clay ridge tiles and 3 No. cast iron skylights. There is a cast iron rhone along the north elevation with a single cast iron downpipe. There are short sloping zinc valley gutters at the west end of the roof, where it adjoins the roof over Building 3. A small area of the roof at the west end of the north roofslope to Building 2 has been raised slightly in height, to allow the door height below to be raised, and there is an old life-expired lead sheet between the raised slated roof and the main slated roofslope.

Walls are of traditional solid sandstone construction. There is a large vehicular access vannel leading through the adjoining buildings to the east – these buildings would be retained and sold off to the purchaser of the neighbouring site – otherwise, there are no openings between the buildings and the adjoining buildings to the east.

There are 4 No. dilapidated and rotten timber doors along the north elevation, one of which has been previously clad in corrugated steel sheeting. There are also a number of similar internal doors leading off Building 1.

The floor of Building 1 comprises uneven basic soil, floor level being approx. 1.2m below floor level of the buildings to the west and also 1.2m below floor level of the stores to Building 2 to the north. There is a sandstone retaining wall along the outer edge of the walkway at the west side of Building 1. Floors to the two stores within Building 1 are formed in basic concrete.

Roofs are in extremely poor condition, with widespread severely rotten timbers, widespread severe woodworm, widespread missing and broken slates, life-expired ridge and hip flashings (ridge tiles to Building 1 are in particularly poor order, generally heavily eroded, cracked and damaged), cast iron skylights are corroded and with heavily perished zinc apron flashings, and there are various holes through the roof. Cast iron valley gutters are corroded. The cast iron rhone and downpipe along the north elevation of Building 1 are corroded. While we were able to walk along the majority of cast iron valley gutters, the roofs are, in our opinion, unsafe. Timber decay and woodworm is so heavy and widespread that there are numerous parts of the roof structures that are liable to collapse. The large central timber beam that supports the east-west valley gutter that runs across the middle of Building 1 is so severely rotten that there is nothing left of it at its east end and an additional new timber joist has been bolted either side to prevent collapse, however, woodworm has occurred to these new timber joists and this is so heavy that there is now obvious erosion to these "new" joists. Cast iron valley gutters are corroded. Cast iron columns supporting this beam are heavily rusted, and steel packers between the top of these columns and the beam are severely corroded; the concrete/stone/brick founds are basic, and ground has heavily eroded away around their base where the floor has been heavily worn over time. The large timber beam supporting the valley gutter between Building 1 and the west half of Building 2 has collapsed in the past and has been renewed with a new timber beam, supported on basic makeshift cut tree trunks, which are in turn very basically supported on salvaged stone blocks resting on the soil floor. This beam is rotten, severely sagging, and the timber tree trunk supporting columns are unfixed and unsafe. The ends of the trussed rafters that rest on this beam are severely rotten. There is significant risk of early collapse of the roof structures due to the poor condition of the structural woodwork.

The ends of the main structural timber trussed rafters are not tied to anything and simply rest on small eroding stone blocks at the top of the north and south walls.

The complete roof structures and cast iron gutters/downpipes require to be fully dismantled, including the steel columns and cut tree trunks supporting the valley gutter beams, leaving just the stone walls in place.

The soil and concrete floors are in very poor condition and of no present or future merit. It appears that corrugated asbestos cement sheeting has been laid on the floor at the northwest corner of Building 1 many years ago and this is now extremely eroded and friable, and therefore presents a significant risk to health – a licensed asbestos removal contractor should be engaged to safely remove the asbestos fragments and all contaminated soil.

Sandstone along the north elevation of Building 2 is in need of repointing and there is widespread delamination of stone blocks, most commonly to built-on-edge dressed stonework around the door openings, and there is splitting and delamination of stones around door openings that would necessitate renewal of sandstone. Internally, within Buildings 1 & 2, pointing is in poor condition. Substantial amounts of foundation stonework are exposed as a result of the floor levels within Building 1 and the west half of Building 2 having eroded over years, with the rubble sub-base below foundation stones also being exposed in areas – this raises concerns with the structural integrity of the walls unless substantial underpinning were carried out.

Rainwater has been pouring in at the northeast corner of Building 1, causing heavy erosion of the joints to the stonework to the wall between Building 1 and Building 2 at this corner, with stonework in need of being rebuilt at this location.

There is widespread heavy rotting woodwork and woodworm to the doors and door framing. Timber lintels over door openings are severely infested by woodworm and are rotten.

In our opinion, this building is in need of full demolition. Notwithstanding the condition, the internal dimensions of the combined Buildings 1 & 2 measure approx. 24 metres north to south and 16 metres east to west and this space is not suitable for conversion to residential.

### 3.00 **BUILDING 3**

This building comprises a row of cellular farm stores, of traditional solid sandstone construction, with simple pitched roof comprising timber joists and rafters supporting close boarded timber sarking and slate coverings, with clay ridge tiles, cast iron skylights and zinc vents. Parts of the roof have spaced timber battens instead of timber sarking. There are zinc hip flashings at the west end and cast iron rhones around the external walls, with cast iron downpipes. There is a cast iron valley gutter along the north side. Slating at the west end has been wide-spaced to aid ventilation. The roof structure at the east end has been fully renewed in recent years and this new roof is clad with single skin corrugated steel cladding, with a PVC-U rhone. Walls are of traditional solid sandstone construction. There are two large sliding timber framed doors, with corrugated steel sheeting, and 2 No. basic timber pedestrian doors to the south elevation, all of which are dilapidated. Internally, floors comprise basic uneven concrete finish, there is a basic pebbled floor at one location, the store at the west end has a basic uneven lowered soil floor. There are some dilapidated internal timber doors.

Other than the east end of the roof, which has been renewed in recent years, the roof is in similar condition to Buildings 1 & 2 with widespread severe decay and woodworm to the roof structure, and poor condition of slating, ridge tiles and rainwater goods. There is a large timber beam across an opening between Building 3 and Building 4, which is severely rotten at one end and at risk of collapse – newer timber joists have been bolted either side. There is a large opening in the south elevation of the west store, with large timber lintel over – this is severely rotten and severely infested by woodworm. Corrugated steel sheeting at the east end of the roof is generally rusted.

Many of the joists and rafters have been formed from edge cuttings from tree trunks, resulting in a thin curved shape, which is not satisfactory to current design standards, particularly concerning when considering the extent of degradation caused by woodworm.

Ends of timber rafters, which withstand the full load of the roof structure, are not bolted to the wallhead but are simply resting on the top of the stone walls, many rafter ends very poorly resting on basic slate wedges or uneven stone packers.

Walls are also in similar condition to Buildings 1 & 2. There are widespread open and heavily eroded joints, and heavy ongoing rainwater ingress has caused severe erosion to pointing, resulting in the need to rebuild two areas of stonework. There are some lengths of large timber beams inset within the stone walls which are severely infested by woodworm, causing severe decay of the wood. There is some severe structural cracking, extending to approx. 10mm wide, at the end of one of the internal stone walls, where this abuts the south elevation, at the west sliding door opening – this appears to be due to roof spread, as a result of failure of the roof structure, and we noted stonework at the top of the south elevation being pushed outwards at this location. There is similar structural cracking at the south end of the stone wall between the west store and second store from west, again where this abuts the south elevation – this again appears to be due to roof spread. The sandstone lintel above one of the pedestrian door openings to the south elevation has badly split along its horizontal plane, and this lintel has failed.

Floor level at the west end of the building is approx. 700mm below external ground level. External walls at this location are not high enough to raise the floor above external ground level.

Doors are dilapidated and timber lintels over door openings are rotten and heavily infested by woodworm.

We consider that the roof structure, roof coverings and rainwater goods are in need of full dismantling. Stonework to the walls is in poor condition and floors are not salvageable, and in our opinion, this building is in need of full demolition.

#### **4.00 BUILDING 4**

This building comprises a cattle shed, with two stores extending to the south. Roofs are of pitched design, with timber rafters and joists/horizontal spars, supporting close boarded timber sarking (roofs to both south stores have spaced timber battens instead of sarking) with slate coverings, clay ridge tiles and cast iron skylights. There are cast iron valley gutters around the perimeter of the roofs, supported on rafter ends above supporting stone walls, except for the middle valley gutter extending north-southwards which is supported only a substantial timber beam, which is in turn poorly supported on large timber columns poorly resting on basic exposed stone pads that are laid on the floor.

Walls are of traditional solid sandstone construction. The floor to the cattle shed comprises uneven soil. The floor to the adjoining store to the south also comprises soil; and the floor to the south store comprises a pebble finish. There are some dilapidated internal timber doors.

Roofs are in similar condition to Buildings 1-3. There are a number of missing timber joists. The substantial timber beam that supports the central valley gutter is severely rotten at three locations, causing complete failure and partial collapse of the timber beam at these locations, and rafter ends along this beam are severely rotten; the bottom of the supporting timber columns are very poorly rested (unfixed) on basic unfixed stone blocks, and the bottoms of the columns themselves are heavily rotten. The south half of the beam has noticeably distorted, causing two of the columns to noticeably lean. This entire roof structure is in serious risk of imminent collapse and we consider it is currently a serious safety risk to enter this building.

Walls are in similar condition to Building 3, including some structural cracking to the stonework at the west end of the south wall of the cattle shed building, again where roof spread appears to be occurring. There is some severe decay and woodworm to timber lintels over door openings. Doors are dilapidated, rotten and woodworm-infested. Floors are basic and in poor condition.

Again, we consider that the entire roof structure and rainwater goods require to be dismantled, Stonework to the walls is in poor condition and floors are largely just soil. The expansive open plan layout and ageing poor condition of the stonework do not lend themselves to residential conversion and in our opinion, this building is in need of full demolition.

#### **5.00 BUILDING 5**

This is a partially open-sided shed that abuts the west end of the south elevation to Building 3, having some surrounding sandstone walls and some surrounding full height timber clad walls. Roofs comprise timber joists and rafters, supporting close boarded timber sarking and slate coverings, most of which have now been removed. Ridge tiles and zinc hip flashings have also been removed. There are zinc valley gutters, cast iron rones and cast iron downpipes. There are some large timber beams supporting the roof structure, with 2 No. supporting cast iron columns resting (unfixed) on basic exposed sandstone founds. Floors are formed in basic uneven soil. There are some dilapidated doors.

The ends of the large timber supporting beams that support the roof structure are severely rotten and the beams are collapsing at the ends. Cast iron columns are also displacing from their stone base. The roof structure and rainwater goods are in similar condition to Buildings 1 & 3. Stonework is in relatively poor condition, with widespread structural cracking, and floors are largely just soil. Doors are dilapidated, heavily decayed and woodworm-infested. We do not consider it would be viable to salvage this building in any reasonable fashion and in our opinion, this building is in need of full demolition.

**6.00 BUILDING 6**

This building comprises an open external barn, enclosed on three sides by Buildings 3, 4 & 8 but open on its west side. The building therefore basically comprises a timber roof structure between surrounding buildings, with some external timber wall cladding on its west face. The roof structure comprises large timber trussed rafters, supporting timber purlins, which support timber rafters, which in turn support timber battens and slate coverings. There are cast iron skylights. There is a slightly raised roof structure at ridge level, which has single skin corrugated presumed asbestos cement sheeting, and asbestos cement ridge tiles.

The roof structure is structurally unsafe, with severe timber decay and woodworm infestation having caused such damage and widespread heavy loss of structural integrity as to risk imminent collapse of this structure and, therefore, this should be demolished as soon as possible. Removal of the roof structure will effectively result in complete demolition of the building, leaving only a soil floor. The presumed asbestos cement roof cladding and ridge flashings should be removed by a licensed asbestos removal contractor.

**7.00 BUILDING 7**

This is a basic timber framed lean-to canopy, with single skin profiled steel roof cladding, cast iron rhone and downpipe and central steel column supporting the timber eaves beam. This canopy is dilapidated, half-collapsed, unsafe, and in need of immediate demolition due to the heavily rotten and woodworm-infested roof timbers, which infer that this structure is likely to imminently collapse.

**8.00 BUILDING 8**

This is a timber shed that has been built a number of years ago against a stone wall that now forms its south elevation – this stone wall appears to have been the original north wall of a now demolished building that we assume stood on the site of Buildings 6 & 7, as well as the open ground to the west of Building 7. The roof comprises timber joists and rafters, supporting timber battens and slate coverings, which are wide-spaced for ventilation. There are cast iron skylights, clay ridge tiles and zinc ridge flashings. There are cast iron valley gutters around the east end of the roof. There is a cast iron rhone and PVC-U downpipe on the north elevation. The floor largely comprises uneven soil, although there is some broken up concrete and poor remnants of old flagstones in a small area at the front corner. There is also a small area of timber flooring at the east end. There are four small timber hatches within the stone south wall, with sandstone and timber lintels. North and west elevations comprise timber posts supporting full height timber cladding.

Again, there is widespread heavy decay and woodworm infestation to the roof timbers, and roof coverings, flashings and gutters are in poor condition. Timber lintels to the hatches in the south wall are heavily woodworm-infested and rotten. The floor is in poor condition and the area of timber flooring at the east end is heavily rotten. This building is of no intrinsic historic or design value and we recommend that it is demolished.

**9.00 BUILDING 9**

This is an open-sided steel framed canopy, with steel columns, supporting curved steel roof beams, which support curved single skin corrugated steel cladding. There are short lengths of single skin corrugated steel cladding at high level to the east and west gables. Rainwater from the north and south roofslopes collects in half round cast iron rhones, discharging into cast iron downpipes.

There is widespread rust to the roof sheeting and steel columns. The bottoms of the steel columns are so badly corroded that large holes have formed through the steel columns, which will have resulted in severe loss of structural integrity of the building and we recommend that this building is demolished as soon as possible. Cast iron rhones and downpipes are rusted. This building is of no intrinsic historic or design value and can be readily demolished.

**10.00 BUILDING 10**

This is a steel framed canopy, open on all sides except for its north elevation, where there is single skin corrugated steel cladding. The building is of steel half portal framed construction, with steel zed purlins supporting single skin corrugated cementitious cladding – we are unable to determine if this contains asbestos and this should be analysed by an asbestos surveyor using laboratory analysis. There are low level concrete bund walls internally around three sides of this building. Rainwater from the north roofslope collects in a cementitious gutter and again this should be laboratory-tested for asbestos content.

The roof is covered in heavy moss growth and the rhone is heavily choked with vegetation, and the west end of the rhone is broken off. Structural steelwork is rusted. There is no intrinsic historic or design value to this building and this can readily be demolished.

