

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE
APPLICATION FOR REVIEW – CARMYLLIE HALL, CARMYLLIE**

APPLICATION NO 23/00268/FULL

APPLICANT'S SUBMISSION

PAGE NO.

ITEM 1	Notice of Review
ITEM 2	Appeal Statement and Appendices
ITEM 3	Application Documents
ITEM 4	Site Plan, Location Plan, Elevations etc
ITEM 5	Planning Statement and Appendices
ITEM 6	Refusal Notice
ITEM 7	Handling Report



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: 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 100678638-001

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="Myreside Farm"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Inverkeilor"/>
Company/Organisation	<input type="text" value="Greystone Crematorium Limited"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Arbroath"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD11 5RL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

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" value="LAND 200M NE OF CARMYLLIE HALL"/>
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" value="CARMYLLIE"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="743323"/>	Easting	<input type="text" value="355813"/>
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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)

Proposed change of use of land from agricultural and erection of crematorium and associated works at Land 200M NE Of Carmyllie Hall, Carmyllie

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.

Please see the Appeal Statement submitted with this Notice.

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)

- Appeal Statement (incorporating Appendix 1 - assessment of alternative sites) - Application documents (application form, location/site/elevation plans, planning statement and addendum, transport statement, report of handling, decision notice).

Application Details

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

23/00268/FULL

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

19/04/2024

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

01/05/2024

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 Daniel Parcell

Declaration Date: 16/07/2024



Greystone Crematorium

Appeal under section 43A of the Town and Country Planning (Scotland) Act 1997 in respect of Angus Council's decision to refuse planning application 23/00268/FULL

Land 200 metres north-east of Carmyllie Hall, Carmyllie

CONTENTS

Chapter		Page No
1.	Introduction	1
2.	Description of the Application Site	2
3.	Development Proposals	3
4.	Angus Council's Decision	5
5.	Assessment Approach	6
6.	Grounds of Appeal	8
7.	Need for a new Crematorium in Angus	9
8.	Assessment of Alternative Sites	11
9.	National Planning Framework 4	13
10.	Angus Local Development Plan 2016	31
11.	Conclusion	33

1. Introduction

- 1.1 On 20 April 2023, A B Roger & Young Architects submitted a planning application on behalf of Greystone Crematorium Limited (“**the Applicant**”) to Angus Council (“**the Council**”) for the “*Proposed change of use of land from agricultural and erection of crematorium and associated works*” (reference 23/00268/FULL) (“**the Application**”). The Council validated the Application on the same day.
- 1.2 On 1 May 2024 the Application was refused by the Council. The decision to refuse was taken by the Service Lead, Jill Paterson, acting under delegated powers. It was issued to the Applicant’s agents on the same day.
- 1.3 The Applicant has decided to seek a review of that decision by the Council’s local review body. This Appeal Statement sets out the Applicant’s full statement of reasons for seeking the review and sets out those matters that the Applicant believes should be taken into account in the determination of the review.
- 1.4 This Appeal Statement contains a brief description of the application site and the development proposals, reference to the Council’s decision and the reasons for refusal, details of the assessment framework for determining the appeal, an assessment of the proposals against the relevant policies contained in the development plan, and details of the material considerations that should be taken into account in the determination of this appeal.
- 1.5 This Appeal Statement refers to documents throughout, including the Application and supporting documents. In addition, the following documents are appended to this Appeal Statement:
 - 1.5.1 Appendix 1 – assessment of alternative sites.

2. Description of the Application Site

- 2.1 The application site comprises an area of 14,780 square metres (1.478 hectares) and is located within the countryside, approximately 200 metres north-east of Carmyllie Hall in Carmyllie (“**the application site**”).
- 2.2 The application site is located at the corner of a larger field and slopes upwards gently to the south-east. It has a defined boundary along the north-west of the site, formed by the B961, and to the south-west, formed by an existing shelter belt of mature trees. The application site, which includes the verge adjacent to the B961 which connects the site to Redford, is owned by the Applicant.
- 2.3 The application site is identified as Class 3.2 agricultural land and is therefore not prime quality agricultural land. The wider area surrounding the application site is a mix of agricultural and farm holdings, scattered housing, and villages.
- 2.4 The application site is located in a central position in Angus and would enable convenient access from the surrounding towns and villages *via* the existing roads network.
- 2.5 The site is free from any constraints and is not subject to any technical issues that would prevent the development from coming forward. The Council’s officers have confirmed that there would be no road safety issues, and no issues in connection with residential amenity.
- 2.6 The site is directly served by public transport. Amendments to the bus timetable are proposed as part of the development proposals together with an additional bus service (both funded by the applicant) in order to meet demand.
- 2.7 The site is located adjacent to Carmyllie Hall and near Gardiner’s Trailers. Therefore, the development would build on these and add a further use into the area, rather introducing the first non-agricultural use.
- 2.8 Although not part of the development proposals, we note that the Council has allocated the site at the B9127 and Arbirlot Road junction for use as a cemetery. That site is served by the same level of public transport as the application site (the number 36 bus). The applicant understands that the site allocated as a cemetery is not likely to proceed since the landowner may be unwilling to sell the land to the Council. If that is the case, the applicant would be pleased to discuss with the Council the possibility of locating the cemetery on land next to the crematorium should the Council approve this appeal.

3. Development Proposals

- 3.1 The planning application is for detailed planning permission for a new crematorium with the capacity to accommodate 120 mourners as well as dedicated parking spaces, which include 6 disabled parking spaces and 115 parking spaces for mourners, 1 disabled parking space and 13 parking spaces for staff, 2 parking spaces for coaches, two separate sections of bicycle parking for staff and visitors, and 6 electric vehicle charging spaces.
- 3.2 The design and location of the proposal has been focussed on the creation of a high-quality and peaceful environment for bereaved visitors.
- 3.3 The crematorium building will be located on the southern half of the application site (the area of the site that is closest to Carmyllie Hall) with parking laid out to the north-west. The site layout is shown on Revision A of the "Site and Location" plan (Drawing Number 2022 CGC 04A). The building has been designed to be appropriate in character and appearance to its rural setting. High quality materials have been specified in the proposal including natural stone detailing, white render, timber windows, and a slate roof.
- 3.4 The rural setting of the application site, which includes the mature tree belt along the south-west boundary, will be enhanced through additional tree planting throughout the site. Even when these trees mature, the application site will benefit from expansive views to the east.
- 3.5 The application site will also include a garden of remembrance adjacent to the crematorium building, near the south-east edge of the site and incorporating areas for interment of ashes of loved ones. There will be significant tree-planting to the north-east and south-west of the garden of remembrance which will provide a more secluded area for quiet reflection.
- 3.6 The layout of the site will provide a "sweeping" arrival area for the funeral cortege, separate from the main car parking area, which will come to rest under a canopied entrance to the crematorium building.
- 3.7 Access to the application site will be taken from the adjacent B961. The site would be served by public transport links and a new pedestrian and cycle path connecting the application site with Redford, where there is an existing bus stop and shelter. The proposals include the following improvements related to public transport and pedestrian links:
- 3.7.1 The foot and cycle path will be created adjacent to the B961 on land that is owned by the applicant.
- 3.7.2 A new bus shelter will be provided for the informal bus stop at Carmyllie Hall, which served northbound buses on the opposite side of the B961 from the application site. A footpath would be built from the application site to a point in line

with the site entrance to Carmyllie Hall, therefore delivering a footpath from the informal bus stop to the application site.

3.7.3 A new bus stop and bus shelter will be provided adjacent to the entrance to the application site. This will be located broadly opposite Carmyllie Hall and serve southbound buses.

3.8 It is anticipated that the crematorium will operate from Monday to Friday between 9am and 4pm. Given the time required for each funeral service, the maximum number of funerals that could be held each day is five. The applicant's expectation is that there will be an average of three funerals each day (approximately one funeral service every two hours).

4. Angus Council's Decision

- 4.1 The Council issued its decision to refuse the Application on 1 May 2024. The following three reasons were provided for the Council's decision:
- 4.1.1 **Reason 1:** The development would not be accessible by a choice of transport modes, increasing reliance on the private car in a situation where access to walking, cycling and public transport is poor and would result in an unsustainable pattern of travel and development. It has not been sited to minimise greenhouse gas emissions. The proposal is therefore contrary to National Planning Framework Policies 1, 2, 13, 14, 29 and Angus Local Development Plan Policies DS2, DS3 and TC8.
- 4.1.2 **Reason 2:** The application is contrary to National Planning Framework 4 Policy 9(b) because it proposes the development of a greenfield site in circumstances where the site is not allocated for development and the proposal is not explicitly supported by the policies in the Angus Local Development Plan (2016).
- 4.1.3 **Reason 3:** The application is contrary to Policy DS1 of the Angus Local Development Plan (2016) because the scale and nature of the development is not appropriate for its location because it does not enjoy good accessibility, particularly for pedestrians, cyclists and public transport; and because the proposal is not in accordance with other relevant policies, namely policies DS2, DS3 and TC8.
- 4.2 No further reasons were provided to support the Council's decision.

5. Assessment Approach

- 5.1 This review should be determined in accordance with section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:

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

- 5.2 Lord Clyde explained how this determination should be carried out in his opinion in *City of Edinburgh Council v Secretary of State for Scotland*¹:

“it will obviously be necessary for the decision-maker to consider the development plan, identify any provisions in it which are relevant to the question before him and make a proper interpretation of them. His decision will be open to challenge if he fails to have regard to a policy in the development plan which is relevant to the application or fails properly to interpret it. He will also have to consider whether the development proposed in the application before him does or does not accord with the development plan. There may be some points in the plan which support the proposal but there may be some considerations pointing in the opposite direction. He will require to assess all of these and then decide whether in light of the whole plan the proposal does or does not accord with it. He will also have to identify all the other material considerations which are relevant to the application and to which he should have regard. He will then have to note which of them support the application and which of them do not, and he will have to assess the weight to be given to all of these considerations. He will have to decide whether there are considerations of such weight as to indicate that the development plan should not be accorded the priority which the statute has given to it. And having weighed these considerations and determined these matters he will require to form his opinion on the disposal of the application. If he fails to take account of some material consideration or takes account of some consideration which is irrelevant to the application his decision will be open to challenge. But the assessment of the considerations can only be challenged on the ground that it is irrational or perverse.”

¹ 1998 SC (HL) 33

5.3 That approach has not changed following the publication of National Planning Framework 4 (“**NPF4**”). Annex A of NPF4 is entitled “*How to use this document*” and contains guidance on the approach that should be taken by decision makers. On page 98, it explains that:

*“Planning is complex and requires careful balancing of issues. The **policy intent** is provided to aid plan makers and decision makers to understand the intent of each policy and to help deliver policy aspirations”*

and

*“The **policy** sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, it is in principle, and it is for the decision maker to take into account all other relevant policies.”*

5.4 Therefore, the development plan retains primacy but its policies must be read as a whole. If a proposal does not comply with one policy, it does not mean that the proposal is contrary to the development plan. The decision maker must hold competing policies in the balance and form a view as to whether or not the proposal complies with the entirety of the development plan.

6. Grounds of Appeal

- 6.1 This Appeal Statement is submitted on the basis that the proposals comply, on the whole, with the terms of the development plan. In addition, material considerations support the proposals and indicate that planning permission should be granted.
- 6.2 In terms of the structure of our assessment:
- 6.2.1 Section 7 addresses the need for a new crematorium in Angus and Section 8 and Appendix 1 contain an assessment of alternative sites. We are aware that these issues are material considerations in the determination of the application. However, in order to fully understand the development plan assessment, it may be helpful for elected members to be aware of these sections first.
- 6.2.2 Section 9 contains an assessment of the proposals against National Planning Framework 4 and Section 10 contains an assessment of the proposals against the Angus Local Development Plan 2016 (“**the 2016 LDP**”). In each case we have focussed on those policies that the case officer considered the proposals to be contrary to, when refusing the application.
- 6.2.3 Section 11 contains the applicant’s conclusions.

7. Need for a new Crematorium in Angus

- 7.1 The requirement for a further crematorium facility has been recognised by Angus Council with the approval of the (now quashed) planning permission for a site at Duntrune. The reason that the judicial review was successful, we understand, was down to technical matters. However, there are constraints connected to the site which will make delivering a new crematorium challenging. Therefore, it is appropriate to consider a further site which has no constraints to development, is centrally located for the population of Angus, and which would ensure the delivery of a much-needed community facility for the benefit of the whole of Angus.
- 7.2 There is currently no national or local policy in connection with the location of crematoria. There are a number of relevant factors that may be considered when considering a crematorium proposal. These include the site catchment, its location, the availability of appropriate land which meets the specific crematorium requirements, demand within the area, population, death rates and choice.
- 7.3 Over recent years there has been a general shift away from burials towards cremations, with the Federation of Burial and Crematorium Authorities (“**the FBCA**”) estimating that 60% of people prefer cremations. The FBCA projections anticipate that this figure will increase as fewer people opt for burial arrangements, in part as a result of the growing secular nature of society. These figures have increased, and will continue to increase, the overall demand for the services of crematoria. At present, Angus and the surrounding area is served by a single crematorium in Friockheim, while Dundee has only one crematorium. These crematoria serve a population of around 270,000 between Angus and Dundee. These areas have to cater for around 3200 deaths each year (for the year 2022, the National Records of Scotland reported 1732 deaths in Dundee and 1504 deaths in Angus). There is therefore a strong demand for new crematoria to provide the necessary capacity for cremations. Although the existing demand is serviced by the existing crematoria, the current position all too often leads to delays with funeral arrangements and an exceptionally high cost for cremations compared to other areas of Scotland and the wider-UK. This has the negative consequence of an increase in funeral poverty. The table below shows that the costs of crematoria services in Angus and Dundee exceed other areas in Scotland. Even more concerning is that the costs of weekend services in rural Angus significantly exceeds those applicable to London.

Table of Funeral Costs (Scotland and London):

	Weekly Service	Saturday Service		Weekday Saving	Weekend Saving
Angus	£1,100	£2,111			
Aberdeenshire	£809	N/A		£291	
Dundee	£1,115	£1,605		£5 Extra	£506
St Andrews	£835			£265	
Perth	£709	N/A		£391	
Stirling	£965	£1,205		£135	£906
Inverness	£959	£1,114		£450	£1,461
Glasgow	£650	£650		£450	£1,461
Edinburgh	£899	£999		£201	£1,112
London	£1,301	£1,428		£201 Extra	£683

7.4 Although not directly related to need, we also note that the Dundee chapel and crematorium is currently closed for refurbishments. As a result, cremations are being moved to Fife crematorium. If there was additional capacity in Angus, by way of at least one additional crematorium, then those cremations could take place in Angus. This would allow travel time to reduce and cremations to take place closer to home for those living in Dundee and Angus.

8. Assessment of Alternative Sites

- 8.1 The FBCA guidance recommends that crematoria require a site with the following characteristics:
- 8.1.1 around 2 hectares in size;
 - 8.1.2 180m from any residential property;
 - 8.1.3 45m from a road;
 - 8.1.4 landscaped setting;
 - 8.1.5 quiet, peaceful location; and
 - 8.1.6 reasonably accessible by public transport.
- 8.2 There is no designation within the ALDP 2016 for a crematorium, although various cemetery extensions have been allocated. There are very limited opportunities, if any, of the scale and nature of the required site in or around the existing settlements. From a review of the settlement plans for the various towns in Angus, it would appear that a site of the required size could potentially be provided on the following:
- 8.2.1 Opportunity sites - these tend to be brownfield sites within the town. These sites are close to existing residential properties and therefore are not suitable for a crematorium use.
 - 8.2.2 Allocated residential sites - these sites have been allocated by Angus Council to maintain a generous supply of effective housing land. The sites are generally in the ownership of house builders, are high value sites and are therefore not available for a crematorium use.
 - 8.2.3 Allocated employment sites - again, these sites have been allocated by Angus Council to maintain a generous supply of employment land within the council area. These sites are generally near existing employment sites and built development and therefore do not provide the peaceful environment required by a crematorium use.
- 8.3 The Local Review Body confirmed that it is unlikely crematoria would be located in town centre or edge of centre locations. As a result, rural locations provide the only opportunity to respond to the accepted need for new crematoria. It is within that context of site characteristics that the application should be assessed.
- 8.4 The applicant has carried out a thorough review of 49 alternative sites in Angus both in terms of land identified for development in the 2016 LDP and from a review of land that is available

for sale on the online sites Invest in Angus, Right Move and Zoopla (please see Appendix 1 to this Appeal Statement). Of the 49 alternative sites reviewed, none are suitable and available, 31 are unsuitable and unavailable, 17 are unsuitable but available, and 1 is suitable but unavailable. Therefore, other than the application site, there is no suitable land of the scale and nature required currently available in the Angus area to accommodate the proposed crematorium.

9. National Planning Framework 4

- 9.1 There are six policies in NPF4 that are referred to in the Council's decision notice - Policy 1, Policy 2, Policy 9(b), Policy 13, Policy 14 and Policy 29.
- 9.2 We have carried out an assessment of the proposals against those policies within this section.

Policy 1: Tackling the climate and nature crises

- 9.3 The Council's decision notice states that the application is contrary to Policy 1 as a result of an unsustainable pattern of travel. However, the Report of Handling does not contain any substantive assessment of the application against Policy 1. As a result of the approach that has been taken, which has limited the consideration of Policy 1 to travel issues, the Council has not considered all relevant matters in the assessment of the application.
- 9.4 We have set out below the key issues that should be considered from a Policy 1 perspective – including the design and thermal rating of the crematorium building, the operation of the crematorium, and the inclusion of photovoltaic panels in the roof of the building. It is these matters that should be examined as part of the assessment of the proposals against Policy 1 in order to determine the weight of any support to be given to the application.
- 9.5 As a general point, we would note that this policy is an enabling policy rather than one that restricts development. It does not contain any wording that prevents development coming forward. In addition, it is not focussed on a specific development type or a specific location.

Policy Intent and Outcome

- 9.6 The policy intent of Policy 1 is: "*To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis*". The policy outcome is "*Zero carbon, nature positive places*".

Policy 1

- 9.7 The policy itself provides that: "*When considering all development proposals significant weight will be given to the global climate and nature crises.*" The wording of the policy is deliberate – if a development proposal addresses the climate crisis, significant weight will be attached to that factor in the determination of the proposal.
- 9.8 In the Report of Handling, the case officer has not carried out any specific analysis in connection with Policy 1. Instead of doing that, the case officer has relied upon the fact that,

in his view, the proposal is contrary to Policy 13 and therefore must inevitably be contrary to Policy 1. In our view, this imposes an artificial limitation on the application of Policy 1 and arguably leads to a “double counting” of policy matters.

- 9.9 To properly assess the proposal, it is necessary to understand that nature of the development, its purpose, and the need for the development to take place.
- 9.10 The proposal is for a crematorium. This is an essential community facility. It is required to ensure the efficient disposal of the deceased in circumstances where, in life, they have opted not to be buried. It is a legal requirement that the deceased are disposed of in a dignified manner. A crematorium provides this necessary service. Therefore, it is not possible for a society to function without an adequate supply of crematoria. That is the baseline understanding from which the proposals should be assessed. It is not the case that a society can opt not to have crematoria. They are required and therefore suitable sites must be found for them.
- 9.11 In Angus, it has been demonstrated that there is a need for an additional crematorium. It has also been demonstrated that there are no suitable and available sequentially preferable sites that could accommodate a crematorium. These factors weigh in favour of planning permission being granted. However, the proposals must still be assessed against the policy.
- 9.12 Policy 1 attaches significant weight to the global climate and nature crises. In considering this, the location, design and operation of the crematorium building should be taken into account.
- 9.13 The building will be built to the highest thermal rating. The cremulator will also be powered by electricity rather than gas. Therefore, it will reduce reliance on fossil fuels in the operation of the crematorium when compared to the other crematorium in Angus at Parkgrove.
- 9.14 Photovoltaic panels will be installed on the roof of the building which will enable electricity to be generated year-round, both for immediate use by the crematorium and, at times of surplus generation, for export to the grid. This will make a positive contribution to carbon reduction.
- 9.15 The parking provision at the application site will include charging points for six electric vehicles, therefore enabling and encouraging the use of electric vehicles.
- 9.16 It is these matters that should be taken into account when assessing an application against Policy 1. In doing so, our view is that the proposals are supported by Policy 1 considering the level of support offered.

Policy 2 – Climate mitigation and adaptation

- 9.17 The Council has taken a similar approach with Policy 2 as they took with Policy 1. The reasons for refusal include reference to the application being contrary to it, but there is limited analysis of the reasons for this beyond saying that the proposal “*has not been sited to minimise greenhouse gas emissions*”.
- 9.18 Similar to the Council’s assessment of the application against Policy 1, the Council is relying on travel matters to justify the view that the proposals are contrary to Policy 2. The result of this is that the Council has failed to take into account relevant matters that relate to Policy 2, and they also risk “double counting” the impact of travel matters. They are expressly dealt with under Policy 13.

Policy Intent and Outcome

- 9.19 The policy intent of Policy 2 is “*To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change*”.
- 9.20 The policy outcomes are that “*Emissions from development are minimised*” and “*Our places are more resilient to climate change impacts*”.

