

PLANNING APPLICATION REF. 17/00353/PPPL

**DESCRIPTION OF DEVELOPMENT:
PROPOSED NEW HOUSE PLOT - RE-APPLICATION**

AT

LAND AT OLD MANSE RESCOBIE FORFAR

REPRESENTATIONS

Comments for Planning Application 17/00353/PPPL

Application Summary

Application Number: 17/00353/PPPL

Address: Land At Old Manse Rescobie Forfar

Proposal: Proposed New House Plot - Re-Application

Case Officer: Neil Duthie

Customer Details

Name: Dr rosie Conway

Address: Old School House Rescobie Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this re-application by Mr Mackie to develop land at Rescobie on the following grounds:

- 1) The planning application notes there are no trees on or adjacent to the plot. This is incorrect. There are 3 large sycamore trees and 4 established flowering cherry trees in place which would be affected by the proposed access at the top of the lane.
- 2) The planning application states that the site is not in an area of known flooding. This is incorrect. I have been resident here 15 years and the proposed site floods most winters at the bottom of the slope.
- 3) For the same reason as in 2) above, I am concerned about poor drainage of the site, and also about the possibility of poor drainage of any septic tank installed in that area. Our neighbour at Airde House had considerable trouble with septic tank soakaway. I am concerned about the obvious environmental impact of another property on the site and trust this will be fully looked into.
- 4) The proposed access for the site is at the top of a steep unpaved road not made for heavy use. I am concerned about increased usage of the unpaved access road and ongoing maintenance of this with increased use.

The Old Schoolhouse,
Rescobie,
by Forfar,
DD8 2TD
23rd May 2017

Angus council planning dept.
County buildings,
Market Street,
Forfar
DD8 3LG

Dear sir/madam

Re: Planning application Ref 17/00353/PPL, Proposed new house plot – re-application at Land at Old Manse, Rescobie, Forfar.

I wish to restate my objections to this re-application, as per my original comments (ref: 16/00930/PPPL). I have appended these, for the benefit of the committee*.

I note the applicant's amended proposal and would like to make the following observations:

1. It is stated that there is no proposed "change to public paths, public rights of way or affecting any public right of access". Access to the property is via a shared drive on a strip of unregistered land. This land is a public right of way extending to the north of the access drive. The application *does* involve a change to this right of access, with no consideration given to ongoing maintenance.
2. It is stated that there is no flood risk. In my experience this is incorrect and I would agree with Mr Bushell's observations in his objection to the previous application.
3. It is stated that there are no trees on or adjacent to the application site. This is clearly incorrect, with a number of mature deciduous trees surrounding the property, some of which would need to be felled in order to ensure access. These trees provide our property with protection from the prevailing wind.
4. In the access report, a number of subjective statements are made with regards to the anticipated increase in traffic on the access road (section 3.3.), e.g. "the proposal isn't going to have a huge impact on the access road as there will be no high increase in the volume of cars using the the road". Statements such as these make a number of assumptions with regards to size and occupancy of the property, the number of cars and the frequency of use, which cannot be substantiated at this stage.
5. Section 3.4 of the access report states that the visibility splay was reduced to 2.4m x 120m. There are a number of photographs provided by way of evidence to substantiate the claim that these conditions are met. It should be noted that these photographs are taken during the winter months and do not account for the increased height of roadside vegetation and tree cover during the summer months. Furthermore, from my limited understanding of planning advice, a visibility splay of 120m is required for traffic travelling at approx. 40mph, whereas 215m is required for traffic travelling at 60mph. In my experience of living at Rescobie for a number of years, the B9113 is regularly driven by road users at speeds of 60mph (or more), who often fail to drive to the prevailing conditions. During the summer months, recreational motorcyclists are regular

users. There have been a number of accidents on this road in recent years and increasing traffic at this junction with insufficient visibility will only increase the risk of further tragedies. A professional traffic speed survey would help define the required visibility and ensure that this risk is mitigated.