**11.00 BUILDING 11**

This is a two-storey workshop building of traditional solid sandstone construction. There are some basic old timber and metal doors and windows to the elevations. The roof is of simple pitched design, with timber joists and rafters, supporting close boarded timber sarking and slate coverings – slating has been removed from the north roofslope. Rainwater collects in half round cast iron rhones and discharges into cast iron downpipes. There are cast iron skylights. Internally, the upper floor is of suspended timber construction with T&G timber flooring, a basic narrow timber stair leads down to the lower floor which has flagstone flooring. The upper and lower floor internal accommodation extends southwards into Building 4. This building also extends into a small lean-to at the west end of its south elevation, of similar construction to the main building.

The roof is in similar condition to the buildings above, with widespread severe woodworm infestation and heavily decayed structural roof timbers. The substantial timber beam supporting the roof structure between Buildings 11 & 4 is heavily rotten and woodworm-infested in three locations, with associated loss of structural integrity. Rhones and downpipes are rusted and in poor condition. Internally, the timber first floor structure is heavily rotten and heavily woodworm-infested throughout and is currently unsafe.

Internal faces of the external stone walls have largely received a cement render finish, which is ageing and deteriorating. The external stone lintel above the door opening on the east elevation has split through and failed, causing structural cracking to the stone elevation above; there is also structural cracking at the east end of the north elevation. Stonework is ageing and deteriorating, and there are delaminating and splitting dressed stone blocks in areas. Pointing is in poor condition and there are various holes through the stonework. Timber lintels to window and door openings are heavily woodworm-infested and rotten.

Again, we consider that the entire roof structure and rainwater goods require to be dismantled and the full upper floor structure is also unsafe and needs to be dismantled. This building has originally been a farm workshop building and, once the roof structure and internal floor structure has been dismantled, this will only leave two external stone walls. Walls at the west end of the lower storey are substantially below ground level – internal floor level is approx. 1.1m below external ground level. The west gable wall is fully below ground at the lower storey, this being behind the vehicular access ramp that serves the upper storey. It is noted that this building is not a stand-alone building as there is no south elevation, there being full-length internal openings leading through to Building 4 on both storeys, as mentioned above the lower storey of the west gable is below ground, the upper storey of the west gable predominantly comprises a large vehicular access door opening and, therefore, the only complete walls that remain of the original building are the north and east elevations. We recommend that this building is demolished.

**12.00 BUILDING 12**

This is a store building of traditional solid sandstone construction, under pitched and hipped roof, comprising timber joists and rafters, supporting close boarded timber sarking, having slate coverings to the north roofslope, with metal ridge flashing, zinc vents and zinc hip flashing, and single skin corrugated steel roof sheeting to the south roofslope. There are 4 No. translucent polycarbonate corrugated rooflights on the south roofslope. There are cast iron rhones and downpipes to the front and rear roofslopes. On the south elevation, there are 2 No. timber framed doors, with corrugated metal sheeting. There is a basic uneven concrete floor.

The roof is in similar condition to the buildings above. Rhones and downpipes are in poor condition. There is woodworm and decay to timber lintels over the door openings. Heavy prolonged rainwater ingress at the northwest and southwest corners of the building have caused severe erosion of the joints to the internal stonework. Stonework internally and externally is ageing and deteriorating, there are various delaminating stones, scaling stones, and pointing is generally in poor condition. The floor is in very poor condition. We recommend that this building is demolished.

**13.00 BUILDING 13**

This is a detached canopy building of steel portal framed construction with corrugated single skin cementitious roof cladding – again this cladding requires to be tested by an asbestos surveying firm. It has full height single skin corrugated steel wall cladding to the west gable elevation and the west end of the south elevation. Rainwater from the roofslopes collects in half round PVC-U rhones, discharging into PVC-U downpipes. There is no floor, the base simply comprising soil.

This building has no intrinsic historic or design value and can be readily demolished. There are widespread fragments of what we assume to be asbestos cement across the soil floor of this building – these should be tested by an asbestos surveyor and, if they contain asbestos, then full decontamination and removal of this ground will be required throughout the building and surrounding areas.

**14.00 BUILDING 14**

This building comprises a detached steel portal framed warehouse, with simple pitched roof which is clad in single skin corrugated presumed asbestos cement sheeting, with asbestos cement rhones and PVC-U downpipes. External walls have a roughcast finish. There is a large timber sliding goods door on the south gable elevation. There is also a large timber sliding door on the east elevation. A small brick-built shed adjoins the west end of the south elevation – its roof is now missing. Internally, the warehouse floor has a bitumen macadam finish.

There is heavy moss growth across the roofslopes and heavy vegetation within the rhones, as well as missing downpipes. There are various other items of repair and maintenance required, including corroded reinforcement within concrete lintels to high level windows to the gable elevations causing spalling of the concrete lintels. Notwithstanding, this building has no intrinsic historic or design value and can be readily demolished.

**15.00 BUILDING 15**

These comprise 8 No. steel silos on concrete bases. There are also 2 No. small ancillary timber framed sheds with single skin corrugated metal cladding, and a small ancillary brick-built shed. There are two nearby steel propane gas tanks.

None of these structures has any intrinsic historic or design value and can be readily demolished and removed.



## **SUMMARY AND CONCLUSION**

While the relatively modern sheds and canopy buildings are still in use for storage, the stone-built steading buildings are now mostly unusable, both due to their impractical layout and poor condition, and these predominantly lie empty. Buildings 7, 8, 9, 10, 13, 14 & 15 are all of relatively modern design and construction and have no intrinsic historic or design value and these can be readily demolished, and buildings 7 & 9 are at risk of collapse due to significant structural issues and in need of immediate demolition. Buildings 6 simply comprises a timber canopy roof structure extending between buildings 3 & 8, with the exception of a stone wall between Building 6 and Building 8, and this timber roof structure and roof coverings are in very poor condition, and structurally unsafe, with severe timber decay and woodworm infestation having caused such damage and widespread heavy loss of structural integrity as to risk imminent collapse of this structure and, therefore, this should be demolished as soon as possible.

Buildings 1, 2, 3, 4, 5, 11 & 12 all comprise historic stone-built steading buildings with slate roofs, large cast iron valley gutters and cast iron rhones/downpipes. There is widespread severe woodworm and rot to the roof structures throughout, which necessitates complete dismantling of all roof structures. We consider Building 4 is unsafe to enter at present, due to the risk of imminent roof collapse, as a result of the severe decay to the substantial large central supporting beam and numerous rafter ends, as well as the very poorly fitted unsafe timber support columns under the beam, which are also heavily rotted. There is also significant risk of early collapse of the roof structure within Building 1. Parts of the roof in Building 3 are at risk of collapse due to the severe rot and woodworm to timber beams. Structural timber beams to Building 5 are already collapsing. Cast iron valley gutters, cast iron rhones and cast iron downpipes are all old & rusted and life-expired, and slate coverings are in extremely poor condition. Dismantling of all timber roof structures, roof coverings and rainwater goods would leave only stone walls in situ, internal and external doors being dilapidated and life-expired, timber lintels over door/window openings being heavily rotted/woodworm-infested, and floors comprising either basic soil or very basic uneven concrete. Stone walls are aged and deteriorating, with extensive delaminating, splitting and scaling stonework, and pointing is in very poor condition throughout. There are areas of structural cracking and displacement to stone walls, due to roof spread as a result of decay to the roof structures, heavy deterioration of stone walls and pointing due to prolonged rainwater ingress requiring rebuilding, and structural failure of stone lintels. The floor level within Buildings 1 & 2 and part of Building 3 has been worn down to such a low level over decades as to expose not only the foundation stones but the sub-base stones below the foundations, and this would likely require extensive underpinning works to support these exposed foundations.

It is also clear that the layout of the central buildings does not lend itself to any satisfactory residential conversion and it is noted that there is a difference of floor heights between some parts of the central buildings averaging 1m. Some parts of the central building are significantly below external ground level. In our opinion, the entire site should be fully demolished as soon as is practicable.

Some of the buildings have corrugated cementitious roof sheeting and gutters, which may contain asbestos. We consider that a licensed asbestos removal contractor will require to be appointed to carry out this work. In addition, we noted that there are piles of badly broken cementitious sheeting, which appears to be asbestos cement, in the south yard, as well as between Buildings 12 & 14 and to the west side of Building 14, and numerous fragments of broken cement pieces have been allowed to scatter over the adjacent ground. Furthermore, there is a widespread accumulation of numerous similar cement pieces across the floor below Building 12. We further noted what appears to be heavily degraded asbestos cement sheeting within the solum of Building 1. If all or any of these pieces/sheets contain asbestos then the ground will be contaminated and the soil will require to be excavated and removed by a licensed asbestos removal contractor to a licensed asbestos tip. Under the control of Asbestos Regulations 2012, a Refurbishment and Demolition Asbestos Survey will require to be carried out before any works are carried out on site, prepared by a qualified asbestos surveyor, in order to identify and test all areas of suspected asbestos-containing materials. These will then require to be safely removed prior to demolition.

There is a relatively small area of heavy oil contamination to the ground at the south elevation of the building to the east of Buildings 1, 2 & 3. Whilst this ground is situated within the plot of land to be sold off separately, contamination may have continued below ground into the subjects and a contamination survey may require to be carried out.



**Innes Aitken Associates**  
**Chartered Building Surveyors**

*Carlungie Farm Steadings, Carlungie, Angus*

PRE-DEMOLITION BUILDING SURVEY REPORT

**APPENDIX A**  
**AERIAL VIEW AND SITE PLAN**

*Carlungie Farm Steadings, Carlungie, Angus*

PRE-DEMOLITION BUILDING SURVEY REPORT



**Carlungie Farm Steadings, Carlungie, Angus - Aerial View Google Maps**



**Carlungie Farm Steadings, Carlungie, Angus – Site Plan**

## APPENDIX B

### PHOTOGRAPHS

#### GENERAL SITE

1. General view of north side of site.
2. Close-up view of Photo 1.
3. General view of north side of site looking westwards.
4. North end of east side of site.
5. East side of site.
6. East side of site looking northwards.
7. General view of south side of site looking westwards.
8. General view of south side of site looking eastwards.
9. General view of west side of central steading buildings looking northwards.
10. General view of west side of central steading buildings looking southwards.
11. North end of west side of central steading buildings.
12. Entrance gate at Building 11.
13. Stone retaining wall outside Building 11, looking towards Buildings 13 & 14.
14. West side of site looking southwards.
15. West side of site looking northwards.
16. Farm house and outbuildings within neighbouring site to east.
17. Large ancillary detached stone-built farm building within neighbouring site to east – south and west elevations.
18. Large ancillary detached stone-built farm building within neighbouring site to east – north elevation.
19. Bungalow within neighbouring site to east.
20. Stone retaining wall to south boundary.
21. Stone retaining wall to south boundary.
22. Recent repair works to top of stone retaining wall to south boundary.
23. Pile of presumed asbestos cement sheeting at south boundary.
24. Close-up view of Photo 23.
25. Widespread scattered presumed asbestos cement debris around locations seen in Photo 23.
26. Widespread scattered presumed asbestos cement debris around locations seen in Photo 23.
27. Widespread scattered presumed asbestos cement debris around locations seen in Photo 23.
28. Ramp leading up to west side of Building 11.
29. Cracking to stone retaining wall to ramp seen in Photo 28.
30. Cracking to stone retaining wall to ramp seen in Photo 28.
31. Stone retaining wall outside Building 11.
32. Stone retaining wall outside Building 11.
33. Missing section of stone retaining wall outside Building 11, and short length of concrete retaining wall.
34. Alternate view of Photo 33.
35. Stone retaining wall along south side of Building 13.
36. Remnants of stone retaining wall to south side of Building 13.
37. Remnants of stone retaining wall to south side of Building 13.
38. End of stone retaining wall at south side of Building 13, with open stone sluice.
39. Dilapidated stone retaining wall at north end of west side of Building 14.
40. Sluice within retaining wall seen in Photo 39.
41. Presumed asbestos cement debris between Buildings 13 & 14.
42. Widespread scattered presumed asbestos cement debris between Buildings 13 & 14.
43. Presumed asbestos cement debris between Building 13 & 14.
44. Presumed asbestos cement debris at Building 14.
45. Presumed asbestos cement debris at Building 14.
46. Pile of presumed asbestos cement debris at west side of Building 14.
47. Very poor condition of concrete lane between Buildings 2 & 12.
48. Oil-contaminated ground near east end of south elevation to Building 3 (at south gable elevation of steading building to be included within neighbouring site to east).

BUILDINGS 1 & 2

49. North elevation of Building 2.
50. West end of north elevation to Building 2.
51. North elevation of Building 2.
52. General view of roofs, looking southeastwards.
53. South roofslope of Building 2, and valley gutter shared with north roofslope of Building 1, looking towards roof over Building 4.
54. Close-up view of Photo 53.
55. Close-up view of Photo 54. Cast iron gutter is collapsing – see Photo 90.
56. North roofslope to Building 1, seen in Photos 53-55.
57. Poor condition of ridge tiles to roof over Building 2.
58. Poor condition of ridge tiles to roof over Building 2.
59. Cast iron valley gutter, running north-south, along east side of Building 1, looking southwards.
60. Gutter seen in Photo 59, looking northwards.
61. Collapsed heavily corroded cast iron rhone within gutter seen in Photos 59 & 60.
62. South roofslope to north roof to Building 1.
63. Cast iron valley gutter between north and south roofs to Building 1, looking westwards.
64. Cast iron valley gutter between north and south roofs to Building 1, looking eastwards.
65. North roofslope to south roof to Building 1.
66. South roofslope to south roof to Building 1.
67. South roofslope to south roof to Building 1.
68. South roofslope to south roof to Building 1 and adjacent roof over Building 3, looking westwards towards south end of roof over Building 4.
69. West roofslope to south roof to Building 1 (seen on left of Photo) with adjacent roof over Building 4 to right, looking southwards towards Building 3.
70. Alternate view of Photo 69.
71. West roofslope to north roof over Building 1 (seen to right-hand side of photo), with adjacent roof over Building 4 to left-hand side of photo looking northwards towards roofs over Buildings 2, 12 & 11.
72. Internal view of Building 1 looking southwards.
73. Internal view of Building 1 looking eastwards.
74. Internal view of Building 1 looking northwards.
75. Internal view of Building 1 looking northwestwards.
76. Internal view of Building 1 looking westwards.
77. Internal view of Building 1 looking northwestwards, with raised walkway along west side.
78. Raised walkway along west side of Building 1 looking southwards.
79. Open plan area at west end of Building 2 contiguous with Building 1.
80. Main store to Building 2.
81. Internal view of main store to Building 2 looking northwestwards.
82. Internal view of main store to Building 2 looking southeastwards.
83. Small east store to Building 2.
84. Underside of roof to Building 1.
85. Underside of roof to Building 1.
86. Heavily rotten end of main valley beam travelling across middle of Building 1. Additional joists have been fixed either side but are also rotten.
87. General view of beam seen in Photo 86 – poorly supported cast iron columns.
88. General view of beam seen in Photo 86 – poorly supported cast iron columns.
89. Soil heavily eroded around found to cast iron column seen in Photo 87.
90. Valley beam between Building 1 and west side of Building 2 has been replaced but new beam is rotten and very basic tree trunks have been used as supporting columns poorly resting on basic stone pads.
91. Close-up view of bottom of timber columns seen in Photo 90.
92. Close-up view of rotting timber beam seen in Photo 90.
93. Typical heavily rotten rafter ends at beam seen in Photo 90.
94. Typical heavily rotten rafter ends.
95. Typical heavily rotten and woodworm-infested roof timbers.
96. Typical heavily rotten and woodworm-infested roof timbers.
97. Typical heavily rotten and woodworm-infested roof timbers.
98. Typical heavily rotten and woodworm-infested roof timbers.
99. Typical heavily rotten and woodworm-infested roof timbers.
100. Typical heavily rotten and woodworm-infested roof timbers.

