

ANGUS COUNCIL

DEVELOPMENT CONTROL COMMITTEE

18 OCTOBER 2001

PLANNING APPLICATION – LAND AT SLATEFIELD FARM, DUNDEE ROAD, FORFAR

REPORT BY THE DIRECTOR OF PLANNING AND TRANSPORT

Abstract: This report deals with planning application No. 01/00667/OUT for the erection of 10 houses and associated roads on land at Slatefield Farm, Dundee Road, Forfar for Select Homes (Tayside) Ltd. This application is recommended for conditional approval.

1 INTRODUCTION

- 1.1 Outline planning consent is sought for the erection of 10 houses plus access road at Slatefield Farm, Dundee Road, Forfar.
- 1.2 The site is located to the east of Dundee Road, towards the edge of town and diagonally opposite the Westfield Loan junction. The general area has been the location of a number of residential developments in recent years. The site primarily comprised the operational steading area of the now defunct Slatefield fruit farm. Demolition has already commenced on the mainly functional farm buildings, particularly the larger, more recent structures. A number of smaller brick or stone built structures with a variety of roof coverings remain on site.
- 1.3 Two houses also currently exist on site with one, an extended stone and slated one and a half storey vacant cottage being retained within a reduced (868 square metre) plot. The other house is newer but of a 'Dorran' type of construction in a large curtilage. The applicant intends to demolish this property after providing the elderly resident with a new house fronting Dundee Road on a reduced (460 square metre) plot. This is the subject of a separate application (01/00668) on the delegated consents list. It does not constitute one of the 10 new plots that comprise this application.
- 1.4 Several of the boundaries to the site, especially the Dundee Road frontage and northern edge, are composed of stone walls. The site slopes significantly down to the Dundee Road providing excellent views across Strathmore. There are also a number of well established conifer trees along the northern boundary.
- 1.5 Running along the northern boundary is a vehicular track leading to Balmashanner Hill and beyond it is a large house plot and, more distant from Dundee Road, a well treed open space with public access. To the east of the application site (higher up the hill) is agricultural land, now disused, that is also owned by the applicant. An application has been received to develop a small number of larger house plots but will be presented at a later meeting. Beyond the southern boundary are two new houses, the western boundary being formed by Dundee Road and the fields beyond.
- 1.6 The 10 plots comprise one at 430 square metres and two at 460 square metres, the other seven ranging from 700 to 870 square metres. The access road will run through the centre of the site to the eastern boundary.

2 APPLICANT'S CASE

- 2.1 No supporting information has been provided.

3 CONSULTATIONS

- 3.1 None of the statutory consultees have raised concerns.

4 LETTERS OF REPRESENTATION

- 4.1 One letter of objection has been submitted and is attached to this report. The objector believes that this proposal, together with the two other applications at Slatefield Farm, "raises serious road safety concerns". This concern is not shared by the Director of Roads who, subject to conditions being imposed, has no objections.

5 PLANNING CONSIDERATIONS

- 5.1 The determining issue in this case is whether or not the proposal complies with the Development Plan.
- 5.2 The proposal is outwith the scope of the Tayside Structure Plan 1993.
- 5.3 The Angus Local Plan 2000 is the primary consideration in the determination of this application. The site is not specifically allocated for housing but represents an unforeseen opportunity to develop and therefore, Policy H2 : Opportunity and Windfall Sites, is applicable:-

"Angus Council will support proposals to develop opportunity or windfall sites for housing in addition to the allocated supply where they:-

- (a) make a significant contribution to urban renewal;
- (b) are in accordance with the Development Strategy and other policies of the Local Plan;
- (c) do not adjoin an existing or proposed use detrimental to the residential amenity;
- (d) provide a good residential environment;
- (e) do not involve excessive infrastructural costs.

- 5.4 In terms of Policy H2, this proposal would contribute to urban renewal as the site is now disused and will soon be derelict. In assisting with the maintenance of a housing land supply within the defined town development boundary, the proposal complies with criterion (b). As all the surrounding uses will be residential or open land, the use is compatible, it will undoubtedly produce a good residential environment and there are no untoward infrastructural costs involved.
- 5.5 Policy H5 : Small Housing Sites, may also be relevant but the criteria generally reflect and expand upon the policies contained in H2, including minimum plot sizes, design, etc., all of which can be achieved by the proposals.
- 5.6 The proposal offers an opportunity to develop what will otherwise become a derelict site within an expanding residential area of Forfar. Local Plan and Government policies strongly support the redevelopment of brownfield sites (most of the site not accommodating buildings is hard surfaced) over greenfield and this site, located within the development boundary of Forfar, as defined in the Local Plan, fully meets Local Plan policy.

6 HUMAN RIGHTS IMPLICATIONS

- 6.1 The recommendation in this report for grant of planning permission, 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 recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any actual or alleged infringement of neighbours' rights to peaceful enjoyment of their property and/or interference with their privacy/home/family life arising from grant of this application is in accordance with the Council's legal duties under the Planning Acts to determine planning applications such as the present one and the grant of planning permission is justified and necessary in the public interest on the basis that any such actual or alleged infringement is not significant or material as balanced against the applicant's freedom to carry out reasonable development and/or activities over his property as supported by the Development Plan, and other material considerations which, as referred to in the report, are supportive of the proposed development. 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.

7 RECOMMENDATION

- 7.1 It is recommended that the application be approved with conditions.
1. That the rainwater run-off from all surface water be directed to a soakaway system to the satisfaction of the building control authority.
 2. That there be no felling of existing trees along the northern or western boundaries except as agreed by the Planning Authority following submission and approval of detailed plans.
 3. That any existing stone boundary walls be retained/reinstated and repaired, including the sections along the northern boundary where buildings are to be demolished.
 4. That the boundary treatment to plots fronting the proposed access road be of stone construction to the satisfaction of the Planning Authority.
 5. That the roof covering(s) be dark blue/grey in colour.
 6. That visibility splays of 3 metres x 60 metres be provided in each direction at the junction of the proposed access or development road with the public road.
 7. That no structure, wall, etc. or planting in excess of 1050mm in height be introduced into the sightline areas.
 8. That provision be made within the site for the parking of two private cars per dwelling.
 9. That a turning space be provided within each plot curtilage to allow vehicles to enter and leave in a forward gear.

10. That no walls or fences be erected in the nominal two metre wide service/overhang strips which shall be laid out in grass and permanently delineated by the applicant to the satisfaction of the Director of Roads.
11. That all matters relating to access, road layout and off-street car parking be to the standards required by the Director of Roads, to the satisfaction of the planning authority.

Reasons:

1. In order that the drainage arrangements to serve the site are to the satisfaction of this Authority.
2. In order that the general amenity of the area shall not be affected.
3. In order to enhance the appearance and amenity of the proposed development.
4. In order to enhance the appearance and amenity of the proposed development.
5. In the interests of visual amenity.
6. In the interests of road traffic and/or pedestrian safety.
7. In the interests of road traffic and/or pedestrian safety.
8. In order that adequate parking provision is made in the interests of road safety and convenience.
9. In the interests of road traffic and/or pedestrian safety.
10. In order to ensure proper provision and/or protection for the siting of essential public utilities.
11. In the interests of road traffic and/or pedestrian safety.

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/KW
9 October 2001

Alex Anderson
Director of Planning and Transport