Lastly, I think it is worth noting that the previous application raised 11 objections from residents and parishioners, with none in support. I would hope that these objections, which often related to the character and unique setting of Rescobie and its church and cemetery, can be taken into consideration in your deliberations.

Many thanks.

Yours sincerely,

N Conway.

***Appendix - Previous objection to application 16/00930/PPPL**

I wish to make a representation to object to this application. The reasons for doing so are threefold:

1. The TAYplan strategic development plan suggests that development should "improve the economic, social and environmental conditions...with a focus on previously developed land and buildings". In contrast, the proposed development of land for housing at the Old Manse, Rescobie relies on the development of arable land. There is no evidence provided that this development will improve economic, social or environmental conditions in the immediate area (that falls out with the Forfar development boundary).

2. Rescobie loch is a site of special scientific interest with a fragile biodiversity - as highlighted by the recent bloom of blue green algae. The land under consideration drains directly into the loch, with the likelihood that any development will increase domestic discharge into the water.

3. Access to the property is limited and relies on an unsurfaced/surfaced driveway on unregistered land, providing access to the church and existing houses. In addition, the driveway serves as a public right of way to adjacent fields. There is no description of how this access will be managed within the application.

Finally, whilst I appreciate that the application is for planning permission "in principle", it is very difficult to assess the merits of the application without any specific information as to what is being proposed.

I'd be grateful if my objection can be considered when the committee meets and look forward to hearing of the outcome.

Comments for Planning Application 17/00353/PPPL

Application Summary

Application Number: 17/00353/PPPL

Address: Land At Old Manse Rescobie Forfar

Proposal: Proposed New House Plot - Re-Application

Case Officer: Neil Duthie

Customer Details

Name: Mr Barry Rodger

Address: Manse Cottage Rescobie Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to lodge an objection to the proposed development as I feel that it does not fall within the scope of the TAYplan SDP which states "a level of new housing and other appropriate development may be provided in the countryside and small settlements, but only where this meets specific local needs or supports regeneration of the local economy". I do not see what local needs would be met or regeneration of the local economy the proposed development would deliver. The proposed development does not seem to 'fit' with Angus Councils view of promoting developments that try to balance the growth and regeneration needs of the area and at the same time securing the creation of high quality places and the protection of the wider environment.

The proposed development is to be sited on land that is prone to flooding from the run-off from the surrounding fields. The water gathers in the south east corner which, when the rain is severe, floods onto the access road and my drive. If permission were to be granted I would have significant concern that any works would exacerbate the problem.

As there is a total of 4 houses at Rescobie any increase would potentially have a detrimental effect on this quiet area that has an array of mature trees some of which appear to be home to Bats. The applicant states that there is no trees adjacent to the proposed development site. This is simply not true and is either an error by the applicant or a false statement. I would hope that if permission were to be granted preservation of these trees would be a mandatory condition.

The existing houses and church are served by a single, mainly unsurfaced, drive on unregistered land. The application contains an 'Existing Access Conditions Report' which, in my opinion, appears to be incorrect. Photograph 1 claims that point C is the end of the 120m visibility splay however this appears to be significantly closer than 120m. The 120m is located around the bend in the road making a safe exit difficult.

Mr & Mrs G Bushell
Airde House
Rescobie
Forfar DD8 2TD

OBJECTION to Planning Ref 17/00353/PPPL

Proposed Development of Land at Old Manse Rescobie Forfar.

Dear Sirs

I am writing to raise an objection regarding the re- application for the above proposed development.

In order for me to make an informative decision I need more detail regarding the location of the proposed new dwelling as at the moment the plan lacks detail. What I can say is my property Airde House is immediately adjacent to the proposed development site and any new development would directly overlook my property leading to a loss of privacy to both house and garden. No detail has been provided on distance of the new build in relation to my property / roof height etc which could inevitably result in loss of light.