## PRE-DEMOLITION BUILDING SURVEY REPORT

101. Typical example of extreme heavy woodworm-infestation to roof timbers.
102. Typical example of extreme heavy woodworm-infestation to roof timbers.
103. Rafter ends are not fixed to stonework or wallplate and simply rest on basic stone blocks.
104. Rafter ends are not fixed to stonework or wallplate and simply rest on basic stone blocks.
105. Typical view of corroded cast iron valley gutters.
106. Typical view of corroded cast iron valley gutters.
107. General view of floor to Building 1.
108. Heavily degraded presumed asbestos cement sheeting within solum to Building 1.
109. Typical wall within Building 1.
110. Exposed stone founds to base of walls within Building 1.
111. Exposed stone founds to base of walls within Building 1.
112. Close-up view of Photo 111, with stone sub-base below stone founds exposed.
113. Exposed stone founds to base of stone walls within Building 2.
114. Exposed stone founds to base of stone walls within Building 1.
115. Typical poor condition of stonework.
116. Exposed stone founds to base of walls within Building 1.
117. Exposed stone founds to base of walls within Building 1.
118. Poor condition of stonework to internal dividing wall between east end of Building 2 and Building 1, seen within small store to Building 2 (north face of dividing wall).
119. South face of wall seen in Photo 118.
120. Typical delaminating stonework to north elevation.
121. Typical delaminating stonework to north elevation.
122. Typical delaminating stonework to north elevation.
123. Typical delaminating stonework to north elevation.
124. Typical delaminating stonework to north elevation.

BUILDING 3

125. South elevation.
126. South elevation.
127. Roof looking eastwards.
128. North roofslope looking eastwards towards roof over Building 4.
129. North roofslope looking westwards.
130. North roofslope (on right-hand side of photo) looking eastwards, with adjacent roof over Building 6 to left-hand side of photo.
131. South roofslope looking eastwards.
132. Ridge tiles.
133. Typical heavy decay to roof timbers caused by severe woodworm infestation.
134. Typical heavy decay to roof timbers caused by severe woodworm infestation.
135. Valley gutter between north roofslope and roof over Building 5 (roof over Building 5 has been stripped of slates), looking westwards.
136. Valley gutter seen in Photo 135, looking eastwards.
137. North roofslope of east end of building, where roof has been renewed in recent years.
138. East half of north roofslope.
139. Typical poor condition of cast iron rhones.
140. East shed.
141. Second shed from east looking westwards.
142. Third shed from east looking westwards.
143. Fourth shed from west looking westwards.
144. West shed, looking eastwards.
145. West shed, looking westwards.
146. Soil floor to west shed.
147. New roof structure to east shed.
148. Rafters and roof joists formed from side cuts to trees.
149. Typical decay of roof timbers caused by severe woodworm infestation and rot.
150. Typical decay of roof timbers caused by severe woodworm infestation and rot.
151. Heavy rot to woodwork, with cuboidal cracking.
152. Rafter ends not fixed to stonework.
153. Poorly formed packers below rafter ends.
154. Rafters and roof joists formed from side cuts to trees.



## PRE-DEMOLITION BUILDING SURVEY REPORT

155. Heavily rotten and woodworm-infested timber lintel over door opening.
156. Severe rot to large timber beam within large opening extending into Building 4 – new joists have been fixed either side.
157. Typical heavy decay to roof timbers and corrosion to cast iron valley gutters.
158. Typical heavy decay and woodworm to roof timbers.
159. Severe woodworm infestation and rot to timber lintel over large opening between west store and Building 5.
160. Typical delaminating stonework to south elevation.
161. Typical delaminating stonework to south elevation.
162. Badly split stone lintel over external door opening to south elevation.
163. Typical poor condition of stonework and pointing.
164. Severe woodworm infestation within woodwork inserted internally within external stone walls.
165. Poor condition of stonework at west end of building.
166. Poor condition of stonework at west end of building.
167. Poor condition of stonework at west end of building.
168. Poor condition of stonework at west end of elevation.
169. Poor condition of stonework at west end of building.
170. Structural cracking to stonework caused by roof spread.
171. Structural cracking to stonework caused by roof spread.
172. Heavy rainwater ingress.
173. Poor condition of internal stonework.
174. Poor condition of internal stonework caused by heavy rainwater ingress.
175. Structural cracking to stonework caused by roof spread.
176. West elevation.

BUILDING 4

177. South end of roof is collapsing.
178. General view of west roof slopes, looking northwards, with noticeably undulating plane of slopes.
179. Short valley gutter seen near foreground of Photo 178.
180. Short valley gutter leading to left of valley gutter seen in Photo 179 (at east end of north roof slope to Building 8).
181. General view of both north roofs looking northwards towards Building 11.
182. Alternate view of Photo 181.
183. Same location as Photo 181, looking southwards.
184. Alternate view of Photo 181.
185. Alternate view of Photo 181.
186. General view of roofs looking southwards.
187. South end of west roof slope (to left-hand side of photo) looking southwards, with adjacent roof over Building 6.
188. Typical decay to roof timbers caused by heavy woodworm infestation.
189. North end of east roof slope looking northwards.
190. South end of east roof slope.
191. Main internal area looking northwards.
192. Main internal area looking southwards.
193. Basic floor within main internal area.
194. Store to south, looking northwards.
195. South most store looking northwards.
196. Roof to south most store.
197. Roof to main internal area.
198. Roof to main internal area – rotten roof joists collapsing.
199. Typical heavily rotten and woodworm-infested roof timbers and rusted cast iron valley gutters.
200. General view of main beam, on timber columns, to main internal area looking northwards.
201. General view of main timber beam and timber columns to main internal area looking southwards.
202. Timber column seen in Photos 200 & 201 poorly resting on basic stone pad.
203. Heavily rotten and woodworm-infested timber columns seen in Photo 200 & 201.
204. Column supporting beams seen in Photos 200 & 201 are off-plumb.
205. Rotten and heavily woodworm-infested roof timbers.
206. Main beam seen in Photos 200 & 201 has failed and snapped due to severe decay near south end.
207. Main beam seen in Photos 200 & 201 has failed and snapped due to severe decay near middle.

## PRE-DEMOLITION BUILDING SURVEY REPORT

- 208. Main beam seen in Photos 200 & 201 has failed and snapped due to severe decay near north end.
- 209. Heavily rotten and woodworm-infested timber lintel over door opening.
- 210. Poor condition of internal stonework.
- 211. General view of internal stonework.
- 212. Stonework to south wall of main internal area.
- 213. Structural cracking seen at top right-hand corner of Photo 212.

BUILDING 5

- 214. General view looking northwestwards.
- 215. General view looking northeastwards.
- 216. Internal view looking eastwards.
- 217. General view of east area looking westwards.
- 218. General view of west area looking northwards.
- 219. West area looking westwards.
- 220. Heavily rotten end of timber beam – beam has failed and is collapsing.
- 221. Displacing end of timber beam.
- 222. Steel column is displacing from its stone found.
- 223. Typical severe decay and woodworm to roof timbers.
- 224. Cracking to internal stonework.
- 225. Poor condition of external stonework, seen at west elevation.
- 226. Structural cracking to stone boundary wall to west side.
- 227. South elevation.
- 228. Structural cracking to south elevation, seen in Photo 227 with gate moved aside.
- 229. Close-up view of Photo 228.

BUILDING 6

- 230. General view looking eastwards.
- 231. South roofslope.
- 232. Poor condition of south roofslope.
- 233. Typical heavily rotten and woodworm-infested woodwork to roof.
- 234. Poor condition of south roofslope.
- 235. Presumed asbestos cement sheeting to upper roof, to south roofslope.
- 236. Heavily rotten and woodworm-infested woodwork to presumed asbestos cement roof seen in Photo 235.
- 237. General view of south and east roofslopes.
- 238. General view of east and north roofslopes.
- 239. General view of east and north roofslopes.
- 240. Poor condition of north roofslope.
- 241. Typical severe rot and woodworm to roof timbers.
- 242. Typical severe woodworm and decay to trussed rafters.
- 243. Typical severe decay and woodworm to roof timbers.
- 244. Typical severe decay and woodworm to roof timbers.
- 245. Typical severe decay and woodworm to roof timbers.
- 246. Typical severe decay and woodworm to roof timbers.
- 247. Typical severe decay and woodworm to roof timbers.

BUILDING 7

- 248. General view.
- 249. Heavily rotten timber roof structure is collapsing.
- 250. Heavily rotten woodwork.

BUILDING 8

- 251. General view looking southeastwards.
- 252. North roofslope.
- 253. Poor condition of north roofslope.
- 254. Poor condition of south roofslope.

## PRE-DEMOLITION BUILDING SURVEY REPORT

- 255. Poor condition of south roofslope.
- 256. Poor condition of south roofslope.
- 257. Poor condition of south roofslope (to right-hand side of photo), with adjacent roof over Building 6.
- 258. Poor condition of north and east roofslopes.
- 259. Poor condition of east roofslope.
- 260. Poor condition of north roofslope.
- 261. Stone south elevation.
- 262. Stone south elevation.
- 263. Severe rot and woodworm to roof timbers and rusted cast iron valley gutter.
- 264. Typical heavy rot and woodworm to roof timbers.
- 265. Severely rotten timber flooring at east end.

BUILDING 9

- 266. General view looking northeastwards.
- 267. Typical heavy corrosion of steel columns.
- 268. Typical heavy corrosion of steel columns.
- 269. Typical large hole through bottom of steel columns, caused by corrosion
- 270. Typical large hole through bottom of steel columns, caused by corrosion.

BUILDING 10

- 271. General view looking southeastwards.
- 272. General view looking eastwards.

BUILDING 11

- 273. General view looking southeastwards.
- 274. West elevation.
- 275. North elevation.
- 276. North and east elevations.
- 277. East elevation.
- 278. Small lean-to building at southwest corner.
- 279. Internal view of upper storey looking eastwards.
- 280. Internal view of upper storey looking towards north wall.
- 281. East end of upper storey, looking towards northeast corner.
- 282. Stair leading down to lower storey.
- 283. Lower storey looking westwards.
- 284. Lower storey looking eastwards.
- 285. Lower storey looking southwards.
- 286. Flooring within lower storey.
- 287. South wall of upper storey is largely open.
- 288. South wall of lower storey is largely open.
- 289. Roof structure.
- 290. Typical severe rot and woodworm infestation to roof timbers.
- 291. Typical severe rot and woodworm infestation to roof timbers.
- 292. Typical severe rot and woodworm infestation to roof timbers.
- 293. Example of severe woodworm infestation to roof timbers.
- 294. Example of severe woodworm infestation to roof timbers.
- 295. Severe woodworm infestation has caused collapse of various parts of upper storey floor structure.
- 296. Severe woodworm infestation causing heavy deterioration of timber skirting.
- 297. Severe rot and woodworm infestation to upper floor structure.
- 298. Severe rot and woodworm infestation to upper floor structure.
- 299. Severe rot and woodworm infestation to upper floor structure.
- 300. Rotten and heavily woodworm infested roof timbers to small lean-to building at southwest corner.
- 301. Heavy rot and woodworm infestation to woodwork.
- 302. Delaminating and splitting stonework.
- 303. Delaminating stonework.
- 304. Structural cracking to east gable elevation above failed and cracked stone lintel over door opening.
- 305. Alternate view of Photo 304.

## PRE-DEMOLITION BUILDING SURVEY REPORT

- 306. Structural cracking to stonework at east end of north elevation.
- 307. Delaminating stonework.
- 308. Typical poor condition of pointing to stonework.

**BUILDING 12**

- 309. North elevation.
- 310. South elevation.
- 311. Poor condition of north roofslope.
- 312. West end of north roofslope.
- 313. East end of north roofslope.
- 314. North elevation.
- 315. North elevation.
- 316. South roofslope.
- 317. South roofslope.
- 318. South roofslope.
- 319. Delaminating stonework to south elevation.
- 320. Delaminating stonework to south elevation.
- 321. Delaminating stonework to south elevation.
- 322. Delaminating stonework to south elevation.
- 323. Typical poor condition of stonework and pointing.
- 324. Internal view looking westwards.
- 325. Roof structure.
- 326. Heavy dampness at northwest and southwest corners.

**BUILDING 13**

- 327. General view looking northwestwards.
- 328. General view looking southeastwards.
- 329. Example of widespread presumed asbestos cement debris lying on floor.

**BUILDING 14**

- 330. General view looking northwestwards.
- 331. General view looking southeastwards.
- 332. East elevation.
- 333. Corroded steel reinforcement has pushed off concrete from concrete lintel over window opening in south gable elevation.
- 334. Internal view looking northwards.
- 335. Underside of roof.
- 336. Bitumen macadam floor.

**BUILDING 15**

- 337. General view of silos.
- 338. General view of sheds and propane gas tanks.
- 339. Propane gas tanks.