Policy 2(a)

- 9.21 Part (a) of the policy provides that: “*Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible*”.
- 9.22 As explained above in connection with Policy 1, it is accepted that the operation of a crematorium has a carbon output. However, that should be viewed in the context of a crematorium being an essential community facility, the fact that at least one additional crematorium is required in Angus, and that there are no suitable and available sequentially preferable sites.
- 9.23 Taking those matters into account, the development proposal has been designed to minimise lifecycle greenhouse gas emissions as far as possible. The crematorium will be powered solely by electricity rather than gas, ensuring a move away from fossil fuels as well as a reduction in greenhouse gas emissions. This is in contrast with the other crematorium in Angus which has a gas-powered cremulator. Therefore, considering that the development of a new crematorium is a required new facility, the design of the crematorium together with the choice of materials and equipment, will ensure that the greenhouse gas emissions are minimised as far as possible.

- 9.24 As explained above in connection with Policy 1, photovoltaic panels will be installed on the roof of the building which will enable electricity to be generated year-round, both for immediate use by the crematorium and, at times of surplus generation, for export to the grid. This will make a positive contribution to carbon reduction and further minimise greenhouse gas emissions during the operation of the development.
- 9.25 There are also two potential venues near the application site that could host funeral receptions after the funeral service – the Corn Kist Café in Carmyllie and Carmyllie Village Hall. Use of these venues following a cremation may limit car journeys to other parts of Angus and therefore may minimise greenhouse gas emissions. To compare the application site with the Duntrune site, we understand that there are no hospitality venues as near to the Duntrune site that could accommodate funeral receptions.

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

- 9.26 In the Council's decision notice, the second reason for refusal is that the application is contrary to Policy 9(b) on the basis that it is for development on greenfield land in circumstances where the site is not allocated for development and the proposal is not explicitly supported by the policies in the 2016 LDP. Limited additional analysis is provided in the Council's Report of Handling, where the case officer explains that the 2016 LDP directs facilities to accessible locations.

Policy Intent and Outcome

- 9.27 The policy intent is "*To encourage, promote and facilitate the reuse of brownfield land, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development*".
- 9.28 The relevant policy outcome is "*Development is directed to the right location, maximising the use of existing assets and minimising additional land take.*"

Policy 9(b)

- 9.29 Part (b) of Policy 9 provides that: "*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.*"
- 9.30 In order to assess the proposals against this policy, the circumstances of the application must be taken into account, as well as the purpose of the policy.

- 9.31 The policy intent is to ensure that a “brownfield first” approach is taken when considering development proposals. This is a long-established principle and formed part of national planning policy under Scottish Planning Policy 2014, the precursor to NPF4. In essence, the policy is framed to ensure that development that could be delivered on available brownfield sites is directed there, rather than to greenfield sites.
- 9.32 The background to this application is that two key assessments have been carried out. The first is an assessment of need, which indicates that at least one new crematorium is required within Angus, and the second is an assessment of alternative sites, which has demonstrated that there are no suitable and available “sequentially preferable” brownfield sites, or greenfield sites within the settlements or on the edge of existing settlements which are of suitable scale and sufficiently distanced from residential property in Angus that are capable of accommodating a new crematorium.
- 9.33 In those circumstances, slavishly applying Policy 9(b) will lead to the inevitable result that there can be no new crematoria built in Angus, despite the need for additional capacity. This is not the aim of any planning policy.
- 9.34 Planning policies should take into account the circumstances in which they are to be applied.
- 9.35 In any event, it is our view that the proposals do comply with Policy 9(b). The site is not allocated for development but, following our analysis below, the proposals are in accordance with the 2016 LDP.
- 9.36 If the Local Review Body were to take a different view on that point, then given the circumstances of the application (that there is a need for at least one new crematorium and that there is no suitable and available sequentially preferable site), we would invite the elected members to set this policy to one side in the determination of the appeal.

Policy 13: Sustainable Transport

- 9.37 In the Council’s decision notice, Policy 13 is identified as one which the application does not comply with. We have set out below our assessment of the application against the policy together with our conclusion that the application does in fact comply with the policy (as well as our reasons for this conclusion).

Policy Intent and Outcome

- 9.38 The “policy intent” of Policy 13 is: *“To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably”*.
- 9.39 The relevant policy outcomes for the appeal proposals are:
- 9.39.1 *“More, better, safer and more inclusive active and sustainable travel opportunities”*; and
- 9.39.2 *“Developments are in locations which support sustainable travel”*.
- 9.40 In terms of the policy itself, parts (a) and (g) are not relevant to this appeal.

Policy 13(b)

- 9.41 Policy 13(b) provides that *“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”*.
- 9.42 The definition of “sustainable travel” is contained in page 157 of NPF4. It explains that: *“Sustainable travel includes travel by the top three modes in the sustainable travel hierarchy. It is recognised that in some locations, particularly in rural areas, where the top three modes have been judged to be unfeasible for day to day travel, low emissions vehicles and shared transport options will play an important role”*.
- 9.43 Therefore, in addressing this policy, it is important to set out the nature of the proposal, its location, and the travel options that are available.
- 9.44 First, in terms of the nature of the proposal, it is for the development of a crematorium and garden of remembrance. Developments of this nature are not suited to urban areas although, where sites are available, they may be suitably located on edge of settlement areas. An assessment of available sites has been carried out by the applicant (see Section 8 and Appendix 1 of this statement) which concludes that there are no “sequentially preferable” sites within Angus that are suitable and available for a crematorium development. Therefore, alternative sites can and should be considered. The rural setting offered by the application site is peaceful and tranquil, and offers a suitable place for mourning, contemplation, and reflection appropriate for the development.
- 9.45 That being the case, the next issue to assess is whether the top three modes of transport referred to in the “sustainable travel” definition are feasible for day-to-day travel. There are two aspects to this. The first is to look at walking and wheeling, cycling, and public transport

and how well served the development site is (or could be) for those modes of travel. The second is to place the development proposals in context and recognise that going to a funeral is not the equivalent of other day to day activities such as going to the supermarket or travelling to work.

- 9.46 In terms of walking and wheeling, the proposals include a new path adjacent to the B961 that would provide a pedestrian and cycle link between the application site and the village of Redford, which would be built to an adoptable standard on land owned by the applicant. If any further works were required to the footway or verge on land in the control of the Council in order to enhance pedestrian accessibility, the applicant would be happy to accept a suitably worded planning condition to secure those works. The application site is between a 10-minute and 30-minute walk from the three neighbouring villages of Carmyllie, Redford, and Greystone. The Council has suggested that the village of Redford is a small village. We do not disagree with this but that does not detract from the accessibility of the site for those who may choose to walk – that option would be open to them. The proposals must be assessed in context which, in the current planning circumstances, means where it has been demonstrated that there are no sequentially preferable sites for a crematorium.
- 9.47 In terms of cycling, the application site is not served by a specific cycle route but it is easily accessible for those wishing to travel by bicycle. The proposed pedestrian and cycle link between Redford and the application site would provide a dedicated cycle path adjacent to the B961. The application site is between a 3-minute and 9-minute cycle from the three neighbouring villages.
- 9.48 The proposals also include bicycle parking for staff and for visitors. The Council has indicated that improved arrangements for the bicycle parking areas should be included to ensure that they are covered, lit, and have the benefit of signage to indicate where the bicycle parking is located. The applicant would be happy to accept a suitably worded planning condition to secure all of these points.
- 9.49 In terms of public transport, the application site is directly served by the Number 36 bus which runs 9 services a day through Carmyllie to and from Arbroath. Arbroath itself is well connected with public transport links with the other large settlements in Angus as well as Dundee. The Council has criticised the provision of public transport on the basis that the timetable may not be suitable for visitors to the crematorium. The applicant explained in their Addendum Planning Statement that the local bus operator, JP Coaches, has confirmed that they would work with the applicant (and the Council) to improve the bus service in the area to

make sure that it is fit for purpose. This could include altering the times of the bus service to reflect times of increased demand (as a result of services at the crematorium) and the provision of an additional morning bus service from Arbroath to Redford. We would emphasise, again, that visitors travelling to a crematorium are not comparable to visitors travelling for other day-to-day requirements, such as a supermarket. The general pattern for visitors to a crematorium is that they aim to be at the crematorium well in advance of the funeral service and opt to stay at the crematorium for a period of time afterwards in order to spend time with friends and family of the deceased. The existing public transport provision, which directly serves the application site, will meet these requirements. Once it is amended in the manner explained in this paragraph, that direct service will be enhanced further to meet demand. This should be taken into account when assessing the requirements of a bus service.

9.50 In terms of existing bus stops, these are as follows:

9.50.1 There is a bus stop (which includes a bus shelter) in Redford which serves southbound buses. The proposals include a pedestrian and cycle path adjacent to the B961 linking this bus stop to the application site. The path will be built on land that is owned by the applicant.

9.50.2 There is an informal bus stop at Carmyllie Hall which serves northbound buses. The proposals include a bus shelter at this location as well as a footpath from the application site to a point in line with the entrance to Carmyllie Hall.

9.50.3 A new bus stop and bus shelter is to be provided adjacent to the entrance to the application site. This will be located broadly opposite Carmyllie Hall.

9.51 The application site is therefore well-served by public transport and will be well-served by bus stops.

9.52 In terms of assessing the proposals against the relevant individual parts of Policy 13, we would comment as follows:

9.52.1 Part (i): The proposals will provide direct, easy, segregated links to local facilities *via* walking, wheeling and cycling networks. The provision of the new pedestrian and cycle path will provide safe access to the village of Redford.

9.52.2 Part (ii): The application site will be accessible by public transport with the existing service Number 36 offering transport to and from Arbroath (as well as throughout other towns in Angus between the application site and Friockheim). The applicant and JP Coaches are committed to delivering improvements to the bus service to

the application site – including timetable changes and the provision of an additional morning service. These improvements can be secured through a suitable worded planning condition.

- 9.52.3 Part (iv): The proposals will deliver six electric vehicle charging points for both staff and visitors in safe and convenient locations. The charging points for visitors will be located to the rear of the car park adjacent to the Garden of Remembrance. The charging points for staff will be located in the staff car park.
- 9.52.4 Part (v): The proposals will provide safe, secure and convenient cycle parking. The visitor cycle parking is located adjacent to the crematorium building and is therefore more conveniently located than the car parking. The Council's requirement for the cycle parking to be covered, lit, and accompanied by signage can be secured through a suitable worded planning condition.
- 9.53 In the overall context of the assessment of the proposals against Policy 13, a degree of practical realism must be applied to the approach to sustainable travel. A crematorium is not a development which attracts "day to day" visitors. Although the crematorium itself will be consistently used for funeral services, it is unlikely that for those attending it will be the equivalent of a day-to-day experience. To repeat an earlier blunt comparison, it is not the same as going to the supermarket. There tends to be relatively significant advance notice of the time and location of funeral services to enable travel plans to be made. While the applicant agrees that provision should be made for wheeling, walking and cycling to the application site, it is unlikely that a significant number of visitors will choose to travel by these modes. This is compounded by the fact that, in terms of demographics, the vast majority of visitors to crematoria tend to be elderly and therefore are less likely to walk and will almost certainly not travel by bicycle.
- 9.54 Taking those matters into account, the development proposals satisfy this part of the policy.
- 9.55 As a final point, the applicant is aware that the Council has identified a site at the B9127 and Arbirlot Road junction for a new cemetery. This site is served by the same bus service as the application site. Therefore, the Council must have considered the level of public transport to be acceptable at that site, where there would be people attending from across Angus for the purpose of a graveside funeral service, interment and future remembrance visits. In the applicant's view, if this level of public transport provision was suitable for the proposed cemetery site, then it should follow that it is acceptable for the application site.

Policy 13(c)

- 9.56 This part of the policy requires development proposals that generate a significant increase in the number of person trips to undertake a transport assessment. A Transport Statement was prepared in connection with the application by Cameron and Ross (“**the TA**”). This part of the policy has therefore been complied with.

Policy 13(d)

- 9.57 Policy 13(d) provides that development proposals for significant travel generating uses will not be supported in locations that would increase reliance on the private car. In assessing this, the specific characteristics of the area must be taken into account.
- 9.58 No definition is provided in NPF4 as to what constitutes a “significant travel generating” use.
- 9.59 The TA concludes that the existing approximate peak hour flows on the B961 comprises 56 vehicles heading north and 50 vehicles heading south. That is anticipated to be the heaviest traffic flow at the busiest time of day. It equates to less than one car travelling in each direction in each minute of the peak hour.
- 9.60 The TA also concludes that the proposal will increase the number of vehicles on the B961 by an additional 24 travelling north and 24 travelling south in each hour. That would equate to an average of one additional vehicle every 75 seconds.
- 9.61 Adding the additional vehicles to the existing level means that the total peak hour flow will comprise 80 vehicles heading north, and 74 vehicles heading south. At the busiest times only (i.e. peak time in the morning and peak time in the evening), that equates to an average of one vehicle heading north every 45 seconds, and one vehicle heading south every 49 seconds. The reality is that the evening peak time is unlikely to be affected once the development is operational since the crematorium will close each day at 4pm.
- 9.62 In terms of road capacity, the vehicle trips generated by the proposals would not be considered significant.
- 9.63 In a numerical sense, the vehicle trips generated by the proposals would not be significant either. They will result in only an additional 24 vehicle trips in each direction in each hour of operation, at a rate of less than one vehicle per minute.
- 9.64 In any event, the specific characteristics of the area must be taken into account. The B961, as well as the wider road network, can be characterised as relatively quiet country roads. Therefore, they are not over-burdened by vehicles and therefore have the capacity to accommodate the development.

- 9.65 The flexibility built into this part of the policy also ensures that where developments are required, they can be approved even where they may result in an increased reliance on private cars. We would repeat that we do not believe that the appeal proposals can be classified as one which is a significant travel generating use. In addition, while it is anticipated that there would be an increase in the use of private cars, this increase must take into account the specific characteristics of the area – namely, that it is not an area that is subject to significant vehicle use, it is a rural setting, and there is no sequentially preferable site in Angus for a new crematorium.
- 9.66 If the Council's approach to the application of Policy 13(d) were to be followed, the inevitable result would be that it would not be possible for any new crematoria proposals to come forward in Angus. Indeed, the report of handling suggests Angus residents should use the facilities in Dundee and as far away as Fife to meet their funereal requirements. It is accepted by the Council that a new crematorium would lead to an increase in the reliance on private cars. It is an intrinsic part of the development type. Public transport will undoubtedly provide a sustainable travel option for some visitors, as will walking, but visitors will also rely on private car use which will lead to a modest increase in their use. This would occur (albeit it to varying degrees) wherever a crematorium is located. It goes without saying that visits to crematoria and attendance at funeral services rarely forms part of a linked trip (e.g. attendance at a funeral would not be expected to be combined with a trip to the supermarket) so any private car use to attend a funeral will almost always be independent of any other purpose. These circumstances should also be taken into account when applying Policy 13(d).
- 9.67 It should be noted that vehicles travelling to and from the Parkgrove Crematorium in Friockheim regularly travel along the B961 in both directions. It is a natural route for any visitors attending the crematorium who are travelling from the southern parts of Angus. A crematorium in Carmyllie would limit journey time and remove private vehicles from the road network to the north of Carmyllie, since the final leg of the journey between Carmyllie and Friockheim would not be required. This, in turn, would reduce greenhouse gas emissions to a modest degree. In both cases, a crematorium in Carmyllie would be a sustainable alternative.
- 9.68 When this part of the policy is considered as a whole, the proposals comply with it.

Policy 13(e)

- 9.69 This part of the policy provides that proposals which are ambitious in terms of low/no car parking will be supported. However, this is focussed primarily on urban locations. In itself, this

policy is not relevant to this appeal, but it is helpful to note that its terms consider low and no car parking particularly in relation to urban areas. This is a tacit acknowledgement (when Policy 13 is read as a whole) that developments in non-urban locations will require to be accessed by vehicles and therefore require parking.

Policy 13(f)

- 9.70 Policy 13(f) requires proposals for significant travel generating uses, or those where it is important to monitor travel patterns, to be accompanied by a travel plan with supporting planning conditions and obligations. We do not consider that this part of the policy is engaged. However, the applicant would be happy to accept a suitably worded planning condition (or planning obligation) requiring a travel plan to be submitted to the Council, and adhered to by the applicant, in connection with establishing travel targets and monitoring and evaluating them.

Report of Handling

- 9.71 In the Council's Report of Handling, the case officer concludes that the proposal does not comply with the requirements of Policy 13. In arriving at that conclusion, the case officer makes the following points. We would draw these to the Local Review Body's attention together with our responses to them:

- 9.71.1 Reference is made in the application and in the Report of Handling to the FBCA and their published document "*Recommendations on the Establishment of Crematoria*". The FBCA is the national umbrella group of burial and crematorium operators and authorities. One of those recommendations is that "*the site selected should be reasonably accessible by public transport*" while acknowledging that "*Ideal sites are rarely to be located in urban areas and it is emphasised that suitability of setting is of greater importance than its location in close proximity to population centres.*" There is therefore a balance to be struck between location and the provision of public transport. The requirement to be "*reasonably accessible by public transport*" should be read in this context. In our view, this means that public transport must be available. This is the position at the application site with public transport directly serving the site, which will be enhanced further through the provision of an additional bus stop adjacent to the site, a new bus shelter for the Carmyllie Hall stop together with a footpath from the

application site to a point in line with the entrance for Carmyllie Hall, and a new foot and cycle path connecting the site with the bus stop and bus shelter in Redford.

9.71.2 The case officer concludes that “*Public transport options serving the site are extremely limited*” before setting out the existing bus route and timetable. In arriving at his conclusion, the case officer did not take into account the proposed enhancements to the bus service, including an additional morning service and an adjustment to the timetable to reflect visitor demand. He did, however, further conclude that these enhancements would “*not meaningfully address the limited and infrequent public transport connectivity of the site to the larger population centres it is intended to serve. It is unlikely that mourners from other Angus burghs would be willing to embark on the multi-part journeys required for them to reach the crematorium for a service at a specific time.*” We disagree with this conclusion. While the applicant accepts that bus travel is the only available public transport option serving the application site, it is our view that visitors would undertake that journey. It is also an improvement on the position at the existing Parkgrove Crematorium (the only other operational crematorium in Angus) as well as the proposed Duntrune site. There is no direct bus service to Parkgrove or Duntrune and no footpaths or cyclepaths to connect Parkgrove to Friockheim or to connect Duntrune to any neighbouring settlement or bus stop. At the application site there would be direct access to public transport as well as a foot and cycle path connecting the site to Redford. That is the context in which this application must be considered and determined. In any event, the enhancements proposed to the existing bus service by the applicant will make a material positive impact on the availability of public transport to the application site, with additional services running and with those services aligned to times of high demand (i.e. the established funeral service times).

9.72 The points raised by the Council do not fully take into account the circumstances within which the application must be determined or the approach that is proposed in connection with public transport. Our view therefore remains that the application satisfies the relevant parts of Policy 13.

Policy 14: Liveable Places

- 9.73 The Council's decision notice refers to the application being contrary to Policy 14. However, no detailed assessment of the application against this policy is included within the Report of Handling.
- 9.74 The applicant addressed this policy in their Addendum Planning Statement. However, for completeness, we have set out below the key points arising out of the application in connection with Policy 14.

Policy Intent and Outcome

- 9.75 The policy intent is: *"To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle"*.
- 9.76 The policy outcome is *"Quality places, spaces and environments"* and *"Places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities"*.

Policy 14(a)

- 9.77 This part of Policy 14 requires that proposals are *"designed to improve the quality of an area whether in urban or rural locations and regardless of scale."*
- 9.78 The proposed development has been designed to provide a calm and peaceful environment where funeral services will be held in a tranquil setting as part of the rural surroundings. The design of the crematorium building and the layout of the application site, including the garden of remembrance, will ensure that the proposals are sympathetic to the rural setting and have a positive impact on the surrounding area.
- 9.79 The proposals will provide a peaceful setting that is both respectful to visitors and residents alike. There are no homes close to the application site unlike at Duntrune where, by our calculation, there are homes within 26 metres of the proposed crematorium.
- 9.80 The rural setting includes a gentle slope and an existing mature tree belt to the south. The materials used in the construction of the crematorium building include walls of natural stone, off-white render, and timber cladding. These will provide a natural appearance that is in-keeping with rural building design in this area of Angus. The cremulator and associated plant will be located within the rear of the crematorium building and will therefore be partially concealed.

- 9.81 Overall, the proposals will improve the quality of this rural area and therefore satisfy the requirements on Policy 14(a).

Policy 14(b)

- 9.82 Policy 14(b) provides that proposals will be supported where they are consistent with the six qualities of successful places. These qualities are noted below together with our assessment of the application against them:

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

- (i) The proposals are consistent with this quality. The development of a well-designed high-quality crematorium in a peaceful rural setting will provide an opportunity for reflection and contemplation for visitors at, what is likely to be, a challenging and emotional time.

9.82.2 **Pleasant:** *Supporting attractive natural and built spaces.*

- (i) The proposals are consistent with this quality. The design of the crematorium and its setting will deliver an attractive development both in terms of the natural space within and surrounding the application site, and the crematorium building itself.