Noise levels and light pollution would also be a factor as any cars entering through the new access entrance would result in car headlights shining directly into my lounge and master bedroom. If the applicant intends on locating the parking plot in the same location as his previous application (16/00353/PPPL) then this is near enough to my garden to cause additional noise and loss of privacy. Any outside lighting on the new property EG Security lighting could shine directly into my lounge and all bedrooms at the front of the house.

I know loss of view cannot be taken into account but it would have a real direct impact on us. We have been afforded the luxury of views of the loch for many years and in fact this was the main reason for buying the property.

The above application lacks detail and contains several anomalies which must be addressed before any decisions can be made, for example :

Access

Access to the proposed site is restricted to a single track which is partially surfaced. Additional traffic would significantly add to its deterioration and provision would have to be made for the upgrade / upkeep of the track (Please see attached).





If a new house was built provision would have to be made for car passing spaces along the track. The access track is on an extremely steep gradient, impossible to reverse up and precarious to descend especially in winter. If the track is covered in snow I have no control over my vehicle once I leave my drive and it results in me sliding down the track until I come to a natural stop (even in a 4 wheel drive). This is manageable at the moment as there is only one other property with one other car to contend with but any additional increase in traffic would cause a problem.



Access from my drive in the Summer



Access from my drive in the winter

As you can see If I were leaving my property at the same time as another vehicle coming up the track or out of the new access point we would without doubt collide.

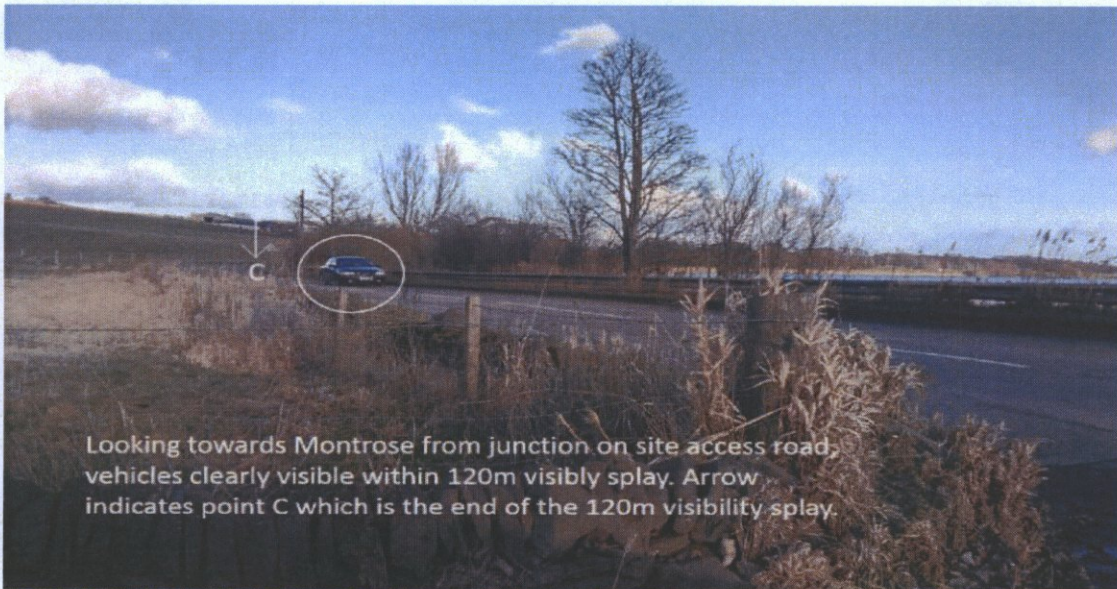
The next two photo's give you an indication of the steepness of the drive and the problems another access point / additional traffic could create.





The second issue with access

The Existing Access Conditions Report gives an overview on the existing access to and from the junction and to a layman like myself it seems to cover the main points. However I can only speak for personal experience and I would like to state the following :



Photograph 1 – Looking East towards Montrose

Photograph 1 provided in the report.

This photograph was taken in February 2017 when the vegetation is at its lowest. During the summer months the grass you can see running along the whole section of the verge can and does completely obscure the letter (C) in the above photograph.