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 001



Photograph No. 002



Photograph No. 003



Photograph No. 004

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 005



Photograph No. 006



Photograph No. 007



Photograph No. 008

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 009



Photograph No. 010



Photograph No. 011



Photograph No. 012

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 013



Photograph No. 014



Photograph No. 015



Photograph No. 016



Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 017



Photograph No. 018



Photograph No. 019



Photograph No. 020

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 021



Photograph No. 022



Photograph No. 023



Photograph No. 024

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 025



Photograph No. 026



Photograph No. 027



Photograph No. 028

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 029



Photograph No. 030



Photograph No. 031



Photograph No. 032

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 033



Photograph No. 034



Photograph No. 035



Photograph No. 036

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 037



Photograph No. 038



Photograph No. 039



Photograph No. 040

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 041



Photograph No. 042



Photograph No. 043



Photograph No. 044

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 045



Photograph No. 046



Photograph No. 047



Photograph No. 048



Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 049



Photograph No. 050



Photograph No. 051



Photograph No. 052

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 053



Photograph No. 054



Photograph No. 055



Photograph No. 056

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Photograph No. 057



Photograph No. 058



Photograph No. 059



Photograph No. 060

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Photograph No. 061



Photograph No. 062



Photograph No. 063



Photograph No. 064

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Photograph No. 065



Photograph No. 066



Photograph No. 067



Photograph No. 068

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Photograph No. 069



Photograph No. 070



Photograph No. 071



Photograph No. 072

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Photograph No. 073



Photograph No. 074



Photograph No. 075



Photograph No. 076

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 077



Photograph No. 078



Photograph No. 079



Photograph No. 080



Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 081



Photograph No. 082



Photograph No. 083



Photograph No. 084

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Photograph No. 085



Photograph No. 086



Photograph No. 087



Photograph No. 088

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Photograph No. 089



Photograph No. 090



Photograph No. 091



Photograph No. 092

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Photograph No. 093



Photograph No. 094



Photograph No. 095



Photograph No. 096

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Photograph No. 097



Photograph No. 098



Photograph No. 099



Photograph No. 100

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Photograph No. 101



Photograph No. 102



Photograph No. 103



Photograph No. 104

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 105



Photograph No. 106



Photograph No. 107



Photograph No. 108

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



Photograph No. 109



Photograph No. 110



Photograph No. 111



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Photograph No. 120

Carlungie Farm Steadings, Carlungie, Angus 03.05.22



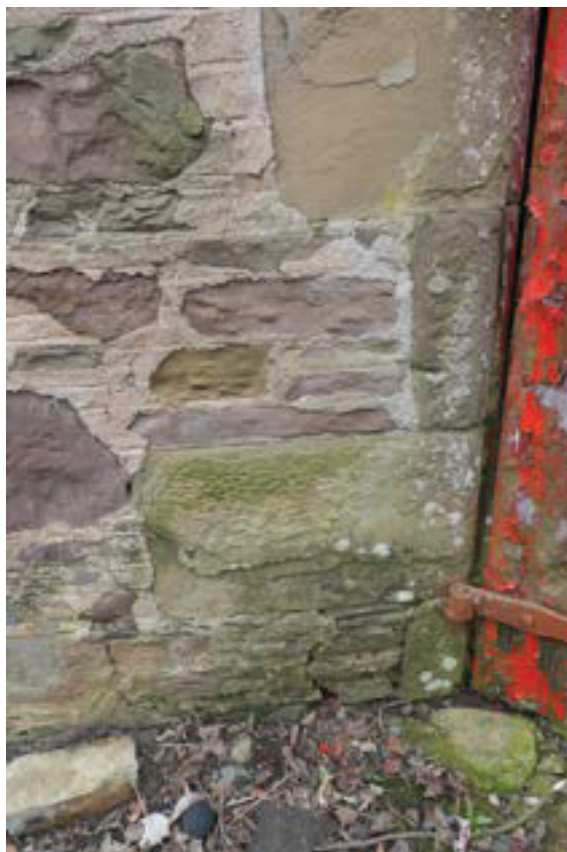
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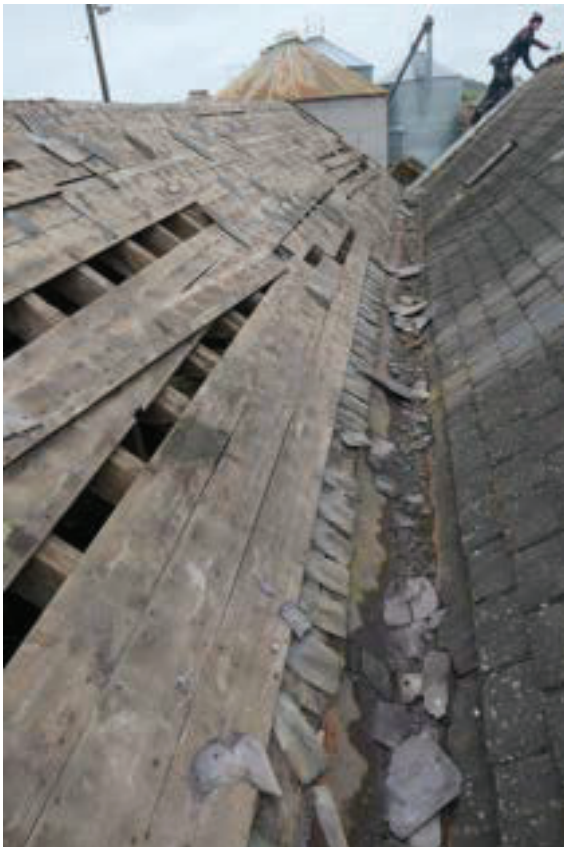
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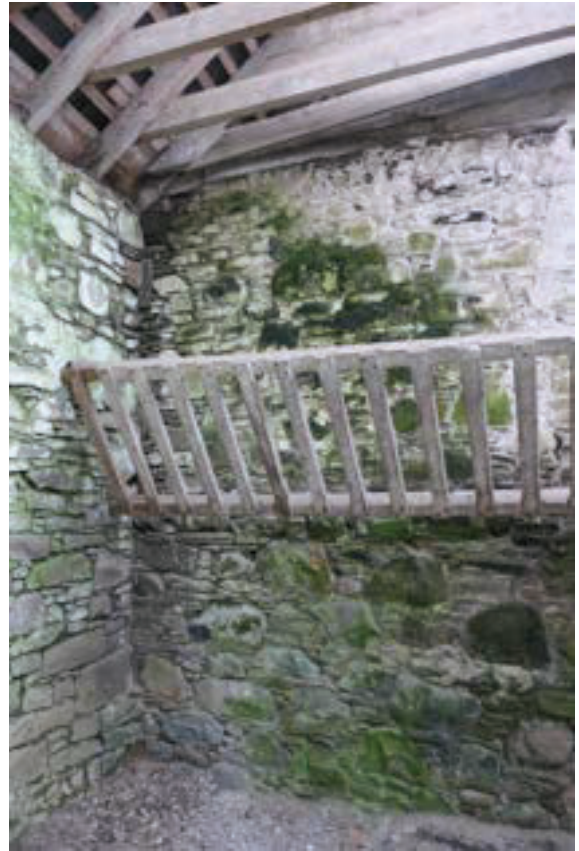


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Carlungie Farm Steadings, Carlungie, Angus 03.05.22



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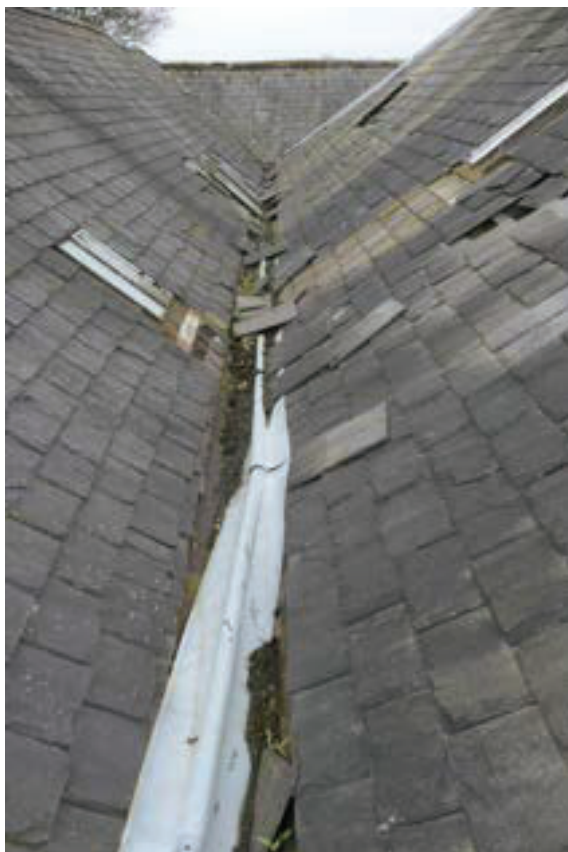
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Carlungie Farm Steadings, Carlungie, Angus 03.05.22



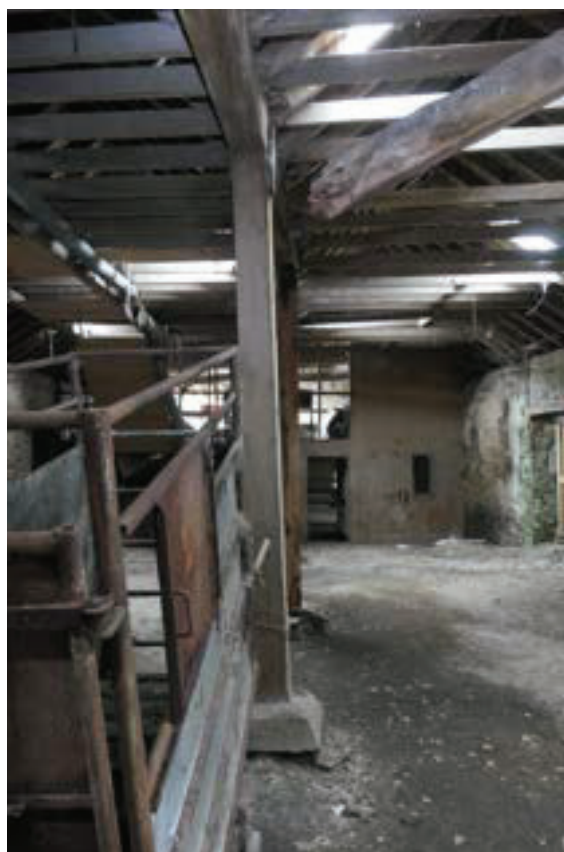
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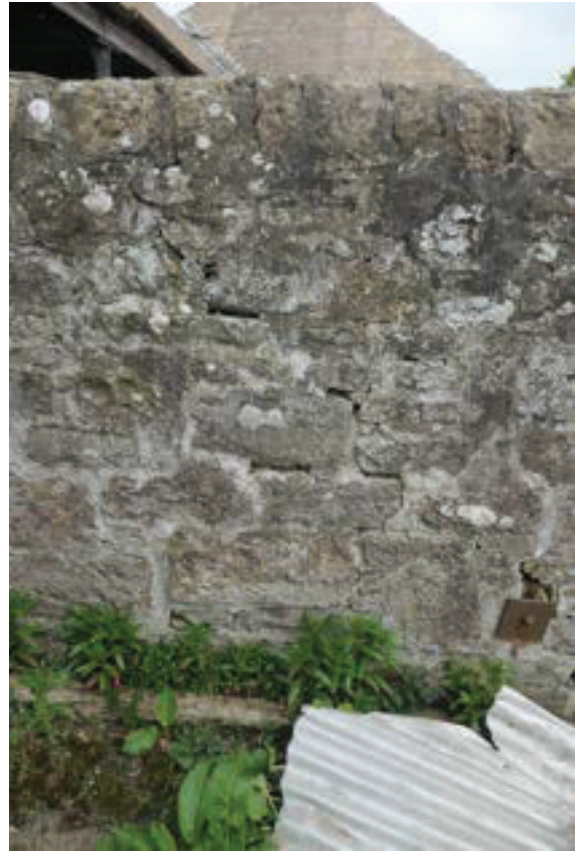


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Mr S Craig  
Carlungie Farmhouse  
Carlungie  
Angus  
DD7 7SD

1<sup>st</sup> November 2022

Planning & Building  
Angus Council  
Orchardbank Business Park  
Orchardbank  
Forfar  
Angus  
DD8 1AN

Sent by email to WrightJ@angus.gov.uk

Dear Mr Wright,

Planning Application at Carlungie Ref: 22/00463/PPPL

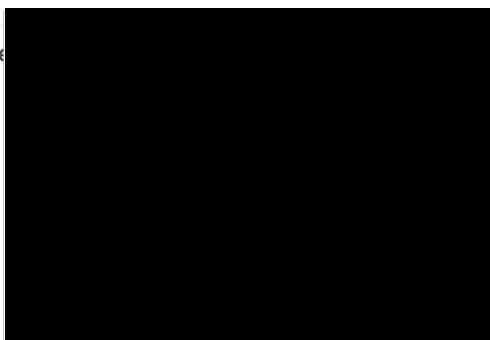
I write in relation to the above proposal for the development of four houses on the site next to my farmhouse.

I understand from the Applicant, that you have a query on the use of the two outbuildings, to the east of the above site. I purchased these two outbuildings at the same time as my house. I collect classic cars and the buildings are ideally suited as domestic garages to store the cars in. For clarification, I am not a farmer and these will not be used for agricultural purposes.

I trust the above assists with your query on their current use.

Yours sincerely

Scott Craig



**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW –**

**DEMOLITION OF REDUNDANT FARM BUILDINGS AND ERECTION OF  
4 DWELLINGHOUSES, CARLUNGIE FARM, CARLUNGIE,  
CARNOUSTIE**

**APPLICATION NO 22/00463/PPPL**

**APPLICANT'S SUBMISSION**

**Page No**

<b>ITEM 1</b>	Notice of Review	
<b>ITEM 2</b>	Statement of Appeal	
<b>ITEM 3</b>	Decision Notice	
<b>ITEM 4</b>	Handling Report	
<b>ITEM 5</b>	Correspondence in relation to review of Conditions	



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100639147-001

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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Pitlivie Farm"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Pitlivie"/>
Company/Organisation	<input type="text" value="Clova Farms Limited"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Carnoustie"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Angus"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="office@clovafarms.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

<input type="text" value="Carlungie Farm Carlungie Carnoustie DD7 7SD"/>
--

Northing	<input type="text" value="735910"/>	Easting	<input type="text" value="351235"/>
----------	-------------------------------------	---------	-------------------------------------

## 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 redundant farm buildings and erection of 4 dwellinghouses

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Review of Condition 3 of 22/00463/PPPL as per Supporting Document

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)

Statement of Reasons

## Application Details

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

22/00463/PPPL

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

27/07/2022

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

23/05/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

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

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

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

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

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

Declaration Name: Mr Alistair Todd

Declaration Date: 18/08/2023



### Statement of Reasons

**Condition 3** of 22/00463/PPPL stipulates that:

*Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are: -*

- a) The siting of the building(s);*
- b) The design and external appearance of the building(s);*
- c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);*
- d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;*
- e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;*
- f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.*

In terms of section 43A of the Town and Country Planning (Scotland) Act 1997 the applicant Clova Farms seeks a review of the extent of this Condition ie that "no work shall begin".