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

- (i) The proposals are not necessarily inconsistent with this quality. The rural setting of the proposal has arisen out of the need for the development and the absence of any sequentially preferable sites. The nature of the development also needs to be taken into account when assessing its consistency with this quality. The development supports the existing network and will enhance the provision of public transport links making access to the development site easier.

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

- (i) The proposals are consistent with this quality. The sloping nature of the application site has been incorporated into the design of the proposals. The existing mature tree belt will be retained with enhanced

planting of native woodland throughout the application site. The crematorium building will reflect local architectural styles through its design and the use of natural materials.

9.82.5 **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.*

(i) The proposals are consistent with this quality. A crematorium is a required facility and it is also one that requires energy to operate. The proposals will use an electric-powered cremulator which will significantly reduce greenhouse gas emissions when compared to cremulator's powered by gas. The crematorium building will also contain photovoltaic panels on the roof which will generate electricity both for use within the crematorium building and for export into the grid network. This will ensure climate resilience and make a positive contribution to carbon reduction.

(ii) The landscaping that will be delivered as part of the development will demonstrably enhance the biodiversity of the application site, which is currently a non-prime agricultural field. This will be achieved through significant tree planting throughout the application site, with additional planting adjacent to the existing mature tree belt to the south, and over 100 additional trees planted throughout the application site.

9.82.6 **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.*

(i) The proposals are consistent with this quality. It is unlikely that the crematorium could be re-purposed for a different use, given the specialist nature of its proposed use. However, the proposals would mark a clear investment in the long-term value of the crematorium building and would ensure that the site is maintained over time.

9.83 Therefore, the proposals would clearly satisfy five out of the six qualities contained in Policy 14. When considered in the round, it is our view that the proposals also meet the "connected" quality.

9.84 This means that, when read as a whole, the proposals meet the requirements of Policy 14.

Policy 29: Rural Development

- 9.85 The Council's decision notice refers to the proposal being contrary to Policy 29. However, there is no detailed analysis of this policy within the Council's Report of Handling.
- 9.86 We have assessed the application against the relevant parts of the policy. Having done so as part of the application and as part of this Appeal Statement, it remains our view that there is no basis in planning terms for reaching the conclusion that the proposals are contrary to Policy 29.
- 9.87 In our view, the application complies with all aspects of this policy. It is the very exemplar of the type of proposal that is envisaged by Policy 29 and that should be delivered to support rural communities and rural economies.
- 9.88 In our view, Policy 29 supports the grant of planning permission.
- 9.89 As a general point, we would emphasize that Policy 29 is an "enabling" policy, meaning that it sets out circumstances in which development will be supported. It does not contain any restrictive provisions that set out when rural development would not be supported. Therefore, it is a policy that is designed to encourage development rather than prevent it (which follows the Scottish Ministers' stated aim to support rural businesses and residents).

Policy Intent and Outcome

- 9.90 The policy intent of Policy 29 is: "*To encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced*".
- 9.91 The policy outcome is that "*Rural places are vibrant and sustainable and rural communities and businesses are supported*" and "*A balanced and sustainable rural population*".

Policy 29(a)

- 9.92 Part (a) of the policy supports development proposals "*that contribute to the viability, sustainability and diversity of rural communities and local rural economy*". A list of ten examples of these development types is contained within the policy. The relevant examples, together with our assessment of the proposals against them, are noted below.

9.92.1 **Part (ii): diversification of existing businesses.**

- (i) The proposals represent a diversification of a long-established existing family farm, the owners and employees of which live and work locally.

The change of use of the application site to a crematorium will not impact on the continued viability or operation of the existing farm and will contribute to the sustainability and diversity of the local rural community and economy, for example through new employment created during the operation of the development.

9.92.2 **Part (iv): essential community services.**

- (i) The services offered by a crematorium are essential for any community.

9.93 The proposals comply with part (a) of Policy 29.

Policy 29(b)

9.94 Part (b) of Policy 29 provides that “*Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location*”.

9.95 The development has been carefully considered and formulated to ensure that it is in-keeping with the character of the area in terms of its size, location and design.

9.96 The extent of the application site reflects a modest-sized development. The layout of the development reflects an efficient use of the site to ensure that a crematorium of sufficient capacity can be delivered, together with a garden of remembrance and parking areas, in an appropriate setting. As we have set out above, the design of the crematorium building is in keeping with the built environment in this area of Angus. Overall, the development will make a positive contribution to the character of the area.

9.97 The concept of local living, in a policy sense, is not directly relevant to the proposal. However, the Transport Assessment submitted in support of the application indicates that there will be only a modest increase in the number of vehicle trips as a result of the development (on average an additional vehicle every 75 seconds on the B961). The existing road network can easily accommodate the development with no issues on visibility on the access or surrounding roads and junctions. The transport needs of the development would therefore be in-keeping with the character of the area.

9.98 The proposals therefore comply with part (b) of Policy 29.

10. Angus Local Development Plan 2016

- 10.1 The Council's reasons for refusal refer to the application being contrary to Policies DS1, DS2, DS3, and TC8 of the LDP 2016. Their justification for this view mirrors the reasons given in connection with the NPF4 policies assessed in Section 9.
- 10.2 We have noted these policies below and provided additional commentary on them.

Policy DS1

- 10.3 Policy DS1 provides that applications for developments outwith development boundaries 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 2016 LDP.
- 10.4 In terms of assessing the scale and nature of the development, this has been done under the applicant's assessment of the proposals against Policies 14 and 29 of NPF4. In summary, the proposal has been designed to have a positive impact on the rural setting within which it is located. The nature of the development is one which is appropriate for a rural location.
- 10.5 The Council has accepted that the proposal complies with the policies in the 2016 LDP other than Policies DS1, DS2, DS3, and TC8. We disagree with that analysis. In our view the proposals comply with these policies, and therefore have the support of Policy DS1.

Policies DS2, DS3, and TC8

- 10.6 Policy DS2 (accessible development) provides that development proposals will require to demonstrate, according to scale, type and location, that they are or can be made accessible to existing or proposed public transport networks and provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks. Policy DS3 (design quality and placemaking) provides that development proposals should create buildings and places which are well connected and where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport. Policy TC8 (community facilities and services) provides that new facilities should be accessible and of an appropriate scale and nature for the location.
- 10.7 The proposed development will provide a 120-seat crematorium with 120 dedicated parking spaces, including staff and disabled spaces. A new access to the B961 will be created which will provide the visibility splays as agreed with the Roads Service, being 4.5m x 215m to the south and 4.5m x 160m to north. A Transport Assessment has been lodged in support of the current application. This demonstrates that the surrounding existing roads network has the

capacity to accommodate the anticipated traffic visiting the crematorium with all junctions within the area providing the required visibility.

- 10.8 The site is located on an existing bus route which will be improved by the applicant through the provision of a new bus stop and bus shelters at the front of the application site. Further, the expected use of the bus service may lead to additional services being provided in order to increase public transport capacity to the benefit of the wider community. The applicant also intends to provide a new bus service which can either operate along a dedicated route, or which can provide bespoke transport in accordance with the requirements of each funeral or cremation service.
- 10.9 The site is a short walk to the village of Redford. If approved the applicant is committed to the provision of a footpath connecting the site to the bus stop at Redford village, this will enhance public transport links and provide a further net improvement to the local community.
- 10.10 Further, while there are no dedicated cycle lanes, the local rural roads are capable of accommodating cyclists. Cycle parking will be provided as part of the development and will be located close to the crematorium building.
- 10.11 As explained in more detail connection with Policy 13 of NPF4, it is recognised that the nature of the development means that many visitors will attend by car, although the general approach will be that families and friends will share car journeys and travel together. There will be very few single-occupant journeys. A Travel Plan will be provided to encourage sustainable modes of transport including car sharing, as well as capture the delivery of the of the works to promote the use of public transport.

11. Conclusion

- 11.1 For the following reasons, it is the applicant's view that the development proposals should be approved by the Local Review Body:
- 11.1.1 The need for a new crematorium in Angus has been established. There is significant funeral poverty in Angus, which has been identified in the Council's consideration of other proposals. This is caused in part, if not entirely, by exceptionally high funeral costs within Angus, when compared to elsewhere in Scotland. These costs have arisen as a result of the lack of availability of crematorium facilities. An additional crematorium would increase capacity and choice within the Angus area and therefore lead to a reduction in prices.
 - 11.1.2 There are no sequentially preferable sites within Angus that are suitable and available for a new crematorium.
 - 11.1.3 The proposals comply with the terms of NPF4 and the 2016 LDP. The Council has identified certain policies that they consider the proposals are contrary to. However, in so doing, they have focussed their analysis almost entirely on travel matters without taking into account other relevant considerations. In addition, their analysis on travel matters has to properly consider what is only a modest likely increase in private car use, and it has failed to have regard to the circumstances in which proposal has been brought forward (primarily in relation to the need for a new crematorium and the absence of alternative sites). As such, the Council's decision is not a fair reflection of the application's assessment against policy.
 - 11.1.4 Even if the proposal were to be contrary to NPF4 and the 2016 LDP (which we do not think is the case), there are compelling material considerations that favour the grant of planning permission. In particular, the considerations relating to need and the absence of alternative sites.
- 11.2 We therefore respectfully request that the Local Review Body upholds this appeal and grants planning permission for the development.

Appendix 1 - Review of Possible Available Sites

A review was completed of all potential sites within Angus as indicated within Angus Council's Employment Land Audit 2023, Housing Land Audit 2023 and through a review of land currently advertised for sale through online sites including Zoopla, Right Move and On the Market.

N.B. Only sites over the required 1.5ha were considered.

The following 49 potential sites have been identified and considered:

1. **Property:** Land At Bankhead of Kirkbuddo in Forfar.
Suitability: Although this site is in a rural location, there are residential properties within 180m of it and no public transport links to or from the site. Therefore, it would not be suitable for the development.
Availability: The site is currently on the market therefore is available.
2. **Property:** Land at Orchardbank Business Park.
Suitability: The site covers a variety of parcels majority of which would not be of sufficient size. One plot is 2ha however this is constrained due to flooding issues. It is also located close to the principal offices for the Council as well as other businesses, including the Don & Low site which operates 24 hours a day, as part of a business park setting. It would not offer a tranquil setting. It would therefore not be suitable for a crematorium development.
Availability: We understand that the site would be available.
3. **Property:** Brechin Business Park.
Suitability: There are limited options for development within the existing business park as this has been fully built out. The available sites would not be a sufficient size (i.e. it is less than 2 hectares in size) to accommodate the development proposals. The proposed extension to the business park is of sufficient scale however, with the existing business park to the east, the area of extension would not offer a tranquil setting. Further, use of the proposed business park extension would detract from the availability of employment land in Brechin. It would therefore not be suitable for a crematorium development.
Availability: We understand that the site would be available.
4. **Property:** Land at Duntrune
Suitability: We understand that there are constraints related to the roads and access attached to this site that may prevent it from coming forward. There are properties within 26m of the site boundary and therefore the site would not provide the required tranquil setting. There are also no direct public transport links serving the site and no footpaths or cyclepaths from the site to the nearest settlement or bus stop. It is therefore not suitable for the proposed development.
Availability: We understand that the site would be available.
5. **Property:** Kirkton Industrial Estate, Arbroath
Suitability: Various parcels of land area available within the industrial estate, however no site of 2ha currently available, the largest being 1.65ha. The site is an active industrial area and therefore would not provide the required tranquil setting. It is therefore not suitable for the proposed development.
Availability: We understand that the site would be available.
6. **Property:** Elliot Industrial Estate, Arbroath

Suitability: A parcel of land 3.11 ha. The site has a recent planning permission for a garden centre and a drive through. The site has a caravan park to the southwest, supermarket to the northeast and industrial estate to the north. It is considered that this site will not provide the required peaceful setting. Further, there are residential caravans on the neighbouring site, within 180m. Therefore, the site would not be suitable.

Availability: We understand that the site would be available.

7. **Property:** Elliot Industrial Estate Extension

Suitability: 21ha of greenfield land allocated as a possible extension to the existing industrial estate. Use as a crematorium would detract from industrial land supply within the area. Major constraint exists due to landownership issues.

Availability: Not available.

8. **Property:** Carlogie, Carnoustie

Suitability: 15 ha of allocated industrial land. Planning permission for formation of an employment area, road upgrade and realignment has been granted, Infrastructure to serve development is not yet in place, therefore the site is not serviced. Existing residential properties located to the west within 180m. This site has been allocated for an employment and therefore use as a crematorium would detract from the employment land supply in Carnoustie.

Availability: We understand that the site would be available.

9. **Property:** Pitskelly, Carnoustie

Suitability: Allocated employment land currently under construction.

Availability: Not available.

10. **Property:** Panmure Industrial Estate.

Suitability: Various small sites available within the existing industrial site. Not suitable for a crematorium use as the sites are too small and within an existing industrial area which is not an appropriate location for a crematorium as it would not provide the required tranquil location.

Availability: Not available.

11. **Property:** Carseview Road, Forfar

Suitability: 4ha of land to the north of Forfar. Directly abuts an existing active industrial area and therefore would not provide the required peaceful setting. The site is constrained as a result of access and landownership issues.

Availability: Not available.

12. **Property:** East Muirhead, Kirriemuir

Suitability: Site is located within an existing active business park with neighbouring residential property to the north and west. Not suitable.

Availability: May be available.

13. **Property:** North Mains of Logie, Kirriemuir

Suitability: Insufficient size. Located within an active industrial area, close to existing residential property to the north. Not suitable.

Availability: We understand that the site would be available.

14. **Property:** Broomfield Industrial Estate, Montrose

Suitability: A parcel of land to the north of the existing industrial estate is available however this is of insufficient size. The site is located within an existing active industrial area and therefore will not provide the peaceful environment required by a crematorium use. Not suitable.

Availability: We understand that the site would be available.

15. **Property:** Forties Road Industrial Area, Montrose
Suitability: Insufficient size. Located within an active industrial area, close to existing residential, property. Not suitable.
Availability: Available.
16. **Property:** North of Forties Road, Montrose
Suitability: Greenfield site north of existing industrial area. Major constraints as there are no infrastructure and ownership issues.
Availability: Not available.
17. **Property:** Montrose Airfield
Suitability: Planning permission for business park approved. Limited infrastructure.
Availability: Not available.
18. **Property:** Dubton Farm, Brechin
Suitability: Under construction for housing.
Availability: Not available.
19. **Property:** Land east of Durlehill Road, Edzell
Suitability: Under construction for housing.
Availability: Not available.
20. **Property:** Sunnyside Hospital, Montrose
Suitability: Under construction for housing.
Availability: Not available.
21. **Property:** Stannochoy Steading
Suitability: Brownfield site 1.55ha recent approval for residential development, work anticipated 2024. Existing residential development within 180m. Not suitable.
Availability: Not available.
22. **Property:** Land at Slade Farm, Carmyllie
Suitability: 1.6ha of brownfield land Detailed planning consent for housing approved and work is anticipated imminently. Existing residential property within 180 m. Not suitable.
Availability: Not available.
23. **Property:** Brechin Road, Montrose
Suitability: Site bounded by residential dwellings. Site constrained due to ground conditions.
Availability: Not available.
24. **Property:** Rosemount Road, Hillside, Montrose
Suitability: Residential property within 180m. Site constrained as it may be used as an extension to the primary school.
Availability: Not available.
25. **Property:** Montrose Road, Arbroath.
Suitability: Under construction for housing.
Availability: Not available.
26. **Property:** Crudie Farm, Arbirlot Road West, Arbroath
Suitability: Allocated housing site, under construction.
Availability: Not available.

27. **Property:** Gardyne Road, Frockheim
Suitability: Residential development now complete.
Availability: Not available.
28. **Property:** Railway Field, Inverkeilour
Suitability: Planning consent granted for housing. Residential property within 180m immediately adjacent to the site. Not suitable.
Availability: Available.
29. **Property:** Ernest Street/Palmer Street, Arbroath
Suitability: Brownfield site, neighbouring property within 180m. Not suitable.
Availability: Available.
30. **Property:** Dens Road, Arbroath
Suitability: Brownfield site within centre of Arbroath. Residential properties within 180m. Not suitable.
Availability: We understand that the site would be available.
31. **Property:** Land at Pitskelly, Carnoustie
Suitability: Residential development, currently under construction.
Availability: Not available.
32. **Property:** Woodside/Pitskelly Carnoustie
Suitability: Planning application for housing currently pending. Existing residential property within 180 metres. Not suitable.
Availability: Not available
33. **Property:** Greenlaw Hill, Carnoustie
Suitability: Planning application recently approved for residential development. Existing residential properties within 180m. Not suitable.
Availability: Not available
34. **Property:** Former Baldovan House
Suitability: 1.57ha brownfield land. Recent planning approval for residential development. Poor access from main road. Not suitable.
Availability: Not available
35. **Property:** Dundee Road East, Glamis
Suitability: Site located in the centre of Glams with housing on all sides. Site is constrained.
Availability: Not available.
36. **Property:** Strathmartine Hospital
Suitability: Allocated housing site, under construction.
Availability: Not available.
37. **Property:** Panmure Industrial Estate
Suitability: Brownfield site within the centre of Carnoustie. Residential property within 180m, industrial site to the east. Not suitable.
Availability: We understand that the site would be available.
38. **Property:** Land at North Street, Newtyle
Suitability: Existing residential property within 180m. Detailed planning consent for housing approved. Not suitable
Availability: Not available

39. **Property:** Shank of Omachie, Wellbank
Suitability: Planning consent granted for housing, under construction.
Availability: Not available
40. **Property:** Turfbeg, Forfar
Suitability: Allocated housing site, under construction.
Availability: Not available
41. **Property:** Dundee Road, Forfar
Suitability: Allocated housing site, under construction.
Availability: Not available
42. **Property:** Westfield Loan, Forfar
Suitability: Allocated housing site, planning application pending. Existing residential property within 180 metres. Not suitable.
Availability: Not available
43. **Property:** Westfield/Sunnyside, Kirriemuir
Suitability: Allocated housing site, under construction. Existing residential property within 180m. Not suitable.
Availability: Not available
44. **Property:** Land South of Beechwood Place, Kirriemuir
Suitability: Allocated housing site, under construction. Existing residential property within 180m. Not suitable.
Availability: Not available
45. **Property:** Jubilee Park, Letham
Suitability: Promoted for affordable housing by Angus Council with development due to start 2024. Existing residential property within 180m. Not suitable.
Availability: Not available
46. **Property:** Blairs Road, Letham
Suitability: Existing residential property within 180m. Not suitable.
Availability: We understand that the site would be available.
47. **Property:** Gowanbank, Forfar
Suitability: Site is within 180m of existing residential property. Issues related to landownership and access rights.
Availability: Not available
48. **Property:** Gairie Works, Kirriemuir
Suitability: Brownfield site within the centre of Kirriemuir, active industrial use to the east, residential property within 180m. Not suitable.
Availability: May be available
49. **Property:** Land at Cortachy Road, Kirriemuir
Suitability: Existing residential use within 180m. Currently in an active employment use. Not suitable.
Availability: Not available.



