



26th April 2023

Local Review Body: Response to Statement on NPF 4.

**Application Ref No 22/00305/FULL
Erection of Dwelling House and Ancillary Works.
Land 225m NE of Hunters Cabins, Justinhaugh, Forfar.**

We find it incredibly unfair that due to the unacceptably long period taken to process this Application the Applicant is further subjected to these additional procedures. Had this Application been processed within a reasonable timescale rather than the 26 weeks it had taken from lodging to decision and after several reassurances of dates which failed to be met. We refer to the Applicants correspondence of 27th September 2022 to Angus Council and hope that the Local Review Body accept the Appeal and thereby rekindle the Applicants faith in the Local Authority and allow the Applicant to invest in Angus to mutual benefit. Furthermore the NPF4 was not introduced (13th February 2023) until after the decision was made to Refuse the Application (19th October 2022) and indeed after the Application was accepted as a Notice to Review on 18th January 2023. We find the process odd (and perhaps unfair) one in that the Angus LDP (adopted Sept 2016 – nearly 7 years ago) does not relate to NPF4 yet our Application needs to satisfy both.

NPF 4 seeks to encourage more high quality and sustainable rural homes. This proposal recognises this and provides a high quality family home which has exemplary environmental credentials integrated into the construction ensuring a light carbon footprint and low running costs.

The property is situated within the Category 2 RSU identified in the ALDP as a primarily remote area and as such new housing is desired. This is especially relevant if it relates to the success of other business needs. The Planning comment also states that *'the site is located just 1.5km southwest of Tannadice, less than 2.2km north of the A90 and is close to the settlements of Forfar (around 5.5km south)...'*. These are, by bicycle, within the 20 minute community that NPF 4 advocates.

NPF4

Policy 1: relates to tackling the climate and nature crisis and sufficient weight should be given when considering Applications such as this. As previously stated (here and in the Design and Access Statement) the proposed development will significantly increase the environmental biodiversity of this rough grassland area. Instruction is given that significant weight should be given to this consideration.

Policy 2: encompasses climate mitigation encouraging minimal emissions. As previously stated the construction of this new home will integrate the latest technology to ensure as light an environmental footprint as possible. The design of the building is based around the site topography and respecting existing site features. The topography of the site has been carefully considered resulting in no risk of any impact on the character or amenity of the surrounding area. From this perspective passive and active environmental controls have been integrated into the carefully considered design. For a large building it is respectful of its environment and will not be visible from the existing surrounding dwelling houses.



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Policy 3: relates to biodiversity and we have proved that the development will in fact provide a broader range of wildlife with the creation of alternative habitable environments introduced by new tree, hedge and shrub planting. The planting of species-rich environments will introduce attractive habitats for nesting birds, bats, hedgehogs and invertebrates. At present it is rough grassland providing limited habitat potential for species diversity. Due to the sparse environment there is no evidence of any protected species recorded within the Site boundary. However, the proposed planting regime will encourage species to utilise the site for foraging and commuting purposes. The proposed planting of trees/hedges within the development will naturally include berry producing species such as cherry, rowan, apple, pear and plum trees. These species provide an additional food source for many mammals and promote foraging. Bat and bird boxes can easily be encompassed within the proposals further encouraging biodiversity within this relatively sterile site. This development will therefore encourage and provide a significantly increased level of biodiversity than currently exists.

Policy 5: relates to prime agricultural land. As this is a left-over piece of rough grassland it cannot be classed as prime agricultural farmland and this policy, although noted, is not really relevant. It is a resultant piece of land that has been created by the raised embankment of the former railway and the site topography falling dramatically to the South Esk.

Policy 7: Relates to the protection and enhancement of historic environments. This site is a resultant piece of land which has been left outwith the established field boundaries. The Application does however provide the opportunity to enhance the adjoining 'Hunters Cabins' by improving access, surrounding environment and a much needed investment in the cabins. In order to reach the proposed site one passes an existing development of vacation cabins. The house does not therefore sit in splendid isolation as suggested by the Planning Report.

Policy 13: promotes sustainable travel. The site is easily accessed on to local roads for cycling and bus routes. As with any development in the countryside there is a certain unavoidable reliance on private transport. Electric charging points can of course be introduced within the development served by the bank of solar collectors already proposed. The design of the house encompasses a home office which will allow the Applicant to administer their expanding business interests more from home and ensure significantly less travelling.

Policy 14: provides six qualities important to creating successful places. These are:

Healthy: Pleasant: Connected: Distinctive: Sustainable: Adaptable:

We would contend that the Application meets with these and have been addressed within the Design and Access Statement.

Policy 18: relates to impacts on infrastructure. As the development only proposes a single family home the impact is negligible. Indeed the improvement of the access track will be of significant benefit to 'Hunters Cabins' as well as the new dwelling. The development will therefore improve infrastructure within the local vicinity.

Policy 22: relates to flood risk and water management. There are no issues relating to flooding of this elevated site and water management is dealt with through water restrictive sanitaryware and rainwater butts. Rainwater recycling (grey water) is also being considered by the Applicant for flushing toilets/garden watering/etc. in order to ensure their new home is as environmentally sustainable as possible.

Conclusion:

The development is for a single dwelling house. Its impact on the surrounding environment will be negligible. It has already been established that it will provide an enhanced biodiversity for wildlife and its design will ensure that the building integrates the latest in sustainable environmental technology. It is accepted that this building is not an affordable dwelling. The very nature of this relatively large dwelling therefore allows the Applicant to invest in a highly insulated envelope with high-quality building materials integrating sustainable technology to minimise any perceived impact on the local environment. The Application proposes a development of an appropriate scale and character and will positively utilise a secluded area of land which is currently unused for any meaningful purpose. The topography of the site has been carefully considered resulting in no risk of any impact on the character or amenity of the surrounding area.

Whilst the Planning report states that the Application fails to meet NPF4 Policy 9 and 17 we contend that the proposals are within the spirit of the overarching policy requirements and spirit of the policy which seeks appropriate development in suitable locations. When the "Policy Impact" and "Key Policy Connections" of each of these policies are considered the Application actually complies with the majority of them.

The Policy guidance cannot be expected to be relevant to all sites as it is an overarching policy which must consider the principal of sited across the Angus Council (or indeed Scotland-wide) area. Each Application is to be treated individually and this site provides an excellent example of a suitable, secluded, unobserved piece of rough grassland which contributes little to its context and could be positively developed to house a family within an appropriately designed well constructed environmentally robust dwelling with surroundings that actually increase wildlife habitats and diversity.

It would also allow the Applicant to invest further in Angus through both his family life and highly successful business rather than have to relocate to further afield.