

ITEM No. 7

Report No 589/96

ANGUS COUNCIL

DEVELOPMENT CONTROL COMMITTEE

15 AUGUST 1996

SUBJECT: LAND AT FISHTOWN OF USAN, BY MONTROSE

REPORT BY DIRECTOR OF PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT

Abstract: This report presents the circumstances surrounding an environmentally deficient area of land at Fishtown of Usan and the courses of action open to the Council.

1 RECOMMENDATION

The Committee is recommended to (a) sanction the service of a Wasteland Notice; (b) authorise officials to continue investigations into the alleged right of way; and (c) serve a Building Preservation Notice on the derelict row of cottages.

2 INTRODUCTION

2.1 At the last meeting of the Development Control Committee (13 June) the findings of the Reporter in favour of the Council in respect of an appeal at Fishtown of Usan was reported (Report No. 404/96). Some discussion ensued on the generally untidy state of the area and on what the Council might do to improve the situation.

2.2 This report presents the consideration of the officials and provides an update on action taken to date.

3 CURRENT SITUATION

3.1 There are three issues under investigation: (a) the general state of the area; (b) threat to a possible right of way; and (c) future of the derelict but characterful row of terraced cottages.

3.2 State of the Area: Twenty or so years, the area was picturesque and a visitor attraction. The interesting row of ruined cottages was fronted by a natural grassed area on which visitors parked, walked, picnicked, etc. and then strolled down the path to the rocky foreshore. Today the expanse of natural grass is covered with the detritus of salmon fishings; old abandoned equipment and scrap; materials of all sorts, age and usefulness; several caravans and utility vehicles, working and long dead. Signs have been erected to deter visitors, although given the wholly uninviting appearance of the area, they seem superfluous. Some areas, generally down the slope from the upper 'grassed' area, contribute to the overall character e.g. net drying structures, upturned boats etc.

3.3 Public Right of Way: Complaints were received recently that the proprietor of the ground, Mr. Pullar, was obstructing and discouraging people from using the main footpath down to the foreshore. An initial approach to Mr. Pullar elicited the response

that it is not and has never been a right of way, with an inference that it was actually constructed by him. He claims the right of way lies on the edge of his property and not through it. A second route does in fact exist but is more difficult of use due to condition and gradients. Notwithstanding Mr. Pullar's initial response it is known to planning officials that the path in question was in existence prior to his involvement in the area.

- 3.4 Derelict Cottages: The row of derelict cottages was built in 1822 in a single row of 28 houses, in the centre of which still survives an old coastguard tower. The village probably went into decline in the 1930s producing the substantial remnants that exist today. Although derelict they present an interesting and picturesque site and in theory at least, could be re-roofed and made wind and watertight. At present the buildings have no protection (with the exception of the look-out tower, which is listed) and are therefore under threat of unsympathetic use, alterations or even demolition.

4 SCOPE FOR ACTION

- 4.1 State of the Area: Obviously one option open to the Council is to take no action but undoubtedly Fishtown of Usan must now be one of the most untidy sites in Angus and if any site warrants the Wasteland Notice approach it is this one. If pursued, the Notice would not attempt to secure a pristine site, but would be aimed at reducing the extent and quantity of dumping to a more defined area containing valid and usable equipment, materials, etc. associated with Mr. Pullar's salmon fishing activities.
- 4.2 Public Right of Way: Action is being continued by officials to obtain the requisite information to establish whether or not a right of way exists. If it does, evidence from witnesses will be sought with a view to a vindication action should that be the wish of the Council.
- 4.3 Derelict Cottages: If the cottages are felt to be worthy of retention, then the only way to ensure their future preservation is with the service of a Building Preservation Notice which, if supported by Historic Scotland, and the indications are that it would be, would then enjoy the same protection as a listed building. Even if restoration proved impractical, the fate of or alterations to the buildings would at least be subject to proper scrutiny.

5 FINANCIAL IMPLICATIONS

- 5.1 At this point in time there are no abnormal financial implications other than the costs normally involved in pursuing the actions recommended.

6 CONSULTATION

- 6.1 The Director of Finance and Director of Law and Administration have been consulted in the preparation of this report.

7 CONCLUSION

- 7.1 Fishtown of Usan was once a pleasant and important coastal site for visitors. A number of projects are currently being pursued by the Council linked to tourism, a major element of which is the coastline and including a possible long distance footpath along the Angus coast. The state of the area and actions being taken by the proprietor are certainly not conducive to these proposals and Council objectives and the opportunity to resolve and improve matters should be grasped.

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.

AA/JJ/IAL
6 August 1996

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