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: 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 100625682-001

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed Change of Use of Land from Agricultural and Erection of Crematorium

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

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:	A B Roger & Young Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	
Last Name: *	Pirie	Building Number:	9
Telephone Number: *	01356 622125	Address 1 (Street): *	Macgregor Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Brechin
Fax Number:		Country: *	Angus
		Postcode: *	DD9 6AB
Email Address: *	info@abrogerandyoung.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	MYRESIDE FARM
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	INVERKEILOR
Company/Organisation	MYRESIDE FARMS	Address 2:	
Telephone Number: *		Town/City: *	BY ARBROATH
Extension Number:		Country: *	ANGUS
Mobile Number:		Postcode: *	DD11 5RL
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

Angus Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Greystone Carmyllie Arbroath (land at)

Northing

743333

Easting

355788

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

14780.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural Land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

136

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

see report

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

see plans

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 10 Non-residential Institutions

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

673

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Do you have any agricultural tenants? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Stephen Pirie

On behalf of: MYRESIDE FARMS

Date: 19/04/2023

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

--

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Transport Assessment to follow under separate cover

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stephen Pirie

Declaration Date: 19/04/2023

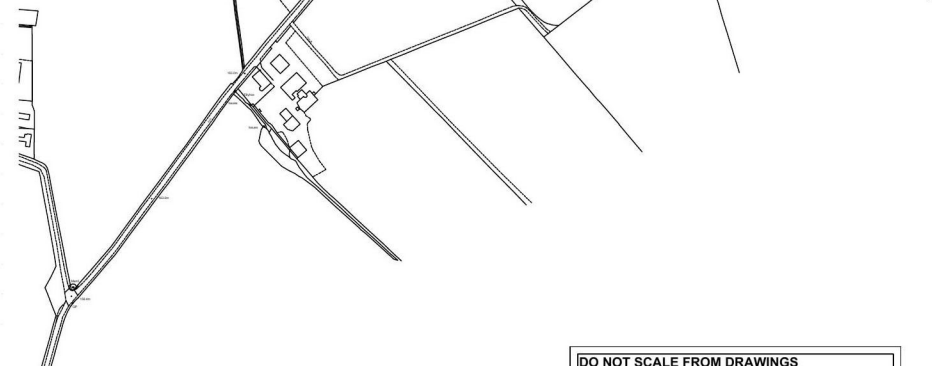
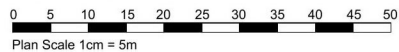
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Pay Direct

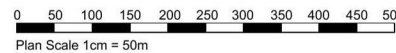
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Site Plan - Scale 1:500



Location Plan - Scale 1:5000



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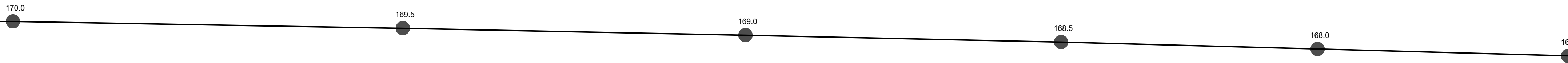
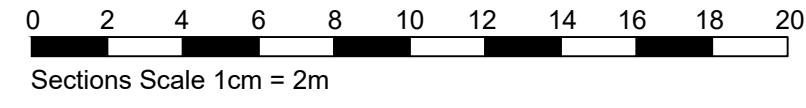


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<i>A. B. Roger & Young Ltd</i> Chartered Architect & Surveyors 9 Macgregor Street, Brechin Tel: 01356 622125 Fax: 622644 Email :- info@abrogerandyoung.com	
Job Title:	
Proposed New Crematorium at Greystones, Carmyllie	
Scale	Date
1:500 & 1:5000 @ A2	March 2023
Drawing Title	Drawn By
Existing Site & Location	AHW / KF
Drawing No.	Checked By
2022 CGC 01	SWP
Revisions:	

ITEM 4(ii)



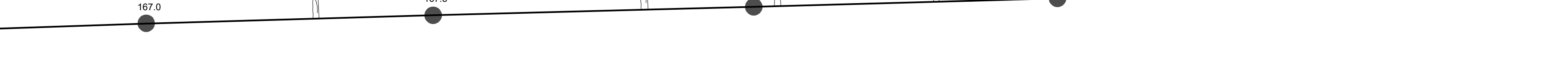
A-A Section - Scale 1.200



B-B Section - Scale 1.200



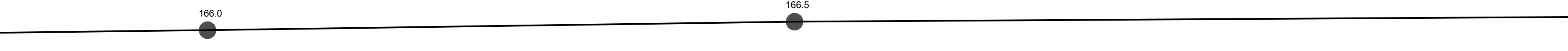
C-C Section - Scale 1.200



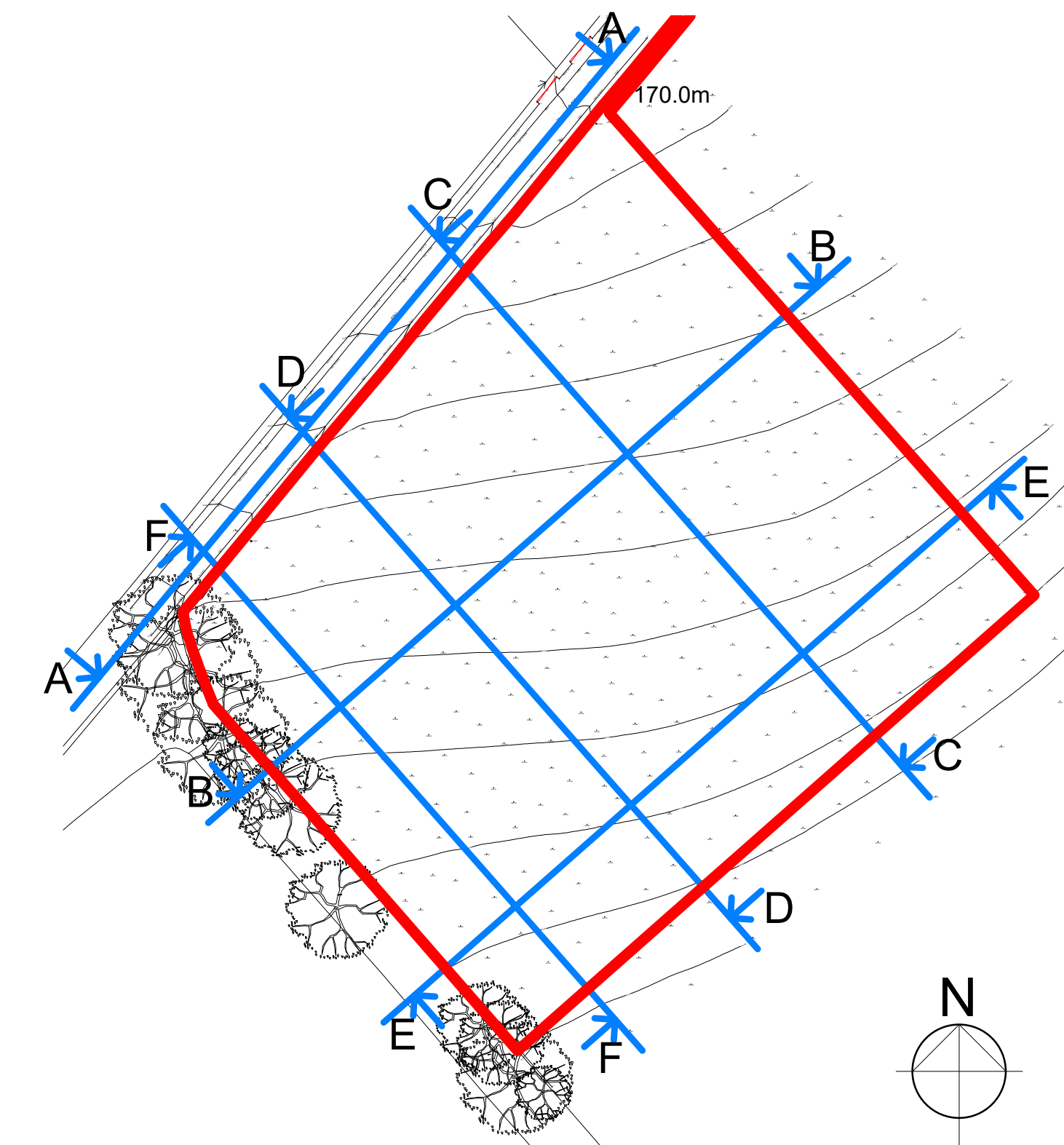
D-D Section - Scale 1.200



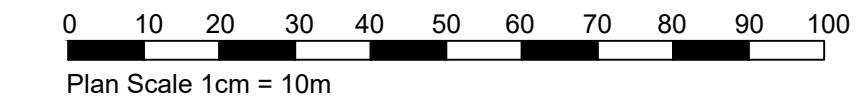
E-E Section - Scale 1.200



F-F Section - Scale 1.200



Site Plan - Scale 1.1000



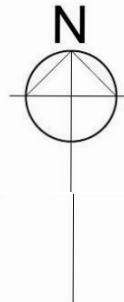
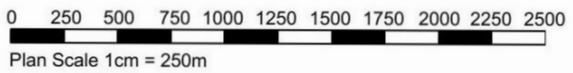
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Job Title: <p>Proposed Crematorium at Greystones, Carmyllie</p>	
Scale	Date
1:200 @ A1	March 2023
Drawing Title	Drawn By
Existing Level Sections	KF
Drawing No.	Checked By
2022 CGC 09	SWP
Revisions:	

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Location Plan - Scale 1:25000



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 9 Macgregor Street, Brechin
 Tel: 01356 622125 Fax: 622644
 Email :- info@abrogerandyoung.com

Job Title:
 Proposed Crematorium
 at Greystones, Carmyllie

Scale 1:25000 @ A3	Date March 2023
Drawing Title Location Plan	Drawn By KF
Drawing No. 2022 CGC 05	Checked By SWP

Revisions:

- Grass
- Trees
- Paving
- Tarmac
- Gravel
- Gravel Courtyard

Proposed new bus stop

170.0m

Land owned by applicant coloured blue

Red Line Area: 14780m²

2 No. Coach Parking Spaces

4 No. Electric charging spaces

New surface water to be taken to new 2.5m x 44.4m soakaway as shown.

2 No. Electric charging spaces

New foul water to be taken to septic tank then to new 2.5m x 28m soakaway (Min base 70m²) as shown.

Bike Parking

Bin Store

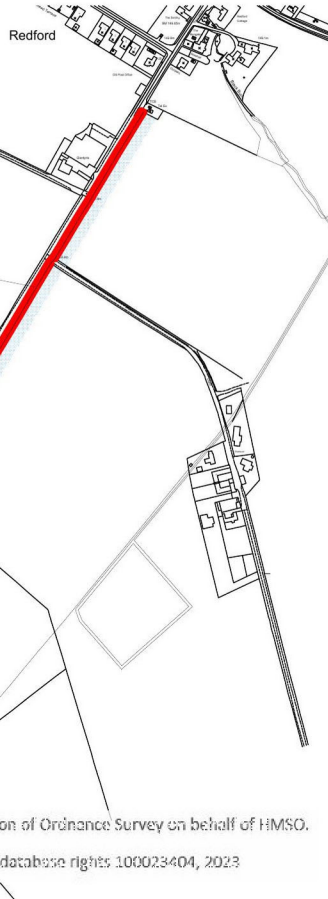
Main Parking:
115 Parking Spaces
6 Disabled Parking Space

Staff Parking:
13 Parking Spaces
1 Disabled Parking Space

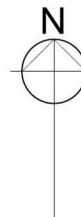
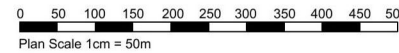
Site Plan - Scale 1.500



ITEM 4(iv)

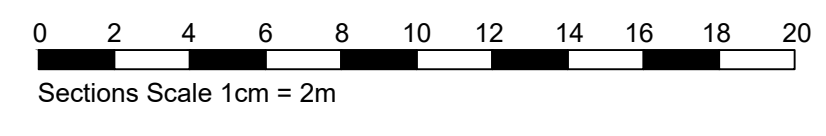


Location Plan - Scale 1.5000



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Job Title:	
Proposed Crematorium at Greystones, Carmyllie	
Scale	Date
1:500 & 1:5000 @ A2	March 2023
Drawing Title	Drawn By
Site & Location	AHW / KF
Drawing No.	Checked By
2022 CGC 04A	SWP
Revisions:	
A:- Revised Roads (June 2023)	

A-A Section - Scale 1.200



B-B Section - Scale 1.200

Existing ground levels, shown dashed, to be altered as required.



C-C Section - Scale 1.200

Existing ground levels, shown dashed, to be altered as required.



D-D Section - Scale 1.200

Existing ground levels, shown dashed, to be altered as required.



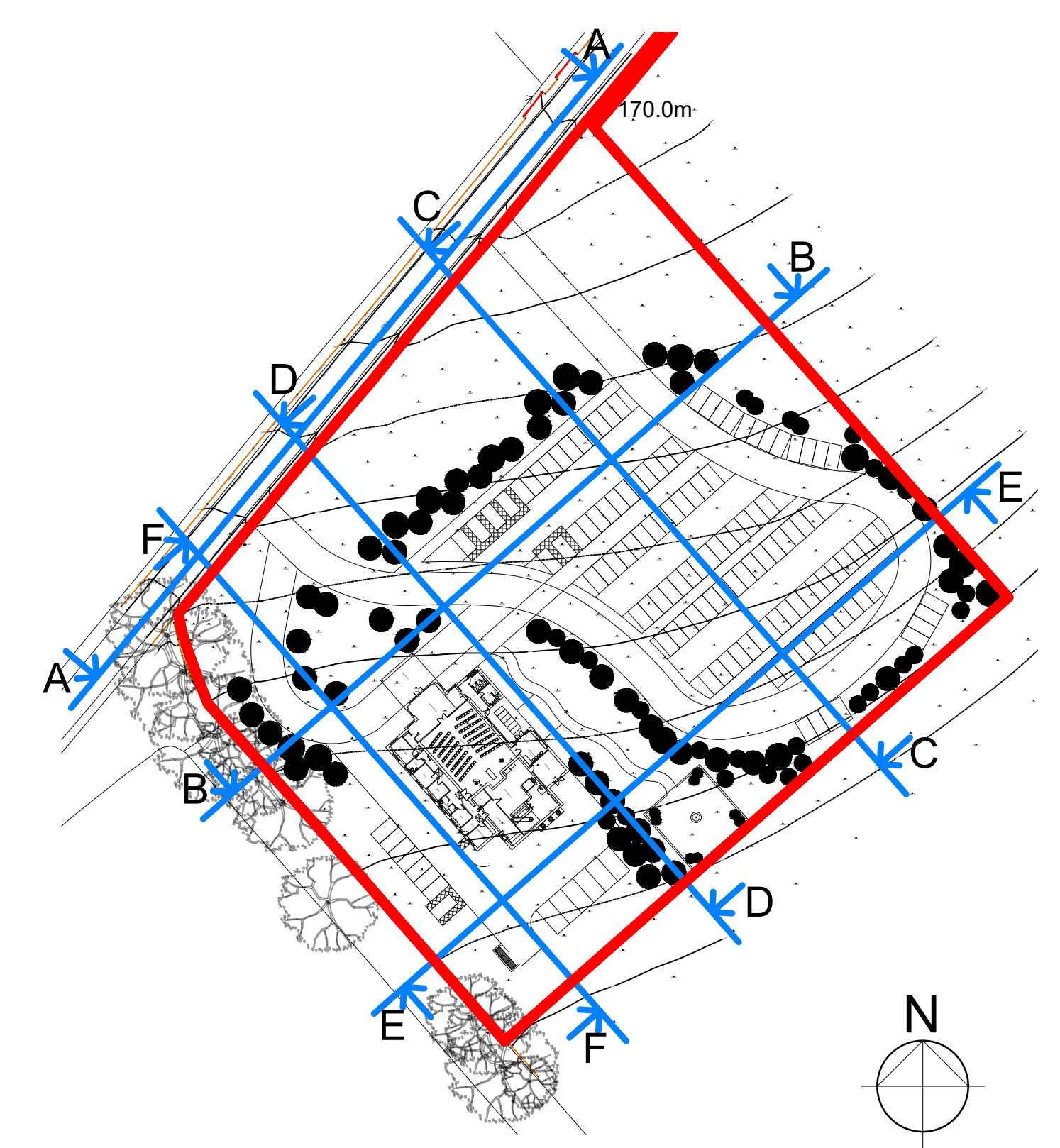
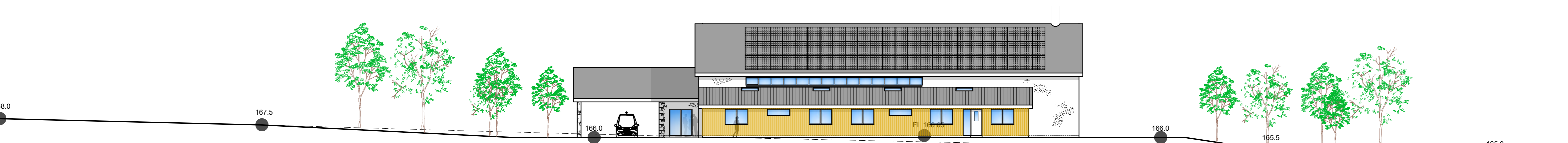
E-E Section - Scale 1.200

Existing ground levels, shown dashed, to be altered as required.

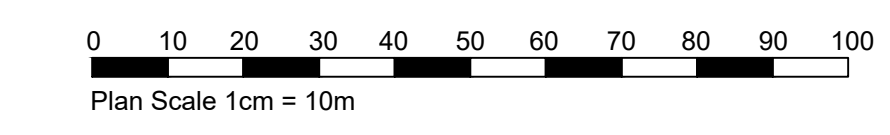


F-F Section - Scale 1.200

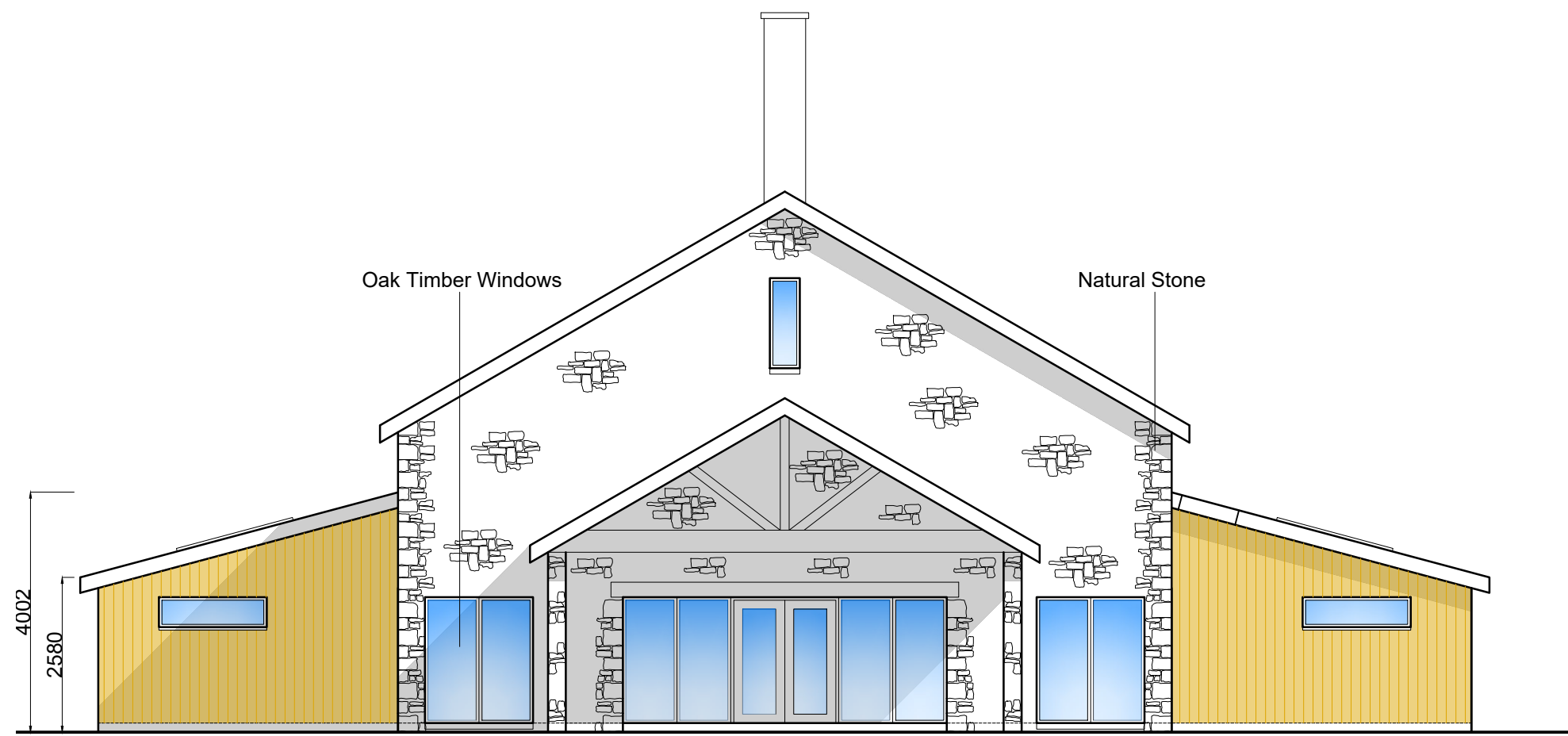
Existing ground levels, shown dashed, to be altered as required.