I have also witnessed on occasions members of the church congregation standing by the entrance to the junction waiving fellow parishioners back onto the road due to the poor visibility and the speed at which some vehicles travel along this route.



Photograph 4 – Looking East towards site access junction (Point A)

Photograph 4 provided in the report

Photo 4 : Once again in the summer when the grass is high around the verges letter (A) can also be obscured by the long grass.

The road is notorious for speeding especially with motorbikes and although the existing traffic report gives us all the technical specifications to show access is adequate can I say it is a different story when the road is wet / slippery and it can be very dangerous exiting and entering the access point.

Finally 2 points on the existing access conditions report are misleading :

1.2 Site Access " The site has many neighbouring properties including Rescobie Parish church".

The site doesn't have many properties it has - 5 existing properties 4 of which are occupied.

3.3 Minimal increase in traffic " The church holds service every Sunday at 11am and on these days people arrive in cars to attend the service".

Rescobie parish church doesn't hold services every Sunday it is actually conducted on a rotational basis split between several parishes in the area EG: Guthrie, Aberlemno. Services in Rescobie are held approximately every 3 to 4 weeks.

Drawing Plan

Two electrical poles have been omitted from the plans and any new build would need a minimum safety clearance distance which could alter the location of the new build so in theory any new build could be closer to my property.

Application form (Trees)

The Application form is **incorrect** in stating there are no trees on or adjacent to the application site. There are trees both located on the site in question and completely lining the boundary on one side. The side with the majority of the trees is the side where the applicant is proposing to put vehicle access. (Please see attached).







Some of these trees are also home to roosting bats and have been so for many years. It is my understanding that planning authorities have a legal obligation to consider whether bats are likely to be affected by any proposed development therefore this application should be supported by a Bat survey. I am also of the opinion several of these trees in question stand outside the applicant's boundary given them no right to alter in anyway.

Application form (Assessment of Flood risk)

No flood risk assessment has been included with this application and it is stated the area of proposed development does not fall within a flood risk area (According to SEPA flood maps).

I suggest a flood risk assessment application is requested before any proposal is considered as during prolonged periods of rain the proposed site floods on a regular basis which in turn leads to flooding of both the access track and church car park. (Please see photographs). Any further development would increase the amount of domestic discharge and it would be prudent for a drainage Impact assessment to be conducted before any proposal is considered.



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Application Summary

Application Number: 17/00353/PPPL

Address: Land At Old Manse Rescobie Forfar

Proposal: Proposed New House Plot - Re-Application

Case Officer: Neil Duthie

Customer Details

Name: Mr Jonathan Osborne

Address: CO Bell Bell Ingram Manor Street Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As owner of the Manse I wish to object to the current planning application. We understand that the application has now been resubmitted for one dwelling house. This, however, does not resolve any of the issues previously identified in the earlier application. The development would not round off or consolidate the grouping and would in fact detract from the character of the village. The road access is not suitable for additional vehicles and the applicant does not own adjacent land in order to improve sight lines. With a plot size of 3000 sq.m. we would anticipate any future application will be for a large dwelling house which will likely dominate and detract from the location. We trust you will take into account our serious concerns and refuse this application.

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Application Summary

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Address: Land At Old Manse Rescobie Forfar

Proposal: Proposed New House Plot - Re-Application

Case Officer: Neil Duthie

Customer Details

Name: Mr David Conran-Smith

Address: Clocksbriggs House Reswallie Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As a member of Rescobie Church and the local community I wish to object to this proposal for a building plot beside the church and its associated dwellings. Such further development will have a markedly adverse effect on the small settlement's character and indeed would appear to be in conflict the Council's Local Housing Strategy (2017 - 2922). I am also concerned about the impact the additional use will have on the access lane from the site to the main road, which lies on a potentially dangerous corner, which is, incidentally, also occasionally quite badly flooded. I share the concerns raised by other objectors relating to the adverse effect on local natural habitats.

Please register my objection to the application.