Until a housebuilder is selected the matters listed a) through to f) in condition 3 will not be formulated.

Clova Homes wish in the meantime on purifying the other pre-start conditions to proceed with demolition and site clearance as consented.

The cleared site will be a more attractive proposition for the housebuilder making it ready for building once their own detailed matters are approved.

It will also allow demolition/site clearance to take place as soon as practical as called for in the pre demolition Survey Report by Innes Aitkin Associates dated 09 May 2022 acknowledged in the case officer's Report of Handling (Appendix 2) and out with the bird nesting period of March to August. Please note that the bat protection measures have already been undertaken under Licence.

Through their Agent the applicant has sought to engage on this matter with the planning authority officers but this has been met by a singular lack of response - see emails Appendix 3.

The applicant therefore seeks on review a variation of condition 3 so it states that:

*Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work **other than investigative, demolition or site clearance works**, shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval". The matters are: -*

- a) The siting of the building(s);*
- b) The design and external appearance of the building(s);*
- c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);*
- d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;*
- e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;*
- f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.*

A review in these terms would not seem unreasonable given that prior approval of the planning authority will still be required in respect of all matters a) through to f) relating to the detailed design before the housebuilding can begin.

The applicant accordingly respectfully requests that the review is determined in their favour.

**Appendices:**

Appendix 1 – Consent Notice 22/00463/PPPL

Appendix 2 – Report of Handling

Appendix 3 – Copy of emails to Alan Hunter and James Wright

**Agent for Applicant**

ACT Property Consulting

San Melito Coach House, Carlogie, Carnoustie DD7 6LD

email: [alistairtodd@actpc.co.uk](mailto:alistairtodd@actpc.co.uk) tel: [REDACTED]

## ANGUS COUNCIL

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



PLANNING PERMISSION IN PRINCIPLE APPROVAL  
 REFERENCE : 22/00463/PPPL

To: **Clova Farms Limited**  
**c/o About Planning Ltd**  
**Emelda Maclean**  
**Millars House**  
**41 Gray Street**  
**Broughty Ferry**  
**Dundee**  
**DD5 3BJ**

With reference to your application dated **27 July 2022** for planning permission in principle under the above mentioned Acts and Regulations for the following development viz:-

**Demolition of redundant farm buildings and erection of 4 dwellinghouses at Carlungie Farm Carlungie Carnoustie for Clova Farms Limited**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission in Principle (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docqueted as relative hereto in paper or identified as approved on the Public Access portal. The permission is subject to the following conditions, namely:-

- 1 The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.
- 2 That application for approval of matters specified in condition must be made before -
  - i. the expiration of three years from the date of grant of planning permission in principle;
  - ii. the expiration of six months from the date on which an earlier application for such approval was refused, or
  - iii. the expiration of six months from the date on which an appeal against such refusal was dismissed,
 whichever is the latest. Only one application for approval under (ii) or (iii) may be made after the expiration of the three year period mentioned in (i).
- 3 Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are: -
  - a) The siting of the building(s);
  - b) The design and external appearance of the building(s);
  - c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);
  - d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the

occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;

- e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;
  - f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.
- 4 The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide for a scheme for the delivery of 1 affordable housing unit or a suitable alternative provision in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the Angus Council Developer Contribution and Affordable Housing Supplementary Guidance or any subsequent policy or guidance that replaces it shall be provided.
  - 5 No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.
  - 6 No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.
  - 7 Prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites - Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the planning authority.
  - 8 The development hereby approved shall be undertaken in accordance with Section 7 'Mitigation' of the 'Carlungie Bat Survey' by Alison Hannah Ecology, dated October 2021 and submitted in support of this application, unless otherwise modified by the conditions of an EPS licence, and if the demolition works are to be carried out within the bird nesting period (March to August) a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.
  - 9 A nominal 2.0 metres wide grassed, road verge shall be provided adjacent to the carriageway of the public road, extending over the entire site frontage prior to the occupation of any dwellinghouse.

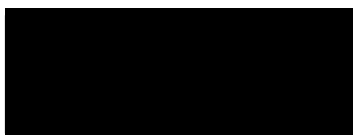
The foregoing conditions are imposed by the Council for the following reasons:-

- 1 In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.
- 2 In order to clarify the time period within which an application or applications for approval of the matters specified in condition must be made.
- 3 To ensure that the matters referred to are given detailed consideration.
- 4 To ensure provision of or a contribution towards affordable housing in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the associated Developer Contributions and Affordable Housing Supplementary Guidance.
- 5 To safeguard and record the archaeological potential of the area.
- 6 To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.
- 7 In order to ensure that a remediation strategy is in place for any land contamination identified, in the interest of public health and safety.
- 8 In order to minimise the likelihood of harm or disturbance to bats and nesting birds as a result of development taking place.
- 9 To provide an adequate safety zone between the site and the existing public road.

**The reason(s) for the foregoing decision by the Council are as follows:-**

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Dated this **23 May 2023**



Jill Paterson  
Service Lead  
Planning and Sustainable Growth  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

The decision was based on the following amendment(s):-

**Amendments:**

The application has not been subject of variation.

**Informatives:**

1. The applicant that the verge crossing at the proposed access must be formed and constructed in accordance with the standards of Angus Council. An application form can be downloaded from the Angus Council website for the purpose.
2. Scottish Water has indicated that the development may impact on existing Scottish Water assets, therefore the applicant must identify any potential conflicts with Scottish Water Asset Impact Team directly as any conflict will be subject to restrictions on proximity of construction.

**It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.**

**WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS**



# **WARNING**

**NON-COMPLIANCE WITH ANY OF THE CONDITIONS TO THIS PLANNING CONSENT COULD LEAD TO ENFORCEMENT ACTION BEING PURSUED BY THE COUNCIL.**

**NOTE: CONDITIONS ATTACHED BY THE COUNCIL TAKE PRECEDENCE OVER THE SUBMITTED/ APPROVED PLANS.**

**NO ALTERATIONS OR DEVIATIONS FROM THE APPROVED PLANS SHOULD BE UNDERTAKEN WITHOUT THE PRIOR APPROVAL OF THE PLANNING AUTHORITY. FAILURE TO OBTAIN APPROVAL COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN.**

Produced by:

Angus Council  
Planning Service  
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

The duration of any permission granted is set out in conditions attached to the permission. Where no conditions are attached the duration of the permission will be in accordance with sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

## PLANNING DECISIONS

### Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
<b>Development Standards Committee/Full Council</b>	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	<b>DPEA (appeal to Scottish Ministers) – See details on attached Form 1</b>
<b>Delegated Decision</b>	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.	<b>Local Review Body – See details on attached Form 2</b>
<b>Other Decision</b>	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	<b>DPEA (appeal to Scottish Ministers) – See details on attached Form 1</b>



## 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  
Planning Service  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Telephone 03452 777 780  
E-mail: [planning@angus.gov.uk](mailto:planning@angus.gov.uk)  
Website: [www.angus.gov.uk](http://www.angus.gov.uk)



## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

### The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of appeal should be addressed to The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

### The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission  
or on the grant of permission subject to conditions decided through  
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision of the planning authority-
  - a) to refuse permission for the proposed development;
  - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c) to grant planning permission or any approval, consent or agreement subject to conditions,

The applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

A Notice of Review Form and guidance can be found on the national e-planning website <https://eplanning.scotland.gov.uk>. Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## NOTIFICATION OF INITIATION OF DEVELOPMENT

This notice must be fully completed by the person intending to carry out the development as approved in application reference **22/00463/PPPL** for **Demolition of redundant farm buildings and erection of 4 dwellinghouses** at **Carlungie Farm Carlungie Carnoustie** for **Clova Farms Limited** dated **23 May 2023** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

**Full Name:**

**Address:**

**Do you own the land subject to the above permission?**

**If not, please provide the full name and address of the land owner:**

**Is there a person appointed to oversee the development? If so, please provide their full name and contact details:**

**Date you intend to commence the above development:**

## NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)

This notice should be fully completed by the person who completed the development approved in application reference **22/00463/PPPL** for **Demolition of redundant farm buildings and erection of 4 dwellinghouses** at **Carlungie Farm Carlungie Carnoustie** for **Clova Farms Limited** dated **23 May 2023** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

**Full Name:**

**Address:**

**Date of completion of the above development:**

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)  
REGULATIONS 2013**

**SCHEDULE 7**

Development at **Carlungie Farm Carlungie Carnoustie**

Notice is hereby given that planning permission has been granted subject to conditions to **Clova Farms Limited** on **23 May 2023**.

Application reference **22/00463/PPPL**

The development comprises **Demolition of redundant farm buildings and erection of 4 dwellinghouses**

Further Information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at:

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

Enquiries should be directed to the Service Manager at the above address or to [planning@angus.gov.uk](mailto:planning@angus.gov.uk)

## SGN Overbuild Advisory Note

***There are a number of risks created by built over gas mains and services; these are:***

- *Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.*
- *Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.*
- *Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.*

***Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:***

1. *Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development **and***
2. *Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:*

*Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)*

***In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.***

Further information on safe digging practices can be found here:

- *Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>*
- *Further information can also be found here <https://www.sgn.co.uk/help-and-advice/diggingsafely>*

# PLANNING

## Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

**Q.1 I was given the advice and help I needed to submit my application/representation:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.2 The Council kept me informed about the progress of the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.3 The Council dealt promptly with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.4 The Council dealt helpfully with my queries:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.5 I understand the reasons for the decision made on the application that I had an interest in:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q.6 I feel that I was treated fairly and that my view point was listened to:-**

<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither Agree nor Disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>It does not apply</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OVERALL SATISFACTION:** Overall satisfaction with the service: .....

**Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?**

<b>Very satisfied</b>	<b>Fairly satisfied</b>	<b>Neither Satisfied nor Dissatisfied</b>	<b>Fairly Dissatisfied</b>	<b>Very Dissatisfied</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OUTCOME:** Outcome of the application:

**Q.8 Was the application that you had an interest in:-**

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
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**Q.9 Were you the:-** Applicant  Agent  Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.  
Thank you for taking the time to complete this form.



## Angus Council

<b>Application Number:</b>	22/00463/PPPL
<b>Description of Development:</b>	Demolition of redundant farm buildings and erection of 4 dwellinghouses
<b>Site Address:</b>	Carlungie Farm Carlungie Carnoustie
<b>Grid Ref:</b>	351277 : 735903
<b>Applicant Name:</b>	Clova Farms Limited

**Report of Handling****Site Description**

The application site measures approximately 7,518sqm and currently contains a number of derelict traditional steading/agricultural buildings and some modern agricultural buildings with associated hardstanding areas. Agricultural land bounds the site to the north and west with other former agricultural buildings and a residential property (The Farmhouse, Carlungie) bounding the site to the east. The former agricultural buildings to the east have most recently been used as ancillary buildings for the farmhouse and an application to regularise this use is currently being considered. There is a further residential property called 'The Cottage' to the northeast. An indicative layout shows 4 dwellings being accommodated on the site with plot sizes ranging between 1,440sqm and 1,765sqm. The supporting information indicates the plans are indicative only. The applicant proposes to connect the development to the public water supply, make private foul drainage arrangements with new septic tanks and SUDS are proposed to deal with surface water drainage.

**Proposal**

The application has not been subject of variation.

**Publicity**

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 5 August 2022 for the following reasons:

- Neighbouring Land with No Premises

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

**Planning History**

96/00354/FULL for Partial Demolition of Farm Building was determined as "approved" on 22 November 1996.

22/00869/FULL for Change of Use of Agricultural Buildings to domestic storage buildings (retrospective) relates to 2 buildings adjoining the site and is currently pending consideration.

**Applicant's Case****Planning Statement:**

- Provides a site description;
- The applicant purchased Carlungie to amalgamate with their extensive contiguous landholdings to the east. The range of obsolete farm buildings at Carlungie are in a state of disrepair and surplus to the Applicant's requirements given the proximity of more modern and suitable farm buildings available on

adjacent landholdings;

- The former farmhouse along with its curtilage buildings have been sold on to a third party for private residential occupation;
- States the layout is indicative;
- Notes the bat survey and that the buildings should be demolished because of their condition and unsuitability for conversion (structural survey);
- States development plan policies and compliance with these.

#### **Carlogie Steading Bat Survey (October 2021) by Alison Hannah Ecology**

- Prior to proposed demolition works of Carlungie steading, bat activity survey work was carried out.
- Two individual soprano pipistrelles (*Pipistrellus pygmaeus*) were recorded roosting.
- As no bat maternity roosts were recorded, work can be carried out under a bat low impact (BLIMP) licence. A Bat Protection Plan should be produced, and two suitable bat boxes sited in nearby mature trees prior to work commencing.
- During the course of bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). If this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.

#### **Pre demolition Survey Report by Innes Aitkin Associates dated 09 May 2022:**

- Innes Aitken Associates have carried out a Pre-Demolition Building Survey Report. The report was commissioned to assess the overall condition of the existing steadings in order to ascertain whether any buildings are suitable for conversion. The report provides for a detailed appraisal of 15 individual buildings/ancillary structures.
- Buildings 1, 2, 3, 4, 5, 11 & 12 all comprise historic stone-built steading buildings with slate roofs, large cast iron valley gutters and cast iron rones/downpipes. There is widespread severe woodworm and rot to the roof structures throughout, which necessitates complete dismantling of all roof structures. Stone walls are aged and deteriorating, with extensive delaminating, splitting and scaling stonework, and pointing is in very poor condition throughout. There are areas of structural cracking and displacement to stone walls, due to roof spread as a result of decay to the roof structures, heavy deterioration of stone walls and pointing due to prolonged rainwater ingress requiring rebuilding, and structural failure of stone lintels. Full demolition is recommended.
- Building 6 simply comprises a timber canopy roof structure extending between buildings 3 & 8. The timber roof structure and roof coverings are in very poor condition, and structurally unsafe, with an imminent collapse and should be demolished as soon as possible.
- Buildings 7, 8, 9, 10, 13, 14 & 15 are all of relatively modern design and construction and have no intrinsic historic or design value and these can be readily demolished. Buildings 7 & 9 are at risk of collapse due to significant structural issues and in need of immediate demolition.
- There is evidence of potential asbestos, which would require specialist removal.
- In conclusion, the entire site should be fully demolished as soon as is practicable.

A bus timetable has also been submitted.

#### **Consultations**

**Historic Environment Scotland** - Offers no objection to the proposal but notes the potential impacts upon the setting of the scheduled monument located roughly 70m to the northwest of the site should be considered. They advise the council should consider controlling the scale and massing of buildings and the boundary treatments and screening could be provided on the boundary to partly mitigate impacts.

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

**Roads (Traffic)** - No objections subject conditions being attached. Notes the site is located to the north of the A92 Dundee to Arbroath road at Carlungie Farm. No vehicular access is available to the site directly from the A92. Access is taken from the unclassified Old Downie Road which no longer connects to the A92.

**Scottish Water** - No Objections and advised there is no Scottish Water wastewater infrastructure within the vicinity of the site.

**Service Manager Housing** - No objections. Indicated that an affordable housing requirement of 25% is required and could be delivered through payment of a commuted sum towards off site provision.

**Aberdeenshire Council Archaeology Service** - No objections subject to conditions.

**Environmental Health (Forfar)** - Offered no objection to the proposal subject to the attachment of conditions requiring a contaminated land investigation report and, where risks are identified, a detailed remediation strategy to be submitted.

**Flood Prevention Authority** - No objections but advised the applicant should submit details of the current drainage arrangements of the site and proposal for the treatment and attenuation of the surface water from both the roof water and any impermeable areas around the proposed dwellinghouses. These proposals should be designed in accordance with CIRIA's Guidance document C753.

**Parks & Burial Grounds** - There was no response from this consultee at the time of report preparation.

**People Directorate - Education** – Offers no objections or developer contributions required.

### **Representations**

There were no letters of representation.

### **Development Plan Policies**

#### **NPF4 – national planning policies**

Policy 1 Tackling the climate and nature crises  
Policy 2 Climate mitigation and adaptation  
Policy 3 Biodiversity  
Policy 4 Natural places  
Policy 5 Soils  
Policy 6 Forestry, woodland and trees  
Policy 7 Historic assets and places  
Policy 9 Brownfield, vacant and derelict land and empty buildings  
Policy 13 Sustainable transport  
Policy 14 Design, quality and place  
Policy 17 Rural homes  
Policy 18 Infrastructure first  
Policy 22 Flood risk and water management

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

Policy DS1 : Development Boundaries and Priorities  
Policy DS2 : Accessible Development  
Policy DS3 : Design Quality and Placemaking  
Policy DS4 : Amenity  
Policy DS5 : Developer Contributions  
Policy TC2 : Residential Development  
Policy TC3 : Affordable Housing  
Policy PV5 : Protected Species  
Policy PV7 : Woodland, Trees and Hedges  
Policy PV8 : Built and Cultural Heritage  
Policy PV15 : Drainage Infrastructure  
Policy PV20 : Soils and Geodiversity

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.

In this case the development plan comprises: -

- National Planning Framework 4 (NPF4) (Published 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report.

The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located outwith a development boundary and is not allocated or otherwise identified for development in the ALDP. Policy DS1 of the Angus Local Development Plan (ALDP) indicates that proposals for development outwith development boundaries will be supported where they are of a scale and nature appropriate to the location and where they are in accordance with relevant policies of the ALDP. Both the ALDP and NPF4 encourage the reuse of brownfield land in preference to the use of greenfield land. NPF4 Policy 5 seeks to minimise the disturbance of soils from development and (amongst other things) only allows the development of prime quality land in limited circumstances. In all circumstances, it requires the layout and design to minimise the amount of protected land that is required.

NPF4 Policy 17 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations. It supports proposals for new homes in rural areas where the development is suitably scaled, sited and designed to be in keeping with the character of the area and in a number of specified circumstances. 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. This includes where development involves the 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. Policy TC2 also requires all 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 for housing in the countryside also require to be assessed against Angus Council Countryside Housing Supplementary Guidance.

The proposal would result in the removal of a mix of traditional and modern agricultural buildings to create four new house plots. The supporting information indicates the complex of farm buildings are now obsolete and surplus to the applicant's requirements given the proximity of more modern and suitable farm buildings available within their wider landholdings. The structural information suggests that the traditional buildings that remain cannot be converted due to numerous defects and recommends demolition of these buildings. Whilst this is unfortunate, if the buildings are unsafe and not suitable for conversion, the principle of demolishing these and redeveloping the site for housing in a manner which would deliver a significant visual and environmental improvement to the site, is acceptable. The principle of redevelopment the site for the scale of housing proposed is compatible with Policy TC2 and the Countryside Housing Supplementary Guidance.

In terms of land use compatibility, the site is surrounded by agricultural land and residential properties. There is an area to the east where former agricultural buildings are being used for domestic storage. An application has been submitted to regulate this adjoining use (ref: 22/00869/FULL) and is being considered alongside this application. Approval of these neighbouring buildings to domestic storage ensures there is no potential conflict in terms of land use.

The surrounding land is classified as prime quality agricultural land (3.1). However the extent of the site relates to a brownfield area and as such does not raise any issues against development plan policies which aim to protect prime quality land.

The proposed indicative plots are within the acceptable limits permitted within a Category 1 Rural Settlement Unit. At that size the site could accommodate 4 houses/plots in a manner that would provide a good residential environment for residents whilst minimising impacts on neighbouring property. The layout of the site and the design of buildings would be subject to a further matter specified in condition application. However there is no reason to consider that a suitably designed proposal could not be consistent with the character and pattern of development in the area and provide an acceptable design solution as considered against the Design and Placemaking and Countryside Housing Supplementary Guidance.

In terms of the built heritage, HES has indicated that proposed development lies about 70m southeast of a scheduled monument, they have not objected to the development but stated consideration should be given to controlling the scale and massing of buildings and the boundary treatments in order to limit impacts upon the setting of the scheduled monument. A further detailed application would be required for approval of matters relating to the layout of the site and the design of buildings but at this stage there is no reason to consider that an appropriately designed development could not be provided in a manner which would not unacceptably impact upon the setting of the scheduled monument. The layout provided is indicative only and is not approved. The current application also affects archaeological designations. However the Archaeology Service has not objected subject to conditions which require a programme of works and standing buildings survey.

The site is not subject of any natural heritage designation however some of the buildings on the site are of a construction potentially favourable for bats. A bat survey was submitted and this found two individual soprano pipistrelles (*Pipistrellus pygmaeus*) roosting at the site. As no bat maternity roosts were recorded, the survey indicates work can be carried out under a bat low impact (BLIMP) licence and that a Bat Protection Plan should be produced. The survey suggests two suitable bat boxes sited in nearby mature trees prior to work commencing. During bat survey work, evidence of nesting birds was recorded. It is understood that demolition work will proceed prior to the bird nesting period (March to August). The survey indicates that if this is not the case, a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing. Subject to the mitigation measures proposed, the proposal is not considered to have any significant adverse impacts on protected species. A condition is attached to ensure works are undertaken in accordance with the submitted bat survey report.

Given the size of the site there is no reason to consider that there would not be adequate separation between the proposed dwellings and existing when assessed against council guidance. The Environmental Health Service notes the previous use of the site and has requested a planning condition to deal with potentially contaminated land. Further consideration of those matters would be dealt with through conditions but there is no reason to consider that a satisfactory residential environment could not be created.

Both NPF4 and the ALDP promote development in accessible locations with the overall aim of reducing dependency on the private car and encouraging sustainable travel options. Public transport availability in the area is generally limited. The site is within 800m of a bus stop on the A92. The nature and scale of the proposal would not support provision of additional services and is unlikely to make any meaningful impact in terms of helping sustain existing services. It is likely that the proposal would be accessed by private car and would increase reliance upon the car as a means of transport. However, in circumstances where the development would regenerate a brownfield site as set out in ALDP Policy TC2, that is not unacceptable and the development is not in itself a significant travel generating use. The location of the site would provide access to the natural environment, and vehicular access, parking and turning arrangements in the site would be assessed as part of any subsequent application. The Roads Service has offered no objection to the proposal subject to conditions.

Precise details of the proposed water supply, foul drainage and surface water drainage arrangements would be considered as part of any subsequent detailed application. However the application form indicates that the proposal would connect to the public water supply network and make provision for the sustainable drainage of surface water. The Roads Service (flooding and drainage) has raised no objections but stated that the location of the planning application site is close to the medium probability of the surface water flood envelope as given on SEPA's indicative flood map and is therefore likely to be at risk of flooding during an event of this return period. Notwithstanding this the Roads Service has considered that a planning condition requiring details of surface water management could be attached to

address this. There is no reason to conclude at this stage that the development of the site for housing could not be served by appropriate access or drainage arrangements.

Policy TC3 indicates that Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha. The site is of a scale that would require the provision of affordable housing (as the site exceeds 0.5ha) and a condition is attached to secure this. The council's housing service has confirmed an affordable housing contribution of 1 unit (or equivalent) would be sought.

In terms of other potential infrastructure impacts the Education Service were consulted and has raised no objections in terms of impacts upon the relevant primary or secondary schools. Given the scale and location of the proposal, the development is unlikely to result in any significant impacts on other infrastructure.

In terms of the detailed Countryside Housing Criteria provided at Appendix 3 of the Countryside Housing Supplementary Guidance, the proposal would not create a gap site or rounding off opportunity for additional greenfield development and it would not require the subdivision of an existing residential curtilage. The proposal would not extend ribbon development. Redevelopment of the redundant farm complex would not result in the coalescence of building groups. The proposal does not give rise to any significant issues in terms of the Appendix 3 requirements.

NPF4 Policy 1 gives significant weight to the global climate and nature crises. Policy 2 requires proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and requires that proposals are designed to adapt to current and future risks from climate change. Policy 3 requires proposals for local development to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

In respect of those policies, the proposal is for redevelopment of an existing brownfield site, in a location which is accessible to the public road network. There is no reason to conclude that the proposed dwellings could not be designed in a way which would minimise greenhouse gas emissions or in a manner which would be generally consistent with the aims of policies 1 and 2. The proposal would not have any significant impact on biodiversity subject to the conditions attached and additional landscaping could be provided at a detailed design stage to further enhance biodiversity at the site (Policy 3).

As with any proposal, it attracts support from some policies and is not entirely compatible with others. However, when those matters are balanced and considered in the round, the proposal is in general compliance with the development plan as the application proposes the redevelopment of a brownfield site in a manner that is generally consistent with development plan policy. There are no material considerations of sufficient weight which would warrant refusal of the application.

### **Human Rights Implications**

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

### **Decision**

The application is approved subject to conditions

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

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and

built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

**Conditions:**

1. The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.

Reason: In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.

2. That application for approval of matters specified in condition must be made before -

- (i) the expiration of three years from the date of grant of planning permission in principle;
- (ii) the expiration of six months from the date on which an earlier application for such approval was refused, or
- (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed,

whichever is the latest. Only one application for approval under (ii) or (iii) may be made after the expiration of the three year period mentioned in (i).

Reason: In order to clarify the time period within which an application or applications for approval of the matters specified in condition must be made.

3. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are: -

- (a) The siting of the building(s);
- (b) The design and external appearance of the building(s);
- (c) The layout of the site including access, car parking and turning space. The means of vehicular access to the site shall be by way of a suitable access to be formed and constructed onto Old Downie Road in accordance with the standards of Angus Council and the car parking within each plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);
- (d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site, during construction works. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the occupation of the dwelling hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;
- (e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;
- (f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.

Reason: To ensure that the matters referred to are given detailed consideration.

4. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide for a scheme for the delivery of 1 affordable housing unit or a suitable alternative provision in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the Angus Council Developer Contribution and Affordable Housing Supplementary Guidance or any subsequent policy or guidance that replaces it shall be provided.

Reason: To ensure provision of or a contribution towards affordable housing in accordance with Policy TC3 of the Angus Local Development Plan (2016) and the associated Developer Contributions and Affordable Housing Supplementary Guidance.

5. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

6. No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

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

7. Prior to commencement of any development works, a comprehensive contaminated land investigation report shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites - Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the planning authority.

Reason: In order to ensure that a remediation strategy is in place for any land contamination identified, in the interest of public health and safety.

8. The development hereby approved shall be undertaken in accordance with Section 7 'Mitigation' of the 'Carlungie Bat Survey' by Alison Hannah Ecology, dated October 2021 and submitted in support of this application, unless otherwise modified by the conditions of an EPS licence, and if the demolition works are to be carried out within the bird nesting period (March to August) a nesting bird check should be carried out by a suitably qualified ecologist prior to works commencing.

Reason: In order to minimise the likelihood of harm or disturbance to bats and nesting birds as a result of development taking place.

9. A nominal 2.0 metres wide grassed, road verge shall be provided adjacent to the carriageway of the public road, extending over the entire site frontage prior to the occupation of any dwellinghouse.



Reason: To provide an adequate safety zone between the site and the existing public road.

**Notes:**

1. The applicant that the verge crossing at the proposed access must be formed and constructed in accordance with the standards of Angus Council. An application form can be downloaded from the Angus Council website for the purpose.
2. Scottish Water has indicated that the development may impact on existing Scottish Water assets, therefore the applicant must identify any potential conflicts with Scottish Water Asset Impact Team directly as any conflict will be subject to restrictions on proximity of construction.

Case Officer: James Wright

Date: 19 May 2023

## **Appendix 1 - Development Plan Policies**

### **NPF4 – national planning policies**

#### Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

#### Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

#### Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
  - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
  - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and
  - v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

#### Policy 4 Natural places

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.

- c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
  - ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.

- d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:
- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
  - ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

- g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:
- i) will support meeting renewable energy targets; or,
  - ii) is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### Policy 5 Soils

- a) Development proposals will only be supported if they are designed and constructed:
- i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
  - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
- b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
- i. Essential infrastructure and there is a specific locational need and no other suitable site;
  - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
  - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
  - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and

In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

- c) Development proposals on peatland, carbon- rich soils and priority peatland habitat will only be

supported for:

- i. Essential infrastructure and there is a specific locational need and no other suitable site;
  - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
  - iii. Small-scale development directly linked to a rural business, farm or croft;
  - iv. Supporting a fragile community in a rural or island area; or
  - v. Restoration of peatland habitats.
- d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
  - ii. the likely effects of the development on peatland, including on soil disturbance; and
  - iii. the likely net effects of the development on climate emissions and loss of carbon.

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.

- e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
- i. the extracted peat is supporting the Scottish whisky industry;
  - ii. there is no reasonable substitute;
  - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of part of at least 1 metre across the whole site, including
  - iv. the time period for extraction is the minimum necessary; and
  - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

#### Policy 6 Forestry, woodland and trees

- a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.
- b) Development proposals will not be supported where they will result in:
- i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
  - ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
  - iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;
  - iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.
- c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.
- d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

#### Policy 7 Historic assets and places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any

proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

- b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:
  - i. building is no longer of special interest;
  - ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
  - iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
  - iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
  - i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.
- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
  - i. reasonable efforts have been made to retain, repair and reuse the building;
  - ii. the building is of little townscape value;
  - iii. the structural condition of the building prevents its retention at a reasonable cost; or
  - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
  - i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided;or
  - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.

k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.

l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.

m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.

n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:

- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
- ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### Policy 9 Brownfield, vacant and derelict land and empty buildings

a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

#### Policy 13 Sustainable transport

a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:

- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).

b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.

c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.

d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.

f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.

g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### Policy 14 Design, quality and place

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

#### Policy 17 Rural homes

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

- i. is on a site allocated for housing within the LDP;
- ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- iii. reuses a redundant or unused building;
- iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. is for a single home for the retirement succession of a viable farm holding;
- vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

- i. supports and sustains existing fragile communities;
- ii. supports identified local housing outcomes; and
- iii. is suitable in terms of location, access, and environmental impact.

d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:

- i. is in an area identified in the LDP as suitable for resettlement;
- ii. is designed to a high standard;
- iii. responds to its rural location; and
- iv. is designed to minimise greenhouse gas emissions as far as possible.

#### Policy 18 Infrastructure first

a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.

b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are



to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

Policy 22 Flood risk and water management

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- i. essential infrastructure where the location is required for operational reasons;
  - ii. water compatible uses;
  - iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
  - iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- o the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.

d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

### **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>)

#### Policy PV20 : Soils and Geodiversity

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

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

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

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

All development proposals will incorporate measures to manage, protect and reinstate valuable soils,

groundwater and soil biodiversity during construction.

#### Policy DS5 : Developer Contributions

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

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

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

Contributions may be sought for the following:

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

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

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

**alistairtodd@actpc.co.uk**

---

**From:** alistairtodd@actpc.co.uk  
**Sent:** 14 June 2023 11:23  
**To:** 'WrightJ@angus.gov.uk'  
**Subject:** Decision Notice for Carlungie Farm Carlungie Carnoustie - 22/00463/PPPL  
**Attachments:** 2200463 a.pdf

James

Following the grant of 22/00463/PPPL Clova Farms have asked me to address the pre-start conditions.

On condition 4 it would be my intention to engage with Jamie Ross in the Housing Division with a view to agreeing with him a suitable scheme for delivery in respect of the affordable housing.

I will be contacting appropriate consultants in connection with fulfilling the requirements of conditions 5 and 6 (archaeology).

A contaminated land investigation report would be commissioned in terms of condition 7.

The measures in condition 8 in so far as not already met will be adhered to.

Until a housebuilder is selected the matters listed in condition 3 will not be formulated but in advance of this Clova Homes wish to proceed with purifying the other pre-start conditions and then proceed with demolition and site clearance therefore they seek a non-material variation of condition 3 so that it reads that "No work other than *investigative, demolition or site clearance works* shall begin ....."

Such a variation would not seem unreasonable and I look forward to hearing from you in that regard.

Alistair

Alistair Todd  
ACT Property Consulting

Mobile [REDACTED]

**From:** Emelda Maclean <emelda@about-planning.co.uk>  
**Sent:** Wednesday, May 24, 2023 1:56 PM  
**To:** Office <office@clovafarms.co.uk>; alistairtodd@actpc.co.uk  
**Subject:** FW: Decision Notice for Carlungie Farm Carlungie Carnoustie - 22/00463/PPPL

Hi,

Here it is!

KR

Emelda

alistairtodd@actpc.co.uk

**From:** alistairtodd@actpc.co.uk  
**Sent:** 10 July 2023 14:00  
**To:** 'WrightJ@angus.gov.uk'  
**Subject:** FW: Decision Notice for Carlungie Farm Carlungie Carnoustie - 22/00463/PPPL  
**Attachments:** 2200463 a.pdf; Carlungie\_Delivery\_Package.docx

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	'WrightJ@angus.gov.uk' James Wright	Read: 10/07/2023 14:00

James I write with an update.

Condition 4 - I have now reached provisional agreement with Jamie Ross on the Delivery Package – see attached. Does your Legal Dept now issue a draft s75?

Conditions 5 & 6 – Derek Hall archaeologist has be appointed to progress.

Condition 7 - Expect to be in a position to appoint chosen consultant this week.

I would therefore appreciate your response to my request that there be a non-material variation of Condition 3 so that it reads that "No work other than *investigative, demolition or site clearance works* shall begin .....

Regards

Alistair

Alistair Todd  
 ACT Property Consulting

Mobile [REDACTED]

**From:** alistairtodd@actpc.co.uk <alistairtodd@actpc.co.uk>  
**Sent:** Wednesday, June 14, 2023 11:23 AM  
**To:** 'WrightJ@angus.gov.uk' <WrightJ@angus.gov.uk>  
**Subject:** Decision Notice for Carlungie Farm Carlungie Carnoustie - 22/00463/PPPL

James

Following the grant of 22/00463/PPPL Clova Farms have asked me to address the pre-start conditions.

On condition 4 it would be my intention to engage with Jamie Ross in the Housing Division with a view to agreeing with him a suitable scheme for delivery in respect of the affordable housing.

I will be contacting appropriate consultants in connection with fulfilling the requirements of conditions 5 and 6 (archaeology).



### S.75 Delivery Package

The parties to this Delivery Package are Angus Council ('the Authority') and [insert details of current owners of the Planning Permission Subjects and any off-site land and the purchasing developer, if any] (who and whose successors as current and future owners of the Planning Permission Subjects, solely or together, as the case may be but specifically excluding any Occupier or purchaser from the Priority Client Group of an Affordable Housing Unit, all as defined in the S75 Agreement mentioned below are hereinafter solely or together, as the case may be, referred to in this Delivery Package as 'the Second Party').

Commented [JR1]: JR to lift from section 75

The terms of the s.75 Planning Obligation Agreement ('the s75 Agreement') between the Authority and [insert details from s75 Agreement] dated [ ] and registered in the [Division of the General Register of Sasines applicable to the County of Angus on XXX]/[Land Register of Scotland under Title No [ ]] oblige the parties to agree, by way of a Delivery Package or Delivery Packages, the terms of how Affordable Housing provision is to be provided by the Second Party.

Commented [JR2]: JR to lift from section 75

Commented [JR3]: JR to lift from section 75

Commented [JR4]: JR to lift from section 75

The parties hereto therefore confirm their agreement to the following terms of this document being the Delivery Package referred to in the s75 Agreement :-

#### Section A: Development and Phasing

Development Site (referred to in the s75 Agreement as the Planning Permission Subjects) Address: Carlungie Farm Carlungie, Carnoustie
[Phase(s) [ ] of the Development Site: shown outlined in [XXX and XXX respectively] on the [s75 Agreement Plan]/[Plan annexed and signed as relative hereto]]
Development Registered Planning Reference: _____
Legal Reference: _____
[Proposed] Development Start Date: _____

Commented [JR5]: JR to add

Commented [JR6]: JR to add

Commented [JR7]: Developer to confirm

Total No. Units to be built on the Development Site: 4

No. of Affordable Housing to be delivered by the Second Party on the Development Site: 25% = 1

No. of Additional Units to be delivered by the Second Party on the Development Site: 0

Phasing of the Development:
Total Number of Phases of the Development: 1
Delivery Timescale for the Development: _____ <small>Click here to enter text</small>

Commented [JR8]: Developer to confirm

Section B: The form of Affordable Housing provision to be provided by the Second Party shall be as follows:-

Onsite Provision	Yes		Offsite Provision	No
<i>If yes specify type below:</i>			<i>If yes specify type below:</i>	
Social Rented	0		Social Rented	0
Mid Market Rented	0		Mid Market Rented	0
Affordable Housing for sale - Shared Equity	0		Affordable Housing for sale - Shared Equity	0
Affordable Housing for sale - Discounted	0		Affordable Housing for sale - Discounted	0
Serviced Plots/Affordable Housing Land	0		Serviced Plots/Affordable Housing Land	0
Commuted Sum	1			

The Social Housing Provider is: Not applicable

<b>Social Rented: 0</b>						
Type/Size	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
	House	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
To be provided within Phase: n/a						
on Plot No's: n/a						
Delivery Timescale: n/a						
Comments [Additional requirements]:						
<a href="#">Click here to enter text</a>						

<b>Mid Market Rented: 0</b>						
Type/Size	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
	House	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
To be provided within Phases: n/a						
On Plot No's: n/a						

**Delivery Timescale:** n/a

**Comments[Additional requirements]:**

[Click here to enter text.](#)

**Affordable Housing for Sale – Shared Equity: 0**

<b>Type/:</b>	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
<b>Size</b>	House	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0

**To be provided within Phases:** n/a  
**on Plot No's** n/a

**Delivery Timescale:** [Click here to enter text](#)

**Comments[Additional Requirements]:**

**Affordable Housing for Sale – Discounted Sale: 0**

<b>Type/:</b>	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
<b>Size</b>	House	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0

**To be provided within Phases:** n/a  
**on Plot No's:** n/a

**Delivery Timescale:** [Click here to enter text](#)

**Comments [Additional Requirements]:**

[Click here to enter text.](#)

**Affordable Housing Land or Serviced Plot:** n/a

**To be provided within Phases:** n/a or **Plot No's** n/a

**Delivery Timescale:** n/a

**Comments [Additional Requirements]:**

[Click here to enter text.](#)

**Section C: Modest Income**

**Modest Income Level:**

**Single** £31,003 X Income Multiple: 3.5

**Joint** £45,930 X Income Multiple: 3

**Section D: Commuted Sum**

The amount payable will be based on the commuted sum value at the time of payment being made. The values are updated annually.

**Current Commuted Sum Value:** £30,000 x 1 = £30,000

**Number of Payments:** 1

**Phasing /date of Payments:**

On completion of the following number of private units. Completion meaning acceptance of completion certificate or authorisation of temporary occupation by Angus Council Building Standards.

Payment 1: 2<sup>nd</sup> – 1 commuted sum

**Comments [Additional Requirements]:**

Commuted Sum payments will be made by Clova Farms Limited

**The Second Party shall comply with the following obligations:**

The parties agree that, on signing, the terms of this Delivery Package shall be deemed to form part of, and be subject to the terms of the s75 Agreement. No amendments shall be made to the provisions of this Delivery Package without the written agreement of all the parties. Such agreed amendments shall then be deemed to form part of this Delivery Package.

**NB: The Second Party must produce an up to date Legal Report to the date of signing verifying they are the current proprietors of the Development Site and/or any off-site Affordable housing Land.**

Witness

Signature .....

Full name .....

Address .....

Authorised signatory for the owner

Signature .....

Place of signing .....

Date of signing .....

[Witness

Signature .....

Full name .....

Address .....

Witness

Signature .....

Full name .....

Address .....

Witness .....

Signature .....

Full name .....

Address .....

.....

Authorised signatory for the owner (if more than one )

Signature .....

Place of signing .....

Date of signing .....

Authorised signatory for the purchasing developer (if any)

Signature .....

Place of signing .....

Date of signing .....

Authorised signatory for the Authority

Signature .....

Place of signing .....

Date of signing .....

**alistairtodd@actpc.co.uk**

---

**From:** alistairtodd@actpc.co.uk  
**Sent:** 13 July 2023 08:42  
**To:** 'WrightJ@angus.gov.uk'  
**Subject:** Steading, Carlungie Farm, Carlungie, Carnoustie - 22/00463/PPPL - Condition 5  
**Attachments:** FW: Carlungie Farm Level 1 SBR amended WSI - As Approved by ACAS 12 July 2023

James

Pursuant to Condition 5 please now find attached for your approval the Archaeological WSI as sanctioned by ACAS.

I look forward to hearing from you.

Regards

Alistair Todd

ACT Property Consulting  
[REDACTED]

On behalf of applicant Clova Farms Limited

**CARLUNGIE FARM, CARLUNGIE, ANGUS**  
**ARCHAEOLOGICAL STANDING BUILDING RECORDING**  
**WRITTEN SCHEME OF INVESTIGATION**

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**1 GENERAL INFORMATION**

**1.1 Preamble**

This Written Scheme of Investigation has been prepared by Derek Hall on behalf of Clova Farms Ltd, to undertake a Level 1 standing building survey of the redundant farm buildings at Carlungie Farm (NO 5128 3590) prior to their partial demolition and replacement by four houses (22/00463/PPPL). All archaeological works will conform to this document, which is subject to approval by Clare Herbert of Aberdeenshire Council Archaeology Service.

The methodology proposed is in line with the policies expressed in *Scottish Planning Policy (SPP)*, Planning Advice Note (PAN) 2 *Planning and Archaeology* (2011) and Aberdeenshire Council Archaeology Service's Minimum Specifications for a Level 1 Standing Building Survey.

**1.2 Planning Issues**

This Written Scheme of Investigation (WSI) is for a Level 1 Standing Building Survey of the redundant buildings at Carlungie Farm, Carlungie, Angus which has been requested in response to the archaeological implications of their partial demolition and replacement by four houses (Condition 6 of Planning Consent dated 23<sup>rd</sup> May 2023). An archaeological watching brief on all ground breaking works has also been requested (Condition 5 of Planning Consent dated 23<sup>rd</sup> May 2023) and a separate WSI will be prepared for that following the approval of the report on the Standing Building Survey. It should be noted, however, that if further work and/or mitigation is required, these archaeological works may not be sufficient to satisfy the relevant conditions on their own.

**1.3 Archaeological Potential**

Carlungie Farm (NO53NW0039) is mentioned in Horse Tax Records of the 18<sup>th</sup> century and in the First Edition Ordnance Survey Name Book of 1857-61 is noted as belonging to Lord Panmure. The Standing Building Survey has been requested to ensure that an adequate record of the buildings is made prior to their redevelopment and demolition.

## **Details of work**

### **1.4 Summary**

<i>Site code:</i>	CLG01
<i>Site summary:</i>	Demolition of redundant farm buildings and erection of four houses
<i>Site location (NGR):</i>	NO 5128 3590
<i>Work required:</i>	Archaeological Standing Building Survey (Level 1)

#### **1.4.1 Note**

Please see Appendix 2 for further details on standard methodology for archaeological fieldwork.

#### **1.4.2 Specific Requirements of Work**

Aberdeenshire Council Archaeology Service have requested that a Level 1 Historic Building Survey is carried out to ensure that an adequate record of the buildings is compiled prior to their demolition (ACAS Standing Building Survey Minimum Requirements). The survey will also follow the guidelines laid out in *Historic Building Recording Guidelines for Consultants, curators and contractors ALGAO: Scotland 2013*. The author is a full member of CiFA (Chartered Institute of Archaeologists) and follows their Code of Conduct and guidance for archiving. The following recording methods are to be employed:

1. An archive assessment.
2. A general description of the structure(s).
3. Photographs.
4. An annotated ground plan.

#### **Drawings will include**

- a. Measured, drawn, annotated floor plans
- b. Measured, drawn, annotated elevations (all elevations, to include the roofline) – these will also indicate any unusual features, “hidden” elements such as blocked openings, materials used in construction.
- c. A map regression utilising 1<sup>st</sup> and 2<sup>nd</sup> Edition Ordnance Survey maps and any earlier maps that are available.
- d. A phased plan illustrating the buildings construction sequence in a pictorial form



### **Written Record**

- a. A narrative placing the structure in its geographical, architectural and historical context
- b. A descriptive summary of the structure, such as: type of building; its place in the wider topographical landscape; materials used in construction; any visible changes in build/additions; etc.
- c. A structure description (a general appraisal of the external elevations/features and any other relevant constructional details).

### **Photographs**

A full photographic survey of the interior and exterior of the building, including all exterior elevations, interior elevations (where it is safe to access the building), any unusual or distinctive details, and the building's setting. Photographs will be digital and accompanied by an annotated plan illustrating the photo positions. Photos will be clear, in focus, and bright enough to see the specific details; built elements should not be obscured and for elevations the full elevation including roofline and chimneys (where present) should be included. Photographs and annotated plan will be submitted to the archaeology team by email, via file sharing site (eg. WeTransfer, Dropbox, Google Drive) or by CD or memory stick.

### **Reporting Requirements**

A full written Data Structure Report (DSR) will be produced illustrated with relevant maps, drawings and photographs and a copy of an entry for Discovery and Excavation in Scotland (DES). The report will be submitted to Aberdeenshire Council Archaeology Service digitally in both PDF and Doc format. Shapefiles for the project will also be provided and copies of all digital photos which will be included as thumbnails in the report as an appendix.

### **References**

Aberdeen Council Archaeological Service (ACAS) Standing Building Survey Minimum Requirements Appendices 11 and 11b.

## 1.4 Timetable

### Summary

<i>Start date:</i>	To be confirmed
<i>Minimum confirmation of start to LAAO:</i>	24 hours
<i>Number of field staff:</i>	1
<i>Draft report to be sent within:</i>	2 weeks of completion of fieldwork

## 1.5 Contacts

<i>Client:</i>	Clova Farms Ltd	c/o Alistair Todd, ACT Property Consulting	<a href="mailto:alistairtodd@actpc.co.uk">alistairtodd@actpc.co.uk</a>
<i>LAAO/ Representative:</i>	Clare Herbert	Aberdeenshire Council Archaeology Service	<a href="mailto:claire.herbert@aberdeenshire.gov.uk">claire.herbert@aberdeenshire.gov.uk</a>
<i>On site contractor:</i>	Derek Hall	34 Glenfarg Terrace, Perth, PH2 0AP	

## 1.6 Products

<i>Recipient</i>	<i>Final report</i>	<i>Draft report</i>	<i>Digital report/ other</i>
<i>Client</i>	✓		
<i>LAAO</i>	✓		✓
<i>NRHE</i>	✓		Site archive

## **Appendix 1 STANDARD TERMS OF REFERENCE FOR ALL FIELDWORK**

### **1.1 Recording Methodology**

All features will be planned at scale 1:20, and sections drawn at scale 1:10. Sections and profiles will be drawn, and all features will be photographed with metric scale included. Environmental samples will be taken from archaeologically significant contexts, if the analysis of these samples would aid significantly in the interpretation of any features identified.

### **1.2 Reporting**

A Data Structure Report will normally be prepared within the time period specified under 2.1, after the completion of the fieldwork. This forms the basic level of reporting. Further reporting may be required on the basis of discoveries made during excavations.

A copy of the report will be sent to the client, LAAO, NMRS and others, as appropriate. The project archive will be deposited in the NRHE.

The project archive normally consists of site notes, drawings, context sheets and copies of all photographs taken during the fieldwork. Additional information, such as EDM site survey data, digital images of the site and Terms of Reference specifying the work will be included where extant. Records will be deposited in hard copy or digital form, depending on how they have been generated.

### **1.3 Discovery and Excavation in Scotland**

A brief summary of the results will also be submitted to *Discovery and Excavation in Scotland* together with a contribution from the client to cover publication costs.

#### **OASIS**

The OASIS online data form for the recording and reporting of archaeological events in Scotland will be used for submission of this report.

### **1.4 Artefacts**

Finds of objects will be subject to the Scots Laws of Treasure Trove and *Bona Vacantia*. The onsite contractor will report such finds, if recovered, with supporting documentation to the Secretariat of the Treasure Trove Panel for disposal to the appropriate museum.

### **1.5 Unexpected discoveries**

Important or unexpected discoveries will be communicated to the client and the Local Authority Archaeological Officer, with whom a monitoring visit will be arranged.

### **1.6 Human Remains**

If human remains are encountered, they will be left in situ and the local police will be informed. If removal is required, this will take place in compliance with Historic Scotland's Policy Paper *The Treatment of Human Remains in Archaeology*.

### **1.7 Miscellaneous**

It is assumed that any spoil created by any archaeological excavation will be left on site, unless otherwise arranged. If removal is requested an extra charge may have to be levied. Backfilling and reinstatement are normally the responsibility of the client unless a specific pre-arrangement is made with the client.

The client will be responsible for maintaining site boundaries and security of the site unless otherwise stated.

The onsite contractor will not be responsible for any delays to either the archaeological or overall programme caused by delays in other elements of the development project.

## Appendix 2 STANDARD ARCHAEOLOGICAL METHODOLOGY

### 2.1 Archaeological Watching Brief

The aim of watching briefs is to record the presence/ absence, date, character, and quality of any archaeological deposits within the development area by observing and recording excavations and other works undertaken by the development contractors.

To enable the watching brief to be carried out efficiently these operations will follow a standard watching brief methodology outlined below.

To enable proper monitoring, the client will ensure that Derek Hall is timeously informed of the work programme. The number of archaeologists present on site will be commensurate with the number and scale of operations requiring archaeological observations taking place on site at any one time.

Clearance of the site will usually take place by machine, under the constant supervision of an archaeologist. Wherever possible, an excavator equipped with a smooth-bladed ditching bucket will be employed, the size of the excavator being commensurate with the nature of the site.

If, during the course of work, any significant features or artefacts are located, the archaeologist will record them. The archaeologist will be allowed between 0.5 hour and 4 hours to record features or to carry out salvage excavation to sample deposits or to retrieve artefacts as appropriate.

### 2.2 Archaeological Evaluation

#### 2.2.1 Introduction

The aim of archaeological evaluations is to ascertain and record the presence/ absence, date, character and quality of any archaeological deposits within the development area by means of selective trial excavation and other investigations. Evaluations are used as the basis for assessing the significance of underlying archaeology and are a mechanism for making an informed judgement on whether further archaeological work should be undertaken, or mitigation strategies should be implemented in the light of the evaluation's conclusions.

It should be noted that, in line with Scottish Planning Policy and Planning Advice Note (PAN) 2 *Planning and Archaeology* (2011), evaluations are designed to do one of two things: in the case of planning approval being granted *prior* to the evaluation taking place, they are used to address a *negative suspensive condition* on developments. If an evaluation has been requested *before* planning approval has been given, they are used to assess the significance of archaeological deposits within the development area, and therefore should *not be assumed to be a guarantee of planning approval* being obtained. In either case, in the event of archaeological deposits being found, there is a strong likelihood that further mitigation work will be required if the development is to go ahead. In this case, mitigation generally takes the form of further investigations or *preservation in-situ*. **If further work is required, the client is responsible for not only funding the excavation, but also reasonable post-excavation costs, and publication of findings, as appropriate.**

#### 2.2.2 Methodology

These operations will follow a standard methodology, as outlined below.

The number of archaeologists present on site will be commensurate with the number and scale of operations requiring archaeological observations taking place on site at any one time.

Initial opening of trenches, down to the top of the first archaeological horizon, will usually be undertaken by machine, under the constant supervision of an archaeologist. Wherever possible, an excavator equipped with a smooth-bladed ditching bucket will be employed, the size of the excavator being suitable for the nature of the site. Clearance of the site will usually involve the investigation of a proportion of the overall area: normally between 5 and 20%. The area relating to this project is specified under 2.1.

Once clearance of the site is complete, a full stratigraphic record will be made of the deposits uncovered. This will involve both locating and documenting features, as well as excavation. Trenches may be extended in order to record the full extent of archaeological features exposed by investigations. An EDM may be used for surveying purposes. Environmental samples may be taken

from archaeologically significant contexts, if the analysis of these samples would aid significantly in the interpretation of any features identified.

Reporting will be within the timetable specified under 2.1. A draft copy of the findings of the fieldwork will be sent out in the first instance, containing mitigation recommendations and suggestions for further work. Once that has been approved by both the client and LAAO, final copies will be sent out.

### **2.3 Standing Building Survey**

The aims of a standing building survey are to ensure that an adequate record of a structure is taken prior to its demolition or alteration. The levels of survey required are based on the nature of the structure and what is scheduled to happen to it. Normally a full digital photographic record of the structure will be taken ensuring that a record of the building in its setting is made as well as detailed views of both exterior and interior elevations (as necessary). ALGAO Scotland's Historic Building Recording Guidance (2013) specifications will be used as the basis for the particular level of survey that is required.

### **Appendix 3 GENERAL CONDITIONS AND HEALTH AND SAFETY**

Derek Hall is a member of the Chartered Institute of Field Archaeologists and adheres to their Code of Conduct.

Derek Hall has public liability insurance of £2,000,000 and Public Indemnity Insurance of £250,000. Details of both these covers can be provided on request.

Derek Hall operates a strict health and safety policy and conforms to the Health and Safety at Work Act. Derek Hall undertakes Risk Assessments on all fieldwork carried out.

Derek Hall will always wear protective footwear, high visibility clothing and other appropriate clothing. Hard hats will be worn if there is always active plant on site or if the site is deemed a hard hat area.

If lightly contaminated deposits are uncovered, disposable boiler suits and gloves will be worn. A source of clean water will be made available for staff to clean hands with. If the health risk posed by site contamination is judged as being too high, all further archaeological work will stop in the affected area. Written Schemes of Investigation, Project Designs and Estimates are prepared on the basis that the site can be worked on in safety. If serious contamination is found, the scope, method and cost of investigation may all need to be reconsidered.

If excavations continue below a depth of 1.2m, it will be necessary to instigate measures to maintain the stability of the trench walls. This will normally take the form of stepping in the trench sides by 1m on all sides. Where space would render this solution prohibitive, it may be necessary to shore up the sides by the use of props and sheeting. This may necessitate a delay in the excavation if these circumstances are unforeseen. In such a case, it may be necessary to discuss timing and resources with the LAAO and client, as appropriate.

### **Appendix 4 STAFF PROFILE**

#### **4.1 Derek Hall, FSA Scot, MIFA, *Archaeologist and Ceramic specialist***

Derek studied at the Dorset Institute of Higher Education where he gained a Certificate in Practical Archaeology and has worked on archaeological sites throughout Scotland and England since 1976.

In 1980 he joined the Urban Archaeology Unit, the predecessor of SUAT, and in 1996 was seconded to Historic Scotland as an Inspector of Ancient Monuments, before returning to SUAT as Depute Director, a post he held until the company's demise in July 2009. He has extensive research interests in Scottish Medieval Pottery, Monastic landscapes and industries and has published numerous papers. He is

currently Assistant Editor of the Tayside and Fife Archaeological Journal and was formerly Editor of Medieval Ceramics.

[alistairtodd@actpc.co.uk](mailto:alistairtodd@actpc.co.uk)

---

**Subject:** FW: Carlungie Farm Level 1 SBR amended WSI - As Approved by ACAS 12 July 2023  
**Attachments:** Carlungie Steading - Level 1 SBR WSI - approved by ACAS 12 July 2023.pdf

**From:** Derek Hall <[REDACTED]>  
**Sent:** Wednesday, July 12, 2023 7:47 PM  
**To:** [alistairtodd@actpc.co.uk](mailto:alistairtodd@actpc.co.uk)  
**Subject:** FW: Carlungie Farm Level 1 SBR amended WSI

Hello Alistair,

Here as requested is the email from Claire Herbert of ACAS approving my WSI for the Carlungie survey. See you on site at 9am next Tuesday (18<sup>th</sup> July).

Regards

Derek



Sent from [Mail](#) for Windows

**From:** [Claire Herbert](#)  
**Sent:** 12 July 2023 09:12  
**To:** [Derek Hall](#)  
**Subject:** RE: Carlungie Farm Level 1 SBR amended WSI

Thanks Derek, all in order now. Just let us know once start date is known.

Kind regards,  
Claire

Claire Herbert MA(Hons) MA MCIfA

Archaeologist  
Archaeology Service, Planning and Economy, Environment and Infrastructure Services  
Aberdeenshire Council

T: 01467 537717  
E: [Claire.herbert@aberdeenshire.gov.uk](mailto:Claire.herbert@aberdeenshire.gov.uk)

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

Search the Historic Environment Record: <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, 9.00am – 5.00pm

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Twitter: [https://twitter.com/AbshireArch\\_CH/](https://twitter.com/AbshireArch_CH/)

YouTube: <https://www.youtube.com/channel/UCI3fCWk-cwaN2Nj1G0BkHPg>



**alistairtodd@actpc.co.uk**

---

**From:** alistairtodd@actpc.co.uk  
**Sent:** 11 August 2023 08:35  
**To:** 'HunterA@angus.gov.uk'  
**Subject:** FW: Carlungie Farm Steading Carlungie Carnoustie - 22/00463/PPPL  
**Attachments:** FW: Decision Notice for Carlungie Farm Carlungie Carnoustie - 22/00463/PPPL;  
Steading, Carlungie Farm, Carlungie, Carnoustie - 22/00463/PPPL - Condition 5

Alan

Are you able to respond please?

Regards

Alistair

Alistair Todd  
ACT Property Consulting  
[REDACTED]

**From:** alistairtodd@actpc.co.uk <alistairtodd@actpc.co.uk>  
**Sent:** Monday, August 7, 2023 8:48 AM  
**To:** 'HunterA@angus.gov.uk' <HunterA@angus.gov.uk>  
**Subject:** Carlungie Farm Steading Carlungie Carnoustie - 22/00463/PPPL

Alan

As I have received no replies to any of the attached series of emails (14 June, 10 July & 13 July) directed at case officer James Wright I was wondering if he was away at present?

Whilst I need a response to all the matters raised I am particularly concerned about my request for the variation to Condition 3 because if not varied by agreement Clova Farms will be obliged to lodge an Appeal against that Condition by 22 August.

I look forward to hearing from you please.

Regards

Alistair