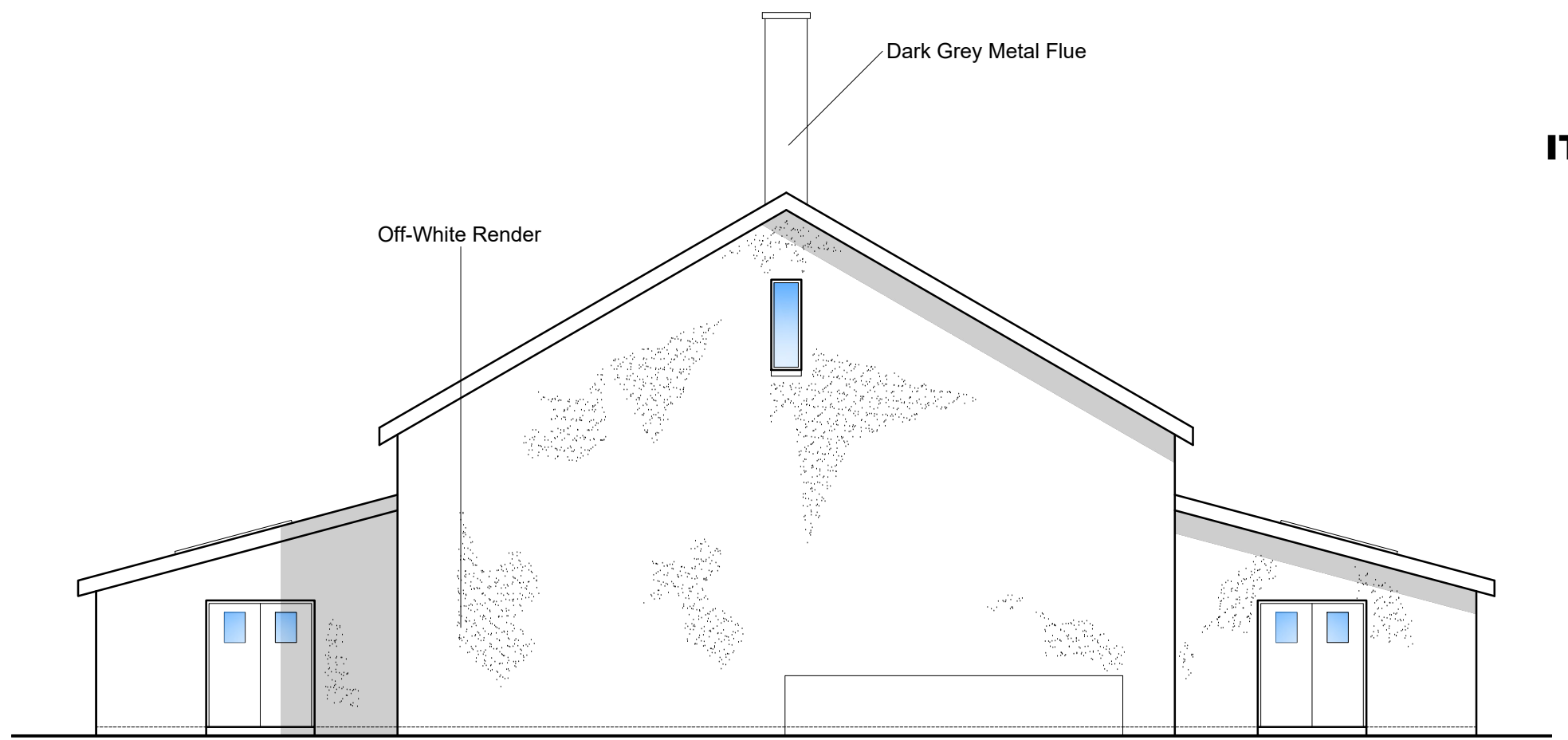
Site Plan - Scale 1.1000



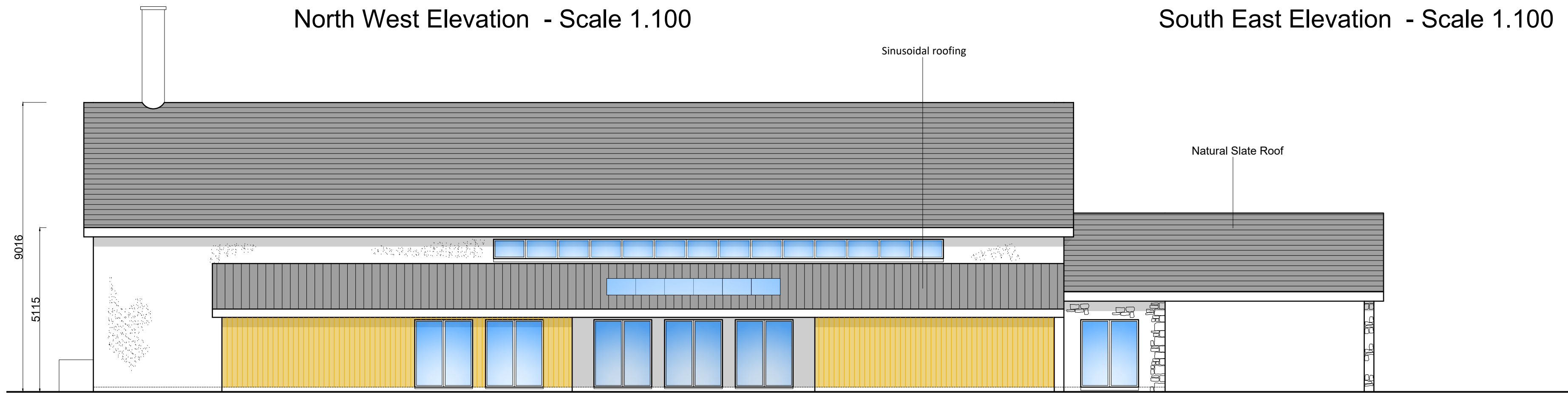
DO NOT SCALE FROM DRAWINGS	
A.B. Roger & Young Ltd Chartered Architect & Surveyors 9 Macgregor Street, Brechin Tel: 01356 622125 Fax: 622644 Email: info@abrogerandyoung.com	
Job Title: Proposed Crematorium at Greystones, Carmyllie	
Scale: 1:200 @ A1	Date: March 2023
Drawing Title: Level Sections	Drawn By: KF
Drawing No.: 2022 CGC 08	Checked By: SWP
Revisions:	



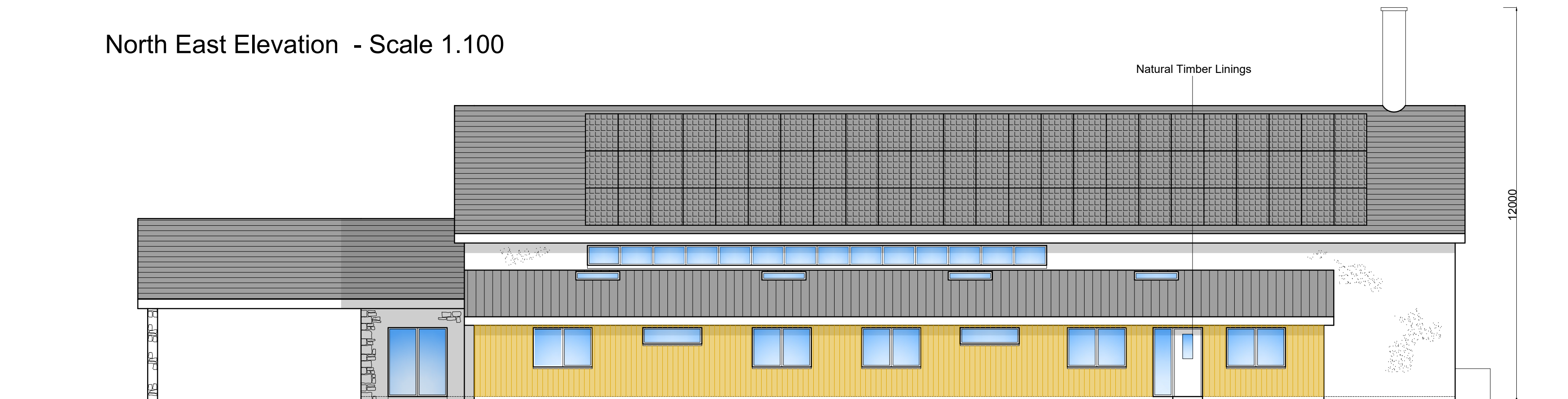
North West Elevation - Scale 1.100



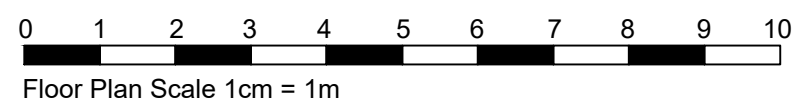
South East Elevation - Scale 1.100



North East Elevation - Scale 1.100

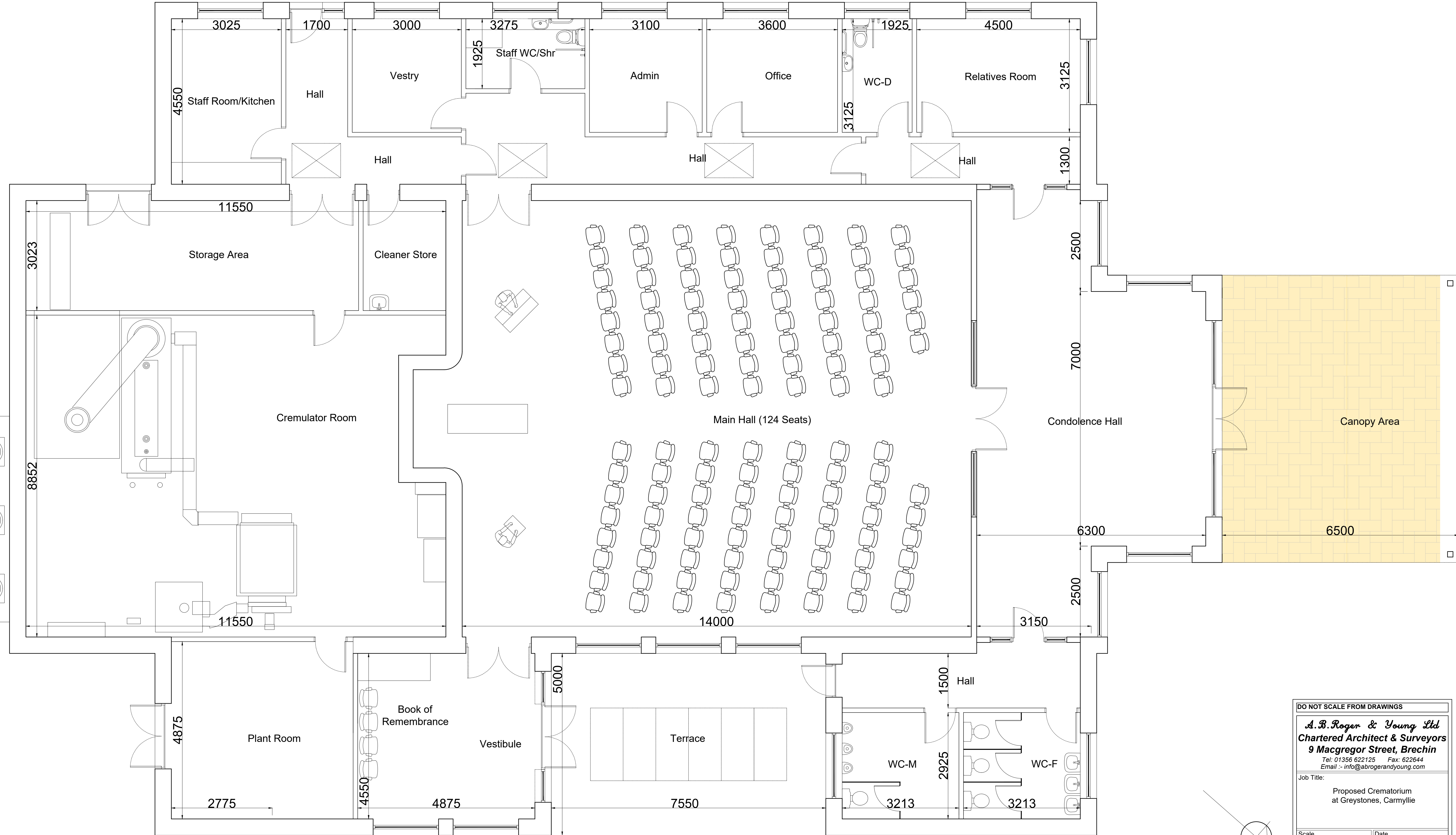


South West Elevation - Scale 1.100

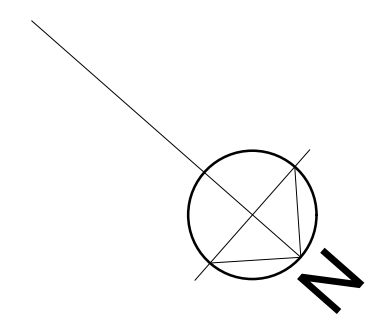
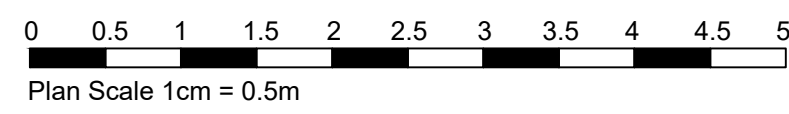


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Job Title: <p style="text-align: center;">Proposed Crematorium at Greystones, Carmyllie</p>	
Scale	Date
1:100 @ A2	March 2023
Drawing Title	Drawn By
Elevations	AHW / KF
Drawing No.	Checked By
2022 CGC 03	SWP
Revisions:	

22900



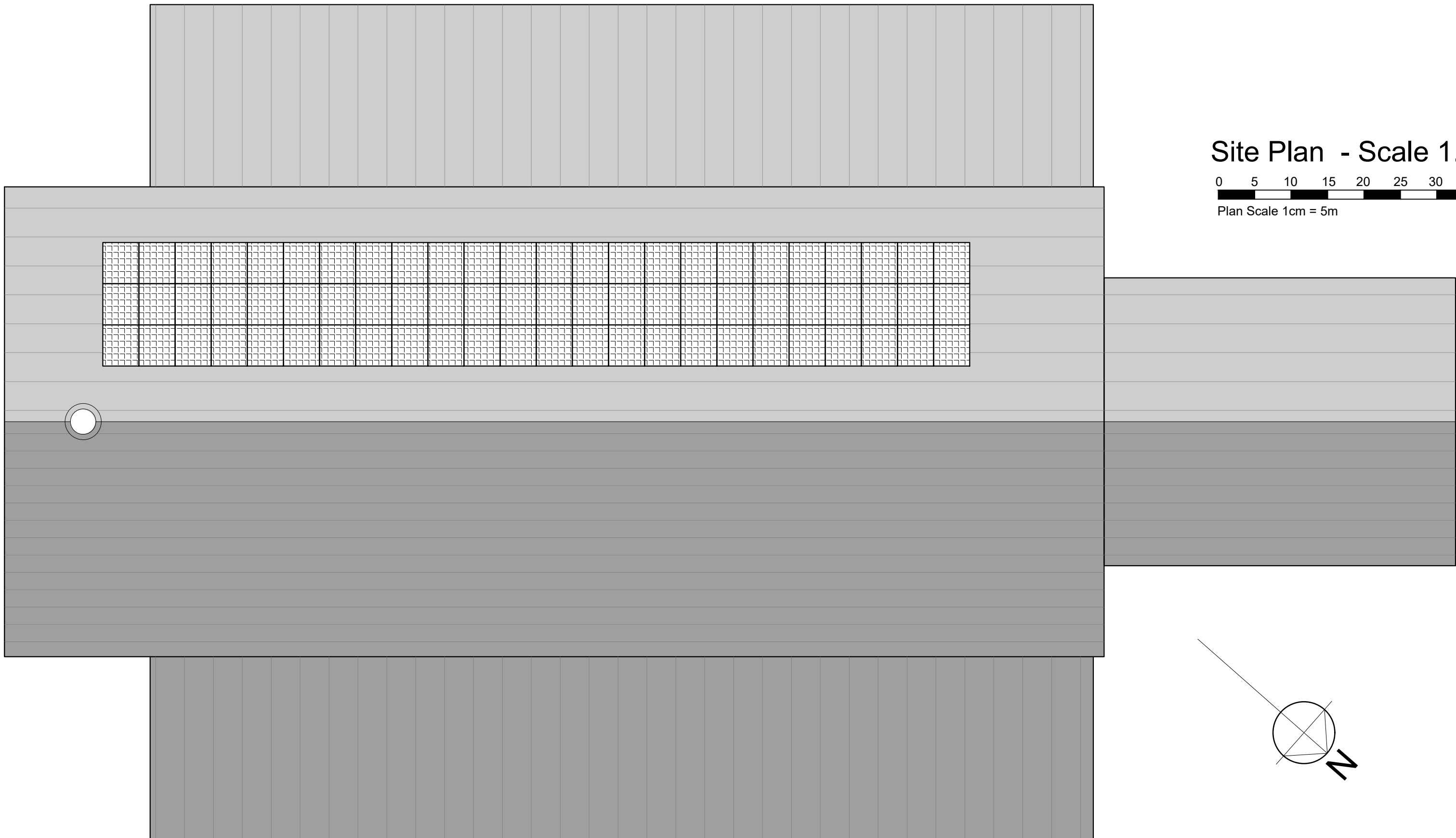
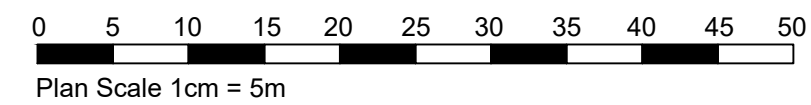
Ground Floor Plan - Scale 1:50



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Job Title: Proposed Crematorium at Greystones, Carmyllie	
Scale 1:50 @ A1	Date March 2023
Drawing Title Floor Plan	Drawn By AHW / KF
Drawing No. 2022 CGC 02	Checked By SWP
Revisions:	



Site Plan - Scale 1.500



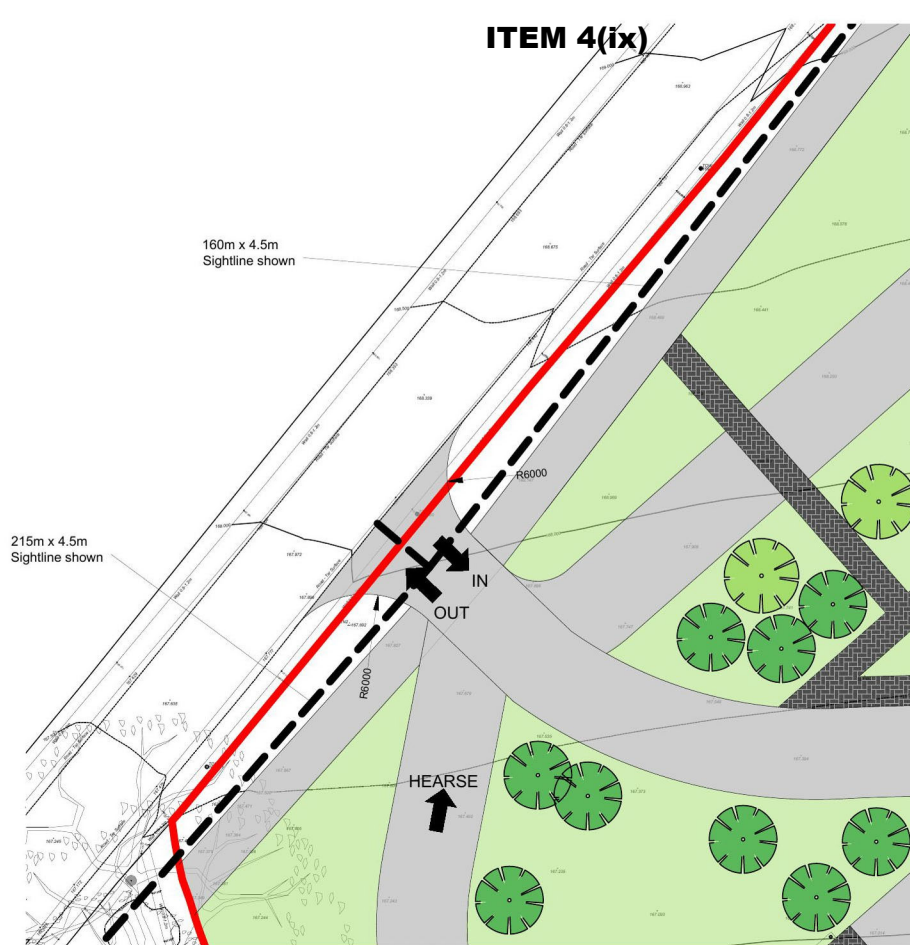
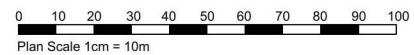
Roof Plan - Scale 1.100



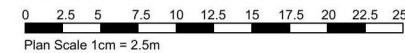
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<p><i>A.B. Roger & Young Ltd</i> Chartered Architect & Surveyors 9 Macgregor Street, Brechin Tel: 01356 622125 Fax: 622644 Email :- info@abrogerandyoung.com</p>	
Job Title: <p style="text-align: center;">Proposed Crematorium at Greystones, Carmyllie</p>	
Scale	Date
1:100 & 1:500 @ A2	March 2023
Drawing Title	Drawn By
Roof Plan	KF
Drawing No.	Checked By
2022 CGC 06A	SWP
Revisions: A:- Revised Roads (June 2023)	



Site Plan - Scale 1.1000



Site Plan - Scale 1.250



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Job Title:	
Proposed Crematorium at Greystones, Carmyllie	
Scale	Date
1:1000 & 1:250 @ A2	March 2023
Drawing Title	Drawn By
Sightlines	KF
Drawing No.	Checked By
2022 CGC 07B	SWP
Revisions:	
B - Dec. 2023 - Visibility Plays increased in size	

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9 Macgregor Street
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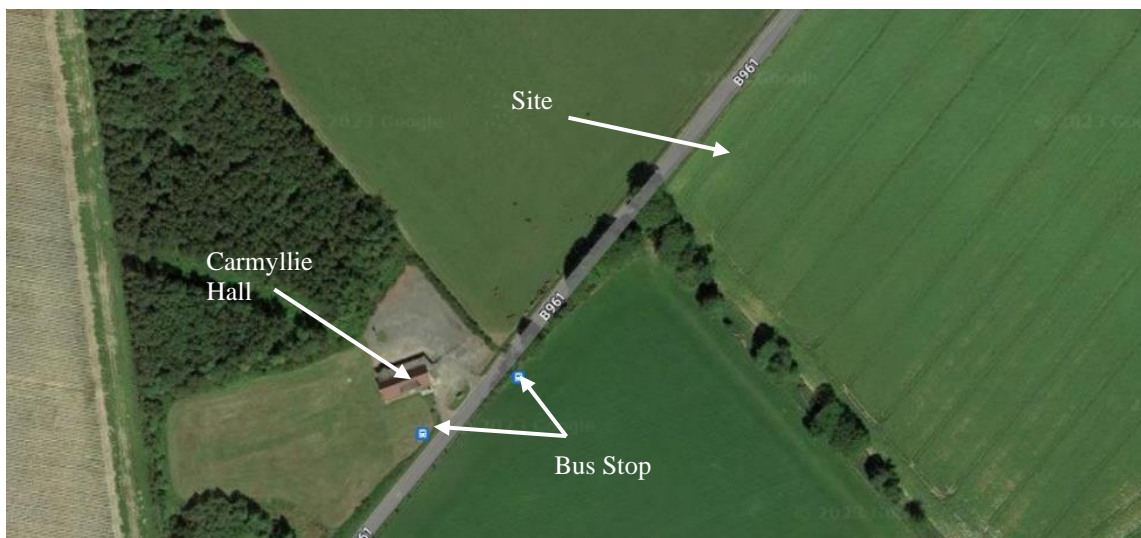
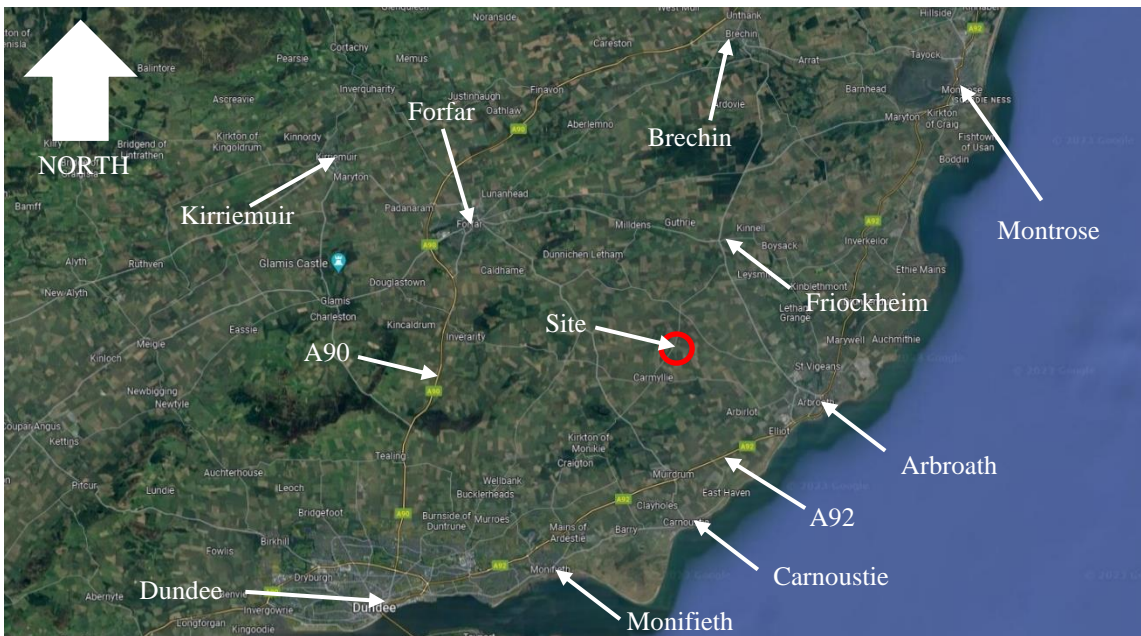
email: info@abrogerandyoung.com
ashleigh@abrogerandyoung.com
stephen@abrogerandyoung.com

Proposed New Crematorium
At Carmyllie, Arbroath, DD11 2OZ

Site Analysis and Background

The proposed site is located within the Angus countryside on the B961. With an area of around 14780m², the site sits around 0.5 miles south of the village Redford. Ideally positioned, the main Angus towns and cities can easily reach the location within a 30-minute drive. In addition, there is public transport available with two bus stops located outside the Carmyllie hall. These are served by the No. 36 bus which runs from Arbroath to Redford. These bus stops are within a 150m walk from the site and although they currently do not have bus shelters our client is willing to install these. The site is set within the picturesque agricultural lands of Angus, which provide a peaceful atmosphere.





Site Photographs



Site viewed from the west.



Site viewed from the north.



Site in relation to Carmyllie Hall

Proposals

This proposal is for planning permission for a Crematorium building with associated access tracks, parking, turning spaces, boundary enclosures and landscaping at Carmyllie Arbroath, Angus, DD11 2QZ. Policies associated within the Angus Local Development Plan (2016) which correspond to this application are;

Policy DSI 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 uses set out. Proposals or 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 site out with 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.

Out with 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.

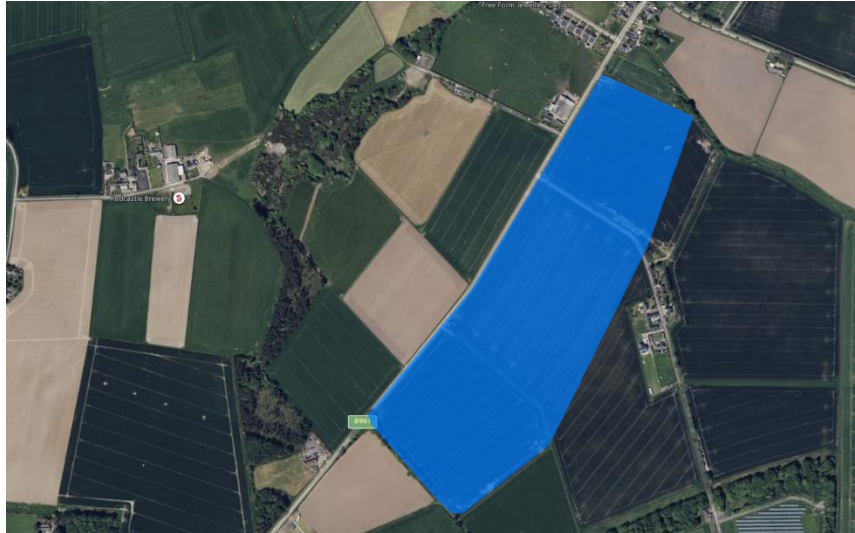
In all locations, proposals that re-use or make better use of vacant, derelict, or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified, or considered appropriate for the 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.

The client is in ownership of three of the fields which run along the B961, highlighted on the image below in blue. The most southern site was selected as it is the poorest grade of land within our client's ownership.

The central location of the site between the three villages of Redford, Carmyllie and Greystones enables the venue to be accessible by bicycle within 3-9 minutes or by foot in a 10-30 minute walk.



Policy DS2 Accessible Development

Development proposals will require to demonstrate, according to scale, type, and location, that they:

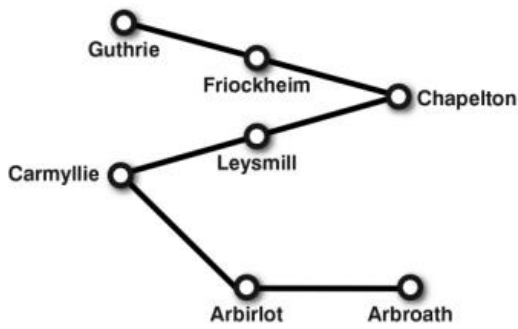
- *Are or can be made accessible to existing or proposed public transport networks.*
- *Make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimize walking distances.*
- *Allow easy access for people with restricted mobility.*
- *Provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks.*
- *Are located where there is adequate local road network capacity or where capacity can be made available.*

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- *The submission of a travel plan and/or a Transport Assessment*
- *Appropriate planning obligations in line with Policy DS5 Developer Contributions.*

We are of the belief that the development will be easily accessible given that the site is central to Angus and the road which provides access to the site is a B - road, this means it is a two-lane road intended to connect different areas and to feed traffic between A - roads. Therefore the road will be more than capable of handling the additional traffic generated by this development. An added bonus is that B-roads are gritted and cleared of snow during winter times to ensure that rural traffic can pass.

As stated previously, the proposed location is within a 3-9 minute bike ride or 10-30 minute walk from the three neighbouring villages. In addition, also mentioned above, the site is next to the No. 36-bus route. This bus follows the route displayed below:



This bus stops at the two stops outside Carmyllie Hall (one heading to Arbroath one to Guthrie/Friockheim) 5 times a day. These bus stops are within a 150m walk from the site.

In addition to all the towns and villages to the left, many Angus towns have transport which runs to Arbroath Bus station, as does Dundee. As a result, the majority of Angus could reach the proposed site via bus if they chose to do so.

There currently is no physical bus shelter at the Carmyllie Hall, however our client is willing to have this installed. Furthermore, the client is willing to lay a cycle and pedestrian walkway along the B961 in the three fields which are under their ownership for pedestrian and cyclist use, connecting Redford to the site.

A transport assessment has been carried out by Cameron & Ross, civil and structural engineers. This report will be submitted in support of the planning application.

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:

- *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.*
- *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.*
- *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 'Designated Streets' are addressed.*
- *Adaptable: where development is designed to support a mix of compatible uses and accommodate changing needs.*
- *Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimize environmental impacts and maximize the use of local climate and landform.*

Supplementary guidance will set out the principles expected in all development, more detailed guidance in the design aspect 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.

The building has been designed to high standards which will be sympathetic to its surroundings. Access to the site is fully achievable safely through the means mentioned above. (The B-road, new pathways/cycle paths and public transport)



The public and private spaces of the building and the surrounding landscaping will be well defined, the private areas are all grouped together at the south-west of the site and the remaining spaces are open to the public. This has been indicated in the image to the left, private areas in red and public areas in blue.

There are trees to the south-west of the site, it is proposed that these are maintained and new landscaping is to be incorporated throughout the site, including a garden of remembrance.

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*
- *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.

We feel that the proposed project complies with the 7 points highlighted above:

An Air Quality Assessment will be submitted under separate cover once Environmental Health have reviewed the project and provided comment.

It is believed there will be little to no noise or vibration disturbances caused whilst the crematorium is in operation. The proposed is to run an average of 3 services a day, with a maximum limit of 5 per day. These will be 90 minute time slots allowing the process to be less rushed and as respectful as possible. Furthermore, all operations will cease for the day after the last ceremony has taken place. As this is the case there will be no additional light pollution caused as the building will be closed in the evening and night times.

A bin store will be located at the bottom of the staff car park to the south-west of the site which will be constructed using timber. This position allows for a bin lorry turning area which will ensure that the refuse is easily collected, whilst also keeping it concealed and in the private area.

There will be ample parking available for the visitors on site. Although there are 120 patron parking spaces, (6 of which are disabled and 14 staff spaces – which includes a further 1 disabled space), it will be encouraged that they use public transport, walk or bike. A private bus will be provided on request that will take attendees to the venue. Charging points for electric vehicles will also be available within the main car park.

We have ensured that the building is located in a place which does not overlook any properties nor cast shadows upon any of the surrounding buildings. Given the building is located at the south-west of the site, most of the shadows which will be cast from the building will be towards the remainder of the site (the parking area).

Policy TC8 Community Facilities and Services

The council will encourage the retention and improvement of public facilities and rural services. Proposals resulting in the loss of existing public community facilities will only be supported where it can be demonstrated that:

- *The proposal would result in the provision of alternative facilities of equivalent community benefit and accessibility.*
- *The loss of the facility would not have an adverse impact on the community.*
- *The existing use is surplus to requirements or no longer viable.*
- *No suitable alternative community uses can be found for the buildings and land in question.*

The Council will seek to safeguard rural services that serve a valuable local community function such as local convenience shops, hotels, public houses, restaurants, and petrol stations.

Proposals for alternative uses will only be acceptable where it can be demonstrated that:

- *The existing business is no longer viable and has been actively marketed for sale as a going concern at a reasonable price/rent for a reasonable period of time.*
- *The building is incapable of being reused for its existing purpose or redeveloped for an appropriate local community or tourism use.*
- *Equivalent alternative facilities existing elsewhere in the local community.*

New community facilities should be accessible and of an appropriate scale and nature for the location. In the towns of Angus, and where appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.

We firmly believe that the addition of the Crematorium to the Angus area would be beneficial to the local residents and beyond, there is only one Crematorium within the Angus area at present and their price list is generally higher than Crematoriums that are further afield. Below are examples of what it costs for an adult ceremony and cremation in Angus and other locations to show how the prices compare:

	Weekly Service	Saturday Service		Weekday Saving	Weekend Saving
Angus	£1,100	£2,111			
Aberdeenshire	£809	N/A		£291	
Dundee	£1,115	£1,605		£5 Extra	£506
St Andrews	£835			£265	
Perth	£709	N/A		£391	
Stirling	£965	£1,205		£135	£906
Inverness	£959	£1,114		£450	£1,461
Glasgow	£650	£650		£450	£1,461
Edinburgh	£899	£999		£201	£1,112
London	£1,301	£1,428		£201 Extra	£683

It should also be noted that Aberdeen offers a discount to local residents who choose to use their service, in that circumstance the cost is £753 (a saving of £347).

As can be seen from the table above, Angus and Dundee are the most expensive Crematoriums in Scotland with large savings being achieved just for travelling further afield. These prices could potentially cause Funeral Poverty in the local area. It is proposed that the venue will offer cremations and ceremonies at a price in-keeping with the Scottish average. It is estimated that the development would provide such a significant benefit to the local community and beyond, as the competition will drive the cost down helping to combat funeral poverty.

We believe the countryside location is essential to ensure that there is no detrimental impact to any neighbouring developments. In addition the countryside provides a calm and tranquil environment which is required for the Crematorium setting. We are not aware of any other brownfield sites or sites which may be deemed more appropriate for the proposed Crematorium to be located and as a result feel this is an ideal location which is easily accessible for Angus and Dundee residents.

We believe that we have kept the development to an appropriate scale, the building is set back from the road and will be partially screened by landscaping to minimise any visual impact caused. The majority of the site is garden and greenfield areas to further set the tranquil environment.

Policy TC17 Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

It is noted that towns within Angus which would be capable of a Class 10 development are; Arbroath, Forfar, Montrose, Brechin, Carnoustie, Kirriemuir and Monifieth. However, it is unrealistic that an area of land which would be acceptable for this size of development – a development which requires vast amounts of landscaping and large parking provisions – can be found within any of these city centres. We feel that given the circumstances; exceptions should be made with regards to this policy.

In addition to the lack of readily available space, a Crematoria building is not permitted to be near any dwellinghouse, public highway or consecrated part of a burial ground under “*The Cremation Act 1902*”. This act states that a building of such nature should be located 200 yards (183m) away from any dwelling properties and 50 yards (45m) away from a public highway or consecrated part of a burial ground. Although Scotland operate under the “*Foundation of Burials and Cremations Association (FCBA)*” rather than the Cremation Act, they still recommend maintaining these distances. Given that the towns and cities mentioned above are full of public highways and domestic properties, there really would be no suitable location.

Due to the nature of the building we feel that a countryside location is appropriate, ensuring no residents will be disturbed by the proposals. We feel this argument is valid for policy TC19 below.

Policy TC19: Retail and Town Centre Uses

Proposals for retail and other town centre uses over 1000m² gross floorspace (including extensions) on the edge of our outside of defined town centres (including in out-of-town locations) will be required to submit relevant assessments (including retain/town centre impact and transport assessments) and demonstrate that the proposal:

- *Has followed a sequential approach to site selection, giving priority to sites within the defined town centre before edge of centre, commercial centre or out of centre sites which are, or can be made accessible.*
- *Does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus*
- *Tackles deficiencies in existing provision, in qualitative or quantitative terms and*
- *Is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.*

Proposals for retail and other town centre uses under 1000m² gross floorspace (including extensions) on the edge of or outside of defined town centres may be required to submit relevant assessments (including retail / town centre impact, transport and sequential assessments) where it is considered that the proposal may have a significant impact on the vibrancy, vitality and viability of any of the town centres.

Policy PV5: Protected Species

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.

European protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European Protected Species as defined by Annex IV of the Habitats Directive (Directive 92/94/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- *There is no satisfactory alternative and*
- *There are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and*
- *The development would not be detrimental to the maintenance of the population of a European protected Species at a favourable conservation status in its natural range.*

Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

We understand that preservation of wildlife is important and as such a Habitat Survey has been carried out by Countrywise Ecologists. This report will be submitted in support of the application.

Policy PV6 Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- ***The site selected is capable of accommodating the proposed development.***
- ***The siting and design integrate with the landscape context and minimise adverse impacts on the local landscape.***
- *Potential cumulative effects with any other relevant proposal are considered to be acceptable and*
- *Mitigation measures and/or reinstatement are proposed where appropriate.*

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation in Angus will be set out in a Planning Advice Note.

We are of the belief that our planned location is more than capable of accommodating the proposed development. The buildings footprint is around 636m² which is around 4% of the 14780m² site area. The trees along the southern boundary are to be retained and further additional large scale tree planting would be carried out throughout the site, not only screening the development but also offering a larger range of habitats for the surrounding wildlife.

We propose the building to be set below the road level as the site gently slopes away from the main road. As can be seen in proposed section A-A we have tried to use landscaping within the design to reduce as much impact the proposed has on its setting as possible.

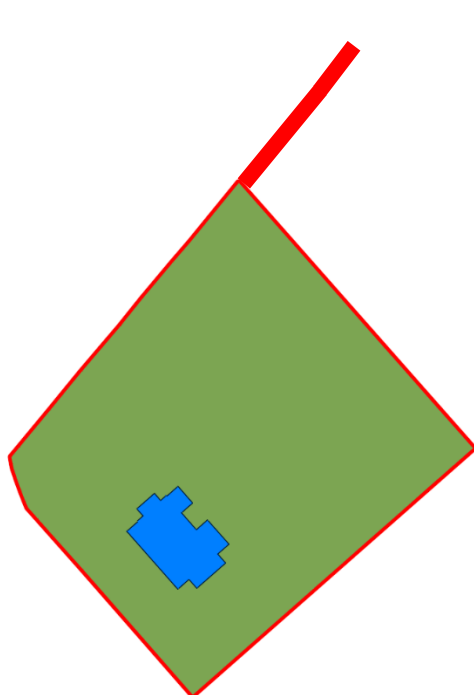


Image showing small area taken up by footprint.

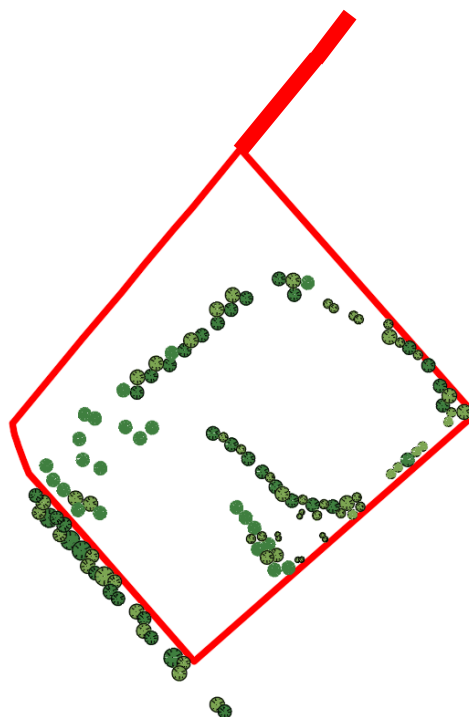


Image showing retained trees to the southwest outwith site, and proposed trees within the site.



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:

Policy PV7: Woodland, Trees and Hedges cont;

- *Protect and retain woodland, trees and hedges to avoid fragmentation of existing provision.*
- *Be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned.*
- *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.*
- *Ensure new woodland is established in advance of major developments.*
- *Undertake a Tree Survey where appropriate.*
- *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.

The site is currently farmland so there are minimal trees and hedges within the site. As previously mentioned regarding Policy PV6, we will ensure that the woodland to the south-west of the site will remain untouched. Around the building, access road and parking areas the site will be laid in grass to continue and enhance the countryside setting with some additional planting added around the site in the form of a varied mixture of small trees, shrubs and plants native to the area thus creating a mix of leaf, textures, heights and flowers that will complement the proposed development and surrounding area.



Trees located to the south-west.

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.

Out with areas served by public sewers or where there is no viable connection for economic or technical reasons private provisions of wastewater treatment must meet the requirements of SEPA and/or The Building Standard (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.

A Drainage Assessment has been carried out by S.A.McGregor, Drainage Engineer, this reports on a site investigation which involved trial pits undertaken with the purpose of infiltration tests. This has found the ground to have ideal attenuation and provides ample area for the drainage. It is proposed that new surface water will be connected into a private surface water soakaway and the new foul water will enter a private septic tank and then into a private foul water soakaway. All the drainage will be contained within the site to the current building standard regulations. The building will be supplied by mains water supply. This report will be submitted in support of the application.

Policy PV20: Soils and Geodiversity

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

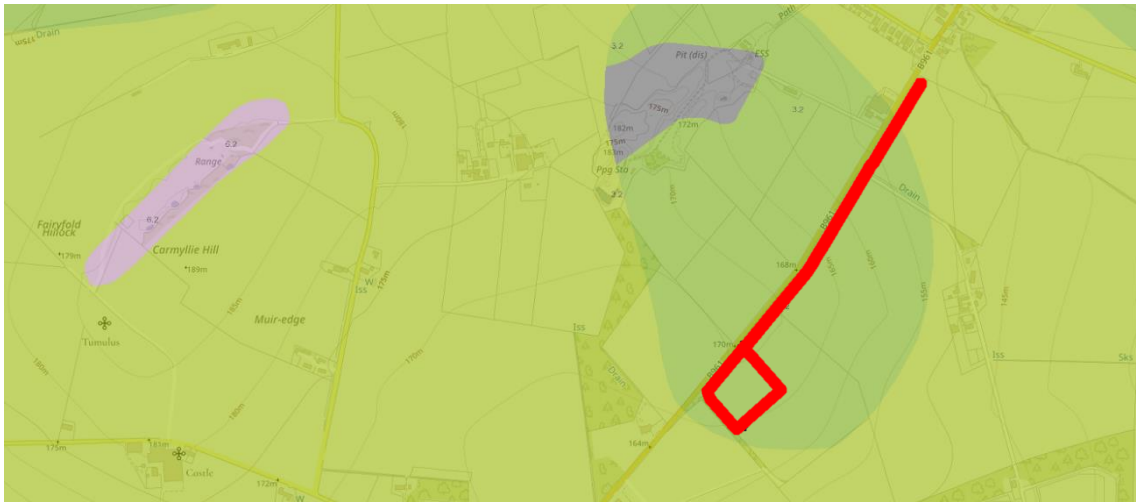
- Support delivery of the development strategy and policies in this local plan*
- Are small scale and directly related to a rural business or mineral extraction*
- Constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements.*

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.

The land at the site has been graded as 3.2 as per the “*National Scottish Soils map*”, this means that the land is capable of average production though high yields of barley, oats and grass can be obtained; use of the land for grass leys are common. The image below shows our site within the soils the map. 3.2 is not prime agricultural land, so we believe that this will be no real loss of land, in addition only a section of the field is to be utilised leaving the remainder of the field for farming.



The proposals are consistent with overarching aims of The National Planning Framework 4 and will better meet the sustainability conditions than any of the other local crematoriums.

Policy 1 & 2 – NPF4 policy 1 indicates that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 relates to climate mitigation and adaption and the policy is to encourage, promote and facilitate development that minimises emissions and adaptations to the current and future impacts of climate change. This requires development proposals to be sited and designed to minimise greenhouse gas emissions.

- The aim is to provide a sustainable building. It is believed that cremation produces lesser environmental damage than traditional in-ground burial and uses a lot less land. An electric cremator is to be used within the proposals, electric cremators release an estimated half the NOx (oxides of nitrogen, especially as atmospheric pollutants) emissions of a gas cremator and also have the capacity to utilise Selective Catalytic Reduction (a means of converting NOx). All electric cremators are fitted with abatement systems to remove mercury and other contaminants. This is a huge step towards an eco-friendlier building. To aid in running the electric cremator and the building, PV panels are to be installed on the south-west roof with potential of battery storage.
- The building will be constructed using high performance materials, such as natural timber linings which can store carbon within them.
- Further eco-friendly systems can also be implemented during the running process of the project, such as using the heat generated from the cremation process to help heat the building, or eco-composting all of the floral tributes, grass cuttings and hedge trimmings etc. to then be reused on the flower beds. These processes enabling all waste to be reused as environmentally friendly as possible. Recycling will be important during the running of the building.
- Finally the venue will have the capability to stream funerals, offering the ability to watch remotely; this will eliminate the need to travel completely for those patrons who are unable to attend.

Policy 5 – this policy is about Scottish soils and indicates that development proposals will only be supported if they are (amongst other things) designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land.

- As highlighted on the previous page, the proposed site has been graded as Grade 3.2 on the Scottish Soils map which means that it is not prime agricultural land. In addition only a small section of the field is to be utilised, allowing the remainder to be used for farming.

Policy 9 – indicates that 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.

- The proposals are consistent with the Angus Local Development Plan, this has been highlighted above.

Policy 13 – relates to sustainable transport. Its intent is to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Policy 13 indicates 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 meet a number of criteria. Policy 13 also indicates that 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.

- The development site is served by public transport, but can also be accessed by walking, wheeling and cycling. This will be made even more possible by the addition of a new footpath and cycleway from Redford.
- Further to being suitable for eco-friendly access, our site will also offer a ‘full package’ service. For example, the venue will offer cremations, services and the memorial garden which will reduce the need for a patron to travel to different venues.
- Policy 13 looks to reduce everyday travel, attending a funeral is not an everyday task therefore this reduces the applicability of the policy. Additionally, there is a desire to encourage appropriate rural development under Policy 29.
- It must also be taken into account that the patrons that shall visit the proposed development would otherwise be travelling to the other facilities in either Friockheim or Dundee, therefore the travel to this site may already reduce their miles travelled.

Policy 14 – Policy 14 design, quality and place indicates that development proposals will be supported where they are consistent with the six qualities of successful places. Those qualities include, (amongst other things) supporting well connected networks that make moving around easy and reduce car dependency. The policy indicates that 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.

Although we have already covered the points throughout this report to show how we believe that we have addressed the points above we will summarise them below:

- Sustainability of the Site – The site can be accessed sustainably and patrons will be encouraged to arrive using an eco-friendly method of transport. There are bus stops within a 150m walk from the site, these are served by the No. 36-bus which travels from Arbroath Bus Station (a station which provides travel to the whole of Angus). In addition to public transport, the development site can be reached via foot or bike from the local villages, specifically Redford as our client is willing to lay a footpath and cycleway through their fields to the site.
- Distinctive – Our building will be a statement building, whilst also being sympathetic to its surroundings.
- Safe and pleasant – The countryside setting will be a pleasant environment for the building, this will be amplified by the landscaping surrounding the building. The building itself has been designed to be safe, for example, ensuring the private areas are separate from the public areas to reduce risk of harm to patrons and ensuring that pedestrians can safely get from their cars to the building.
- Easy to move around – The building has been designed to provide a natural flow. Patrons will move from the entrance into the main hall and then from the main hall back out to the landscaped setting. Private spaces will be adequately sign posted so no public enter.
- Different materials will be used to further enhance the difference between public and private, such as Monoblock pathways for public areas but gravel pathways for private walkways. This will guide patrons subconsciously, as they will naturally continue to follow the correct path.
- An additional key point to this section is that the site is gently sloped which enables it to be easily accessible for disabled and elderly patrons including the memorial garden.
- Welcoming – The building has a canopied area, which will provide shelter whilst entering the building and will allow the hearse to offload safely, but this will also act as a welcoming element to the building, drawing the patrons in and into the large and warm entrance.
- Adaptable – Buildings should be designed to be adaptable; this means a building should be designed initially with the thought of how they might be easily altered in future to prolong its life. We believe that this will be a flexible space once constructed and – although it will be intended to be used as a crematorium throughout its whole use of life – its thought that it could easily be repurposed as a public building with very little work.
- Resource Efficient – It is intended that the building will be built to a high quality, this will be done through skilled trades persons and using appropriate materials. There will be minimum waste and will function effectively during use, maintaining the minimal waste mantra through the use of eco-friendly technology.
- A traffic analysis has been carried out by Cameron and Ross, Civil and Structural Engineers. This provides swept path analysis along with a traffic assesment and will be submitted in support of the application.

Policy 29 – rural development seeks to ensure that rural places are vibrant and sustainably and rural communities and businesses are supported. The policy offers support to proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy. It requires proposals to be suitably scaled, sited and designed to be in keeping with the character of the area; and to take into account the transport needs of the development as appropriate for the rural location. NPF4 places increased emphasis on locating new development in locations which have good access for sustainable travel options and avoiding increased reliance on the private car.

- The crematorium will be a sustainably run project which can be accessed sustainably. It will be of suitable scale (taking up only 4% of the red line area) and will be set back from the road at a reduced level. The building will then be screened by various planting to ensure it maintains a low impact on the surrounding. It will incorporate materials which can be found on surrounding buildings to ensure that it is in-keeping with the area.

As previously mentioned with reference to Policy TC17, a Crematorium building should be 200 yards from dwellings and 50 yards from highways, so the building itself is not suited to being built within a development boundary. Our site is located around 0.5 miles south of the domestic properties located at Redford and approximately 0.2 miles (320m) north of its closest neighbour. This exceeds the required 0.1mile distance whilst still maintaining walking distance. The building has been set back upon the site around 50 yards from the road, with the flue located around 85 yards from the road.

As mentioned in DS5, the public bus does stop at the Carmyllie Hall despite there currently being no physical bus shelters, however our client is willing to install a bus shelter to the north of his site. Additionally, our client is willing to install a pedestrian footpath and cycleway from Redford to the site, as mentioned earlier.

It is advised that you don't walk on a carriageway which is twisty, has changes in level, is unlit or darkened by tree canopies. The road from the hall and bus stops is straight, is not hugely affected by the trees and maintains a constant smooth incline. The road from Redford is similar, with little to no trees, straight and a gradual incline. Following the installation of pedestrian footpath and cycleway, it too will provide a safe walk to the venue. Additionally, to reduce the need for private car, our client is willing to provide a private bus service. Being so easily accessible will work well towards the Scottish Governments target of 'reducing car kilometres travelled by 20% by 2030'.

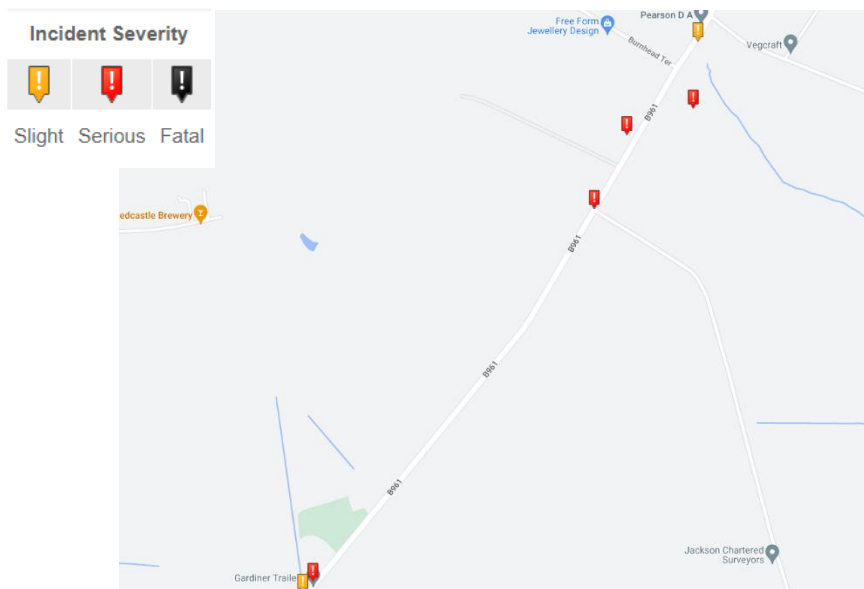


Road from Carmyllie Hall and Bus Stops

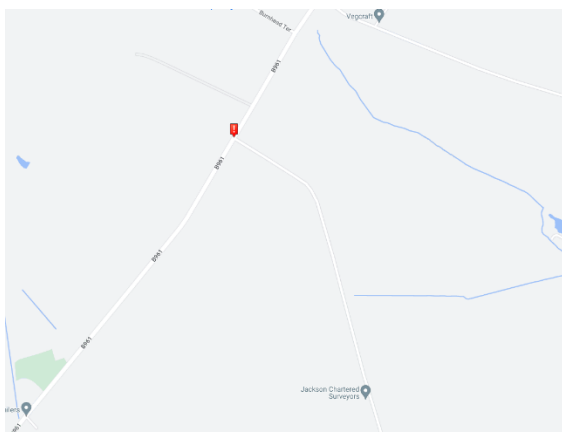


Roads from Redford towards the site. Top as you leave Redford then 2nd positioned around the end of the straight in first picture.

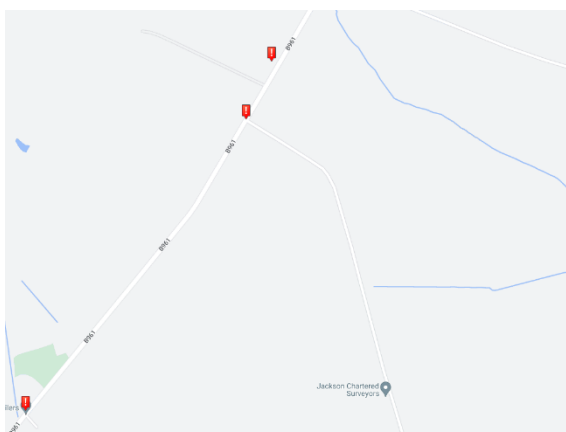
Given that the B961 is a B-Road which is mostly straight, there have been minimal road traffic collisions. The map below shows all the road traffic accidents which have been recorded on this stretch of road in the past 23 years, this highlights the locations of 6 different incidents. 2 of these incidents were slight with 4 serious. There have been no fatal accidents within the area.



Although there have been 6 reported incidents, the most recent was a serious accident in 2020, prior to that there have been none noted since 2011 – a year when 2 were recorded.



Incidents between 2020-2023.
Incident was reported 14/04/2020



Incidents between 2011-2023.
Incident was reported 14/04/2020
Incident was reported 20/07/2011
Incident was reported 16/06/2011

We truly believe that the proposals would provide economic benefits, offering jobs during the construction and operation of the development, but also presenting an increase in use of the nearby hospitality businesses. There will be 4 full time staff positions created by the proposed development.

There is high demand for cremations within the local area and it is known, that at times, waiting lists can be formed, so a new facility is required and we believe the site is ideally located within the centre of Angus and will provide this facility well. The location is close enough to Dundee to allow their residents to view the proposals as an option also, by creating a greater choice for funerals within the Angus and Dundee area, we have the potential to reduce the costs of a funeral (which are high in the area) which provides opportunity to help tackle funeral poverty.

As mentioned briefly with regards to PV6, a Crematorium ideally should have a calm and peaceful atmosphere and we strongly believe that being set within nature plays a huge part in this, this is one of the reasons that we are convinced that this is the best setting for the proposal. Evidence which confirms our views on this can be seen in several other Crematoriums throughout the Scotland, which boast of their natural setting.

- The Clyde Coast & Garnock Valley Crematorium is located upon the western coast of Scotland and boasts of being the highest Crematorium in Scotland sitting 731m above sea level. Opened in 2018, the Crematorium sits within the heart of the Clyde Muirshiel Regional park which covers 108 square miles of beautiful Scottish Countryside. It's country location helped it win "Best Crematorium" in Scotland at the 2019 Scottish Funeral Awards.
- The Hurlet Crematorium, which opened in 2021 is near Glasgow. Set within 15-acres of open countryside, the Crematorium offers panoramic views out and across the serene Hurlet Hills. This has helped them win "Best Crematorium" in Scotland at the 2022 Scottish Funeral Awards.
- Brewsterwells Crematorium St Andrews is a new Crematorium which opened in June 2022 within the outskirts of St Andrews. The Crematorium boasts of a beautiful rural outlook which provides a calm and peaceful place.
- Inverness Crematorium is also set out with the city, within the countryside.
- South Lanarkshire Crematorium sits within tranquil landscaped gardens with views over the Clyde Valley
- The Moray Crematorium was opened in 1999. It is set within approximately six acres of ground, amidst the gently rolling hills of the Moray countryside, their peaceful and tranquil gardens providing a quiet heaven and restful sanctuary.
- Borders Crematorium is set in the heart of the countryside near the Eildon Hills. The ground has been carefully designed to preserve the natural landscaping and its garden of remembrance offers a beautiful, tranquil setting.
- The Stirlingshire Crematorium overlooks the historic city of Stirling and the surrounding countryside, offering a natural place for families.
- Holmsford Bridge Crematorium was opened in 1997, it is situated within ten and a half acres of beautiful Ayrshire Countryside.

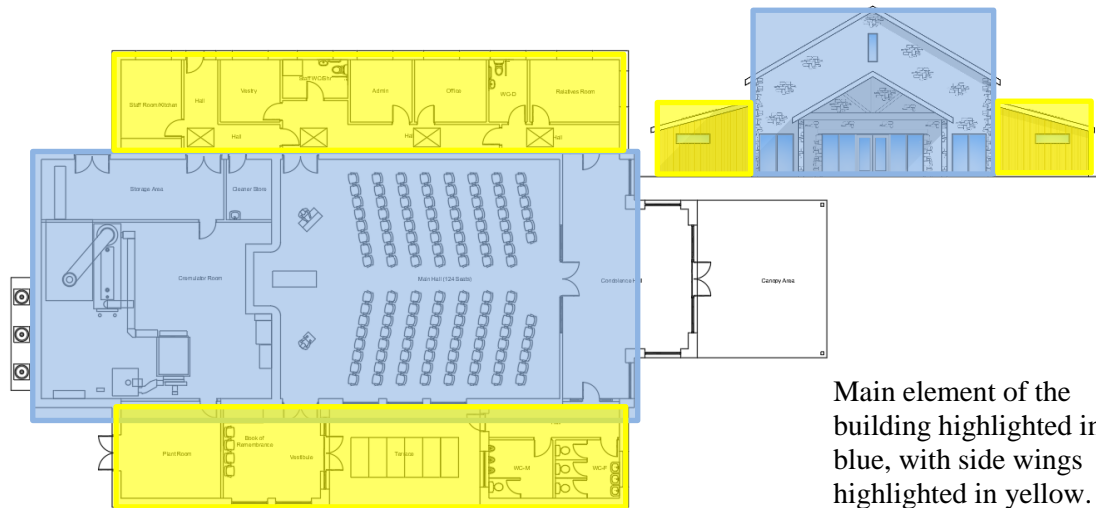
As can be seen from the list above, which is not exclusive, having a countryside setting plays a huge part of creating the ideal setting. Many of these Crematoriums have been approved and constructed within the countryside recently, we feel this backs up our choice of location.

Given our efforts to immerse this building within a natural setting, we believe there will be little to no impact on the surrounding setting. The building is set away from the road with sufficient landscaping which will easily conceal the car parking facilities.

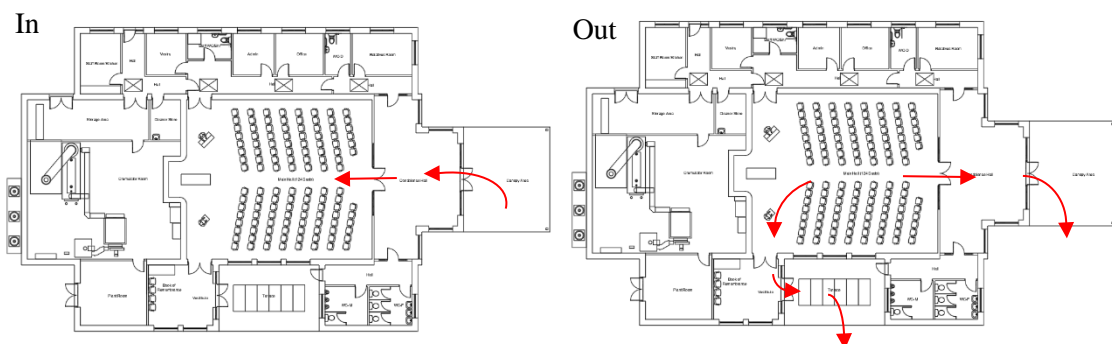
The road past the venue is of a satisfactory standard for traffic to use as access, however this will be upgraded with pedestrian footpaths and cycleways from the site to Redford, thus improving the area for locals.

Design

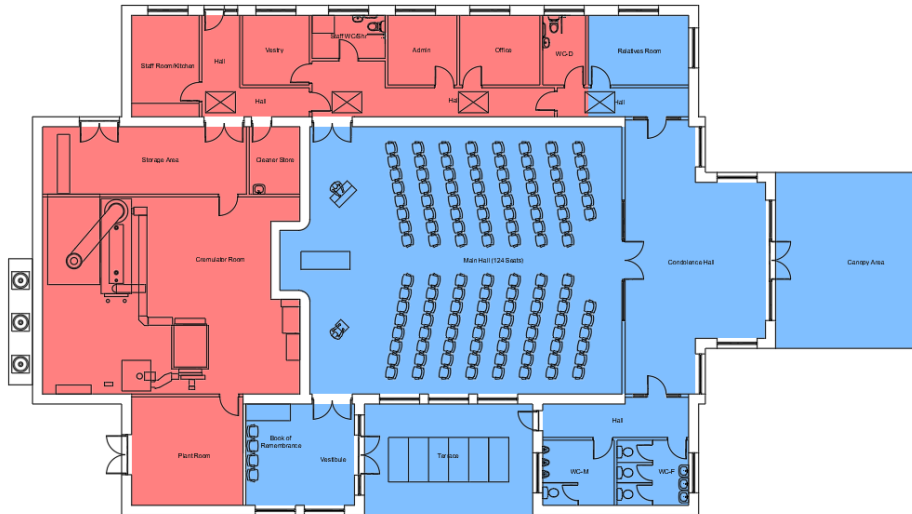
It is proposed to create a statement building, which will be located to the south-west of the site. The building, which is proposed to have a floor area of around 636m², is to have a main section which is linear in style and will be balanced with a wing at either side.



The building is to be simple in style, with a pitched roof on the main section and lean-to roofs for the wings. Entrance to the building will be through the main doors to the front of the building, facing north-west. Patrons will then be guided through to the main hall for the ceremony. After the ceremony has come to a close, patrons will then be guided back out the front or side doors into the vestibule area, both will offer connection to the external grounds giving ability to wander the grounds and to visit the memorial garden.

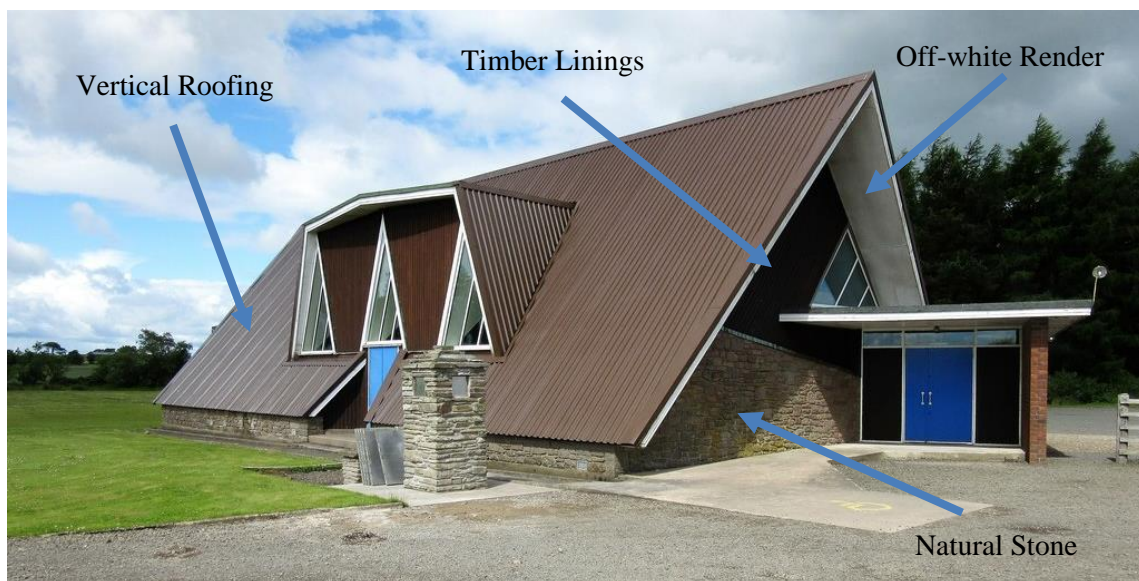


It is proposed that a canopied area is to be formed over the entrance door, this will provide a sheltered area for patrons and authorised vehicles. The private (red) and public (blue) spaces will be grouped together to not only aid with the natural guidance through the building but to also ensure that there is no confusion as to whether an area is private or public.

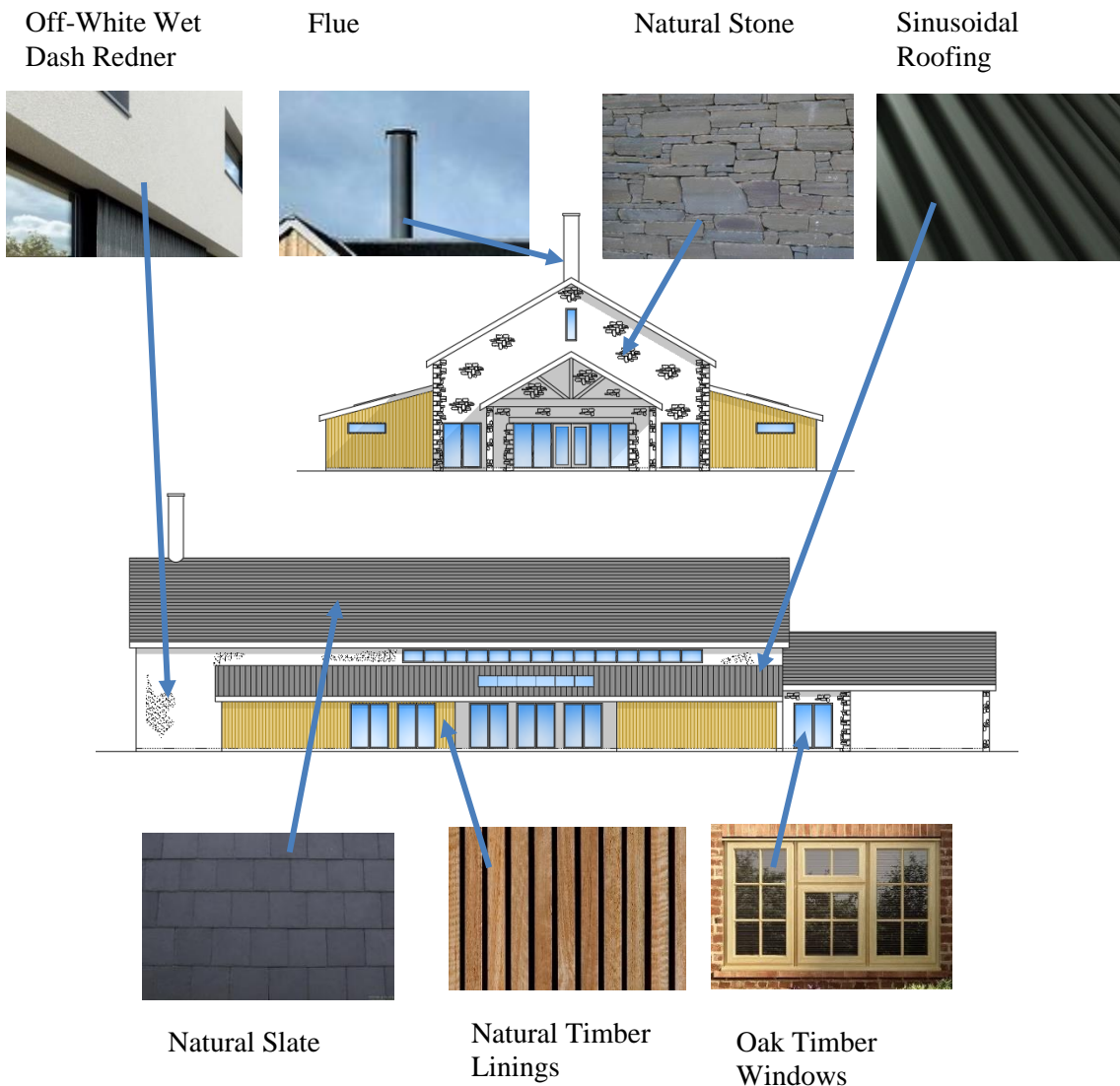


The proposals, which are to have an eaves level around 5.1m high and a ridge height of 9m, are to be finished in materials which are local to the site, this will help the building complement its surroundings rather than contrast against them. The main element of the building is to have a natural stone frontage, this will be welcoming and will mirror the stonework on Carmyllie hall across the road. The remaining walls of the main section are to be an off-white render, which will again mirror the rear of Carmyllie hall. The walls of the wings are to be clad in natural timber linings, although a different colour, this will tie in with the timber linings used on Carmyllie hall. The vertical metal roofing used on Carmyllie hall will be reflected by the sinusoidal roofing which is to be used on the roofs of the wing elements. The main section is to have a natural slate roof, which can be seen on many of the houses within the Redford village.

The flue will sit approximately 12m tall, this will comply with the environmental protection act 1990 which states the flue should be a minimum of 8m from the ground and 3m from ridge height.



Carmyllie Hall



Patrons will be encouraged to arrive at site via sustainable methods of transport – cycling, walking, private bus, or public transport – however parking provisions have been accounted for. Entry to the site will be via a new opening which is to be formed to the west side of the north-western boundary. Traffic will enter here before being gently guided around the site before exiting the site at another new opening along the north-western boundary, this time to the northern side. The use of these two openings enables the flow of the site to work to its best potential, it is also good practice of the Federation of Burials and Cremations Authority (FBCA).

Upon entry to the site the hearse will veer off the drive-through road to arrive under the canopied area of the building, upon leaving the canopied area the hearse will re-enter the looped access road to continue through the site and out the separate exit.

A one-way traffic system will operate at the site as shown below, this will enable cars to freely move throughout the site and should reduce congestion. 120 parking spaces have been provided for the patron car park; this includes 6 disabled parking spaces. The only road which does not follow the one-way system is the staff car park, which will be a two-way road, 14 parking spaces have been provided for this car park, including 1 disabled space. We do not feel the staff car park needs to be single lane as they will tend to arrive before the patrons at the start of the day and leave after them at the end of the day.

Electric Car Chargers will be offered for 4 parking spaces.



There will be a memorial garden for the venue. This has been positioned in a quiet place within the site and has been screened from the car parks by trees to provide a quiet and secluded space for mourning. Memorial gardens have been found to be highly effective in other developments, and examples of inspiration which may be used when fully designing and landscaping the proposed garden are:

Clyde Coast & Garnock Crematorium's memorial gardens and memory tree.



Hurlet's memorial gardens and memory tree.



By offering a memorial garden and a place to interment ashes, our development offers a complete service. This removes the need for patrons to travel to an additional site to carry out this process, further reducing miles travelled.

Conclusion

We believe that the proposed new crematorium would be an asset to the Angus and Dundee area. Our modern design will sit well within the Angus countryside, ideally located, and easily accessed from all of Angus and Dundee. Our proposed site will offer the ability to walk to the venue, cycle and gain access via public transport ensuring that eco-friendly travel is possible. Ample parking has also been offered for those who do choose to use a private car, although emphasis will be on other modes of transport and a private bus will be available.

The site is on a safe road, with only 1 road traffic accident in the past 10 years. This means that patrons will be able to access the site and leave the site safely. The straight nature of the road will allow for safe entry and egress to the site and sightlines of 215m x 2.4m are easily achievable.

A Crematorium ideally should have a calm and peaceful atmosphere and we strongly believe that being set within nature plays a huge part in this, this is one of the reasons that we are convinced that this is the best setting for the proposal. Given our efforts to immerse this building within a natural setting, we believe there will be little to no impact on the surrounding setting. The building is set away from the road, with landscaping between, and landscaping will easily conceal the car parking facilities.

We truly believe that the proposals would provide economic benefits, offering jobs during the construction and operation of the development, but also presenting an increase in use of the nearby hospitality businesses as patrons use services such a restaurant, pubs, nearby halls for wakes or use services such as public transport. There is high demand for cremations within the area showing that new facility is sought after, and we believe the site is well located within the centre of Angus. The location is close enough to Dundee to allow their residents to also choose this crematorium, by creating a greater choice for funerals within the Angus and Dundee area we have the potential to reduce the costs of a funeral, – which are high in the area – thus providing opportunity to help tackle funeral poverty.

We hope that you look favourably upon the application, as we feel it will be a great addition to the area and the community.

A B ROGER & YOUNG LTD CHARTERED
ARCHITECTS
April 2023 KM

KAREN CLARK
PLANNING CONSULTANCY

Addendum Planning Statement in support of application for Full Planning Permission for Change of Use of Land from Agricultural and Erection of Crematorium and associated works Land 200M Northeast of Carmyllie Hall, Carmyllie Application Ref 23/00268/FULL

For Myreside Farms, Inverkeillor

Karen Clark, Planning Consultancy, Mayriggs, Brechin Road, Kirriemuir DD8 4DE

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- 1. Introduction**
- 2. The Applicant**
- 3. Site Appraisal**
 - 3.1 Site Description
 - 3.2 Site Connection
- 4. Planning History**
- 5. Principle**
 - 5.1 Need
 - 5.2 Alternative Locations
- 6. Development Proposals**
 - 6.1 Proposed Crematorium
 - 6.2 Technical Supporting Information
 - 6.3 Sustainability
- 7. Consultation Responses**
- 8. Representations**
- 9. Development Plan**
 - 9.1 National Planning Framework 4
 - 9.2 Angus Local Development Plan 2016
- 10. Assessment**
- 11. Conclusion**

1. Introduction

The current application seeks full planning permission for a Change of Use of land from Agricultural and the Erection of Crematorium and associated works, Land 200M Northeast of Carmyllie Hall, Carmyllie. The application was registered with Angus Council on the 20th of April 2023 and is currently pending consideration (application reference 23/00268/FULL). No extension of time has been requested and no processing agreement has been entered into. All necessary statutory consultees were informed of the proposal on the 18th of April 2023 and all responses have now been received. All appropriate neighbours have been informed with the deadline for representations lapsing on the 19th of May 2023. The internal target date for determination was confirmed as the 15th of June 2023.

As a result, the application has been fully considered by all consultee bodies and those with an interest in it and is ready to proceed to determination. Indeed, there is no reason why it cannot now be determined. To further delay the application will result in the delay to the delivery of a much-needed additional crematorium facility in Angus, to the detriment of local residents.

It is submitted that the current application meets the Council's aspirations for Angus and complies with the development plan and that material considerations support the application. As such it is our view that the proposal should be approved.

2. Applicants

The applicant, Myreside Farms, own the application site and the neighbouring fields. The business is a long-established farming business looking to diversify operations. They have identified a demand for additional crematorium facilities in the Angus area and consider that the application site offers a central location for a new crematorium which can serve the main settlements of Angus.

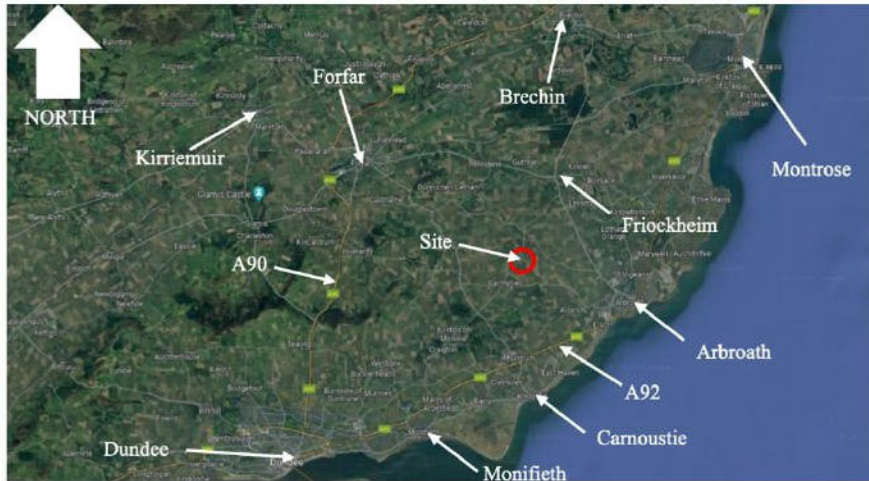
3. Site Appraisal

3.1 Site Description

The proposed site is located within the Angus countryside on the B961 and extends to an area 14780m². The site is currently located at a corner of a larger field which slopes gently to the southeast. The site is defined as 3.2 on the Land capability for agriculture (partial cover) and therefore is not considered to be prime agricultural land in policy terms. The land and verge, which connects to Redford, are wholly in the ownership of the applicant.

The site has a defined boundaries to the northwest, formed by the B961, and to the southwest, formed by an existing shelter belt comprising mature trees.

The wider area is a mix of farm holdings, scattered housing, and villages. The site is located centrally in Angus providing convenient access to the surrounding towns and villages via the existing roads network.



3.2 Site Connection

The site is located centrally within Angus and provides excellent accessibility to the existing local and wider strategic roads network. The site is located south of the village of Redford. The site has a frontage to the B961 to the northwest. An existing verge connects the site to Redford to the northeast, it is intended that this will be upgraded to a footpath as part of the current proposals.

The site sits on the route of the No. 36 bus with informal bus stops on either side of the road located outside the Carmyllie Hall, approximately 150m from the site. Formal bus stops are available in Redford. These bus stops do not currently benefit from bus shelters, however, if the application is approved, the applicant is willing to provide shelters for the benefit of the wider community. It is submitted that the crematorium will increase bus usage which in turn may lead to an increase in the frequency of the local public transport in the area, to the benefit of the local residents.

4. Planning History

There is no planning history associated with the site.

It is worth noting a recent planning consent was issued for a new crematorium at Duntrune (application reference 20/00830/FULL). In approving the application (following refusal by officers), the Local Review Board confirmed the following:

- Crematoriums require an appropriate and sensitive setting which was unlikely to be found within a town centre or edge of centre location.
- Angus is a rural area and therefore, notwithstanding the terms of National Planning Framework 4, the reality is that any potential crematorium site is unlikely to be well served by public transport.
- The Angus Local Development Plan 2016 does not contain policies that specifically consider proposals of this nature.
- Cremations are of a very high cost in Angus.
- Similar developments in rural area had been approved.

- A crematorium proposal has wider economic benefits.

The Duntrune application was approved June 2023. We are aware that the approval has been challenged by local residents. A judicial review has been lodged at the Court of Session and a decision on it is pending. The Judicial Review will halt any progress being made in delivering the Duntrune proposal in the short term and, if it is successful, it may halt the development altogether.

5. Principle

5.1 Need

The requirement for a further crematorium facility has been recognised by Angus Council with the approval of planning consent for a site at Duntrune. However, as indicated above, this proposal is under threat of a of a judicial review which will halt development in the short term and may stop the development progressing altogether. Therefore, it is appropriate to consider a further site which has no constraints to development, and which would ensure the delivery of the much-needed community facility for the benefit of the whole of Angus.

At present Angus Council provides no policy allocation or advice on the location of crematoria. There are a number of relevant factors that may be considered when considering a crematorium proposal. These include the site catchment, its location, the availability of appropriate land which meets the specific crematorium requirements, demand within the area, population, death rates and choice.

Over recent years there has been a general shift away from burials towards cremations, with 60% of people preferring cremations. This has increased the overall demand for the services of crematoria. At present, Angus and the surrounding area is served by a single crematorium in Friockheim, while Dundee has only one crematorium. These crematoria serve a population of around 270,000. There is therefore a strong demand for new crematoria to provide the necessary capacity for cremations. Although the existing demand is serviced by the existing crematoria, the current position all too often leads to delays with funeral arrangements and an exceptionally high cost for cremations compared to other areas of Scotland and the wider-UK. This has the negative consequence of an increase in funeral poverty. The table below shows that the costs of crematoria services in Angus and Dundee exceed other areas in Scotland. Even more concerning is that the costs of weekend services in rural Angus significantly exceeds those applicable to London.

	Weekly Service	Saturday Service		Weekday Saving	Weekend Saving
Angus	£1,100	£2,111			
Aberdeenshire	£809	N/A		£291	
Dundee	£1,115	£1,605		£5 Extra	£506
St Andrews	£835			£265	
Perth	£709	N/A		£391	
Stirling	£965	£1,205		£135	£906
Inverness	£959	£1,114		£450	£1,461
Glasgow	£650	£650		£450	£1,461
Edinburgh	£899	£999		£201	£1,112
London	£1,301	£1,428		£201 Extra	£683

5.2 Crematorium Requirements

The Federation of Burial and Crematorium Authorities recommends that crematoria should be at least 180m from the nearest residential dwelling. A crematorium development generally requires around 2ha to provide sufficient space for the crematorium building, parking, traffic circulation, garden of remembrance and considered native landscaping. Further, the site requires to have a quiet and secluded location.

In terms of the accommodation required within the crematorium building, this includes an entrance hall, waiting room, toilet, vestry, chapel, committal hall, crematorium and viewing room. Additional rooms are also required for the technical cremator and ancillary functions.

There is a recognition that new crematoria are suited to countryside areas as demonstrated by recent crematoria built in the following locations:

- The Clyde Coast & Garnock Valley Crematorium is located upon the western coast of Scotland and boasts of being the highest Crematorium in Scotland sitting 731m above sea level. Opened in 2018, the Crematorium sits within the heart of the Clyde Muirshiel Regional Park which covers 108 square miles of beautiful Scottish Countryside. It's country location helped it win "Best Crematorium" in Scotland at the 2019 Scottish Funeral Awards.
- The Hurllet Crematorium, which opened in 2021, is near Glasgow. Set within 15-acres of open countryside, the Crematorium offers panoramic views out and across the serene Hurllet Hills. This has helped them win "Best Crematorium" in Scotland at the 2022 Scottish Funeral Awards.
- Brewsterwells Crematorium St Andrews is a new Crematorium which opened in June 2022 on the outskirts of St Andrews. The Crematorium boasts of a beautiful rural outlook which provides a calm and peaceful place.
- Inverness Crematorium is also set out with the city, within the countryside.

- South Lanarkshire Crematorium sits within tranquil landscaped gardens with views over the Clyde Valley.
- The Moray Crematorium was opened 1999. It is set within approximately six acres of ground, amidst the gently rolling hills of the Moray countryside, their peaceful and tranquil gardens providing a quiet heaven and restful sanctuary.
- Borders Crematorium is set in the heart of the countryside near the Eildon Hills. The ground has been carefully designed to preserve the natural landscaping and its garden of remembrance offers a beautiful, tranquil setting.
- The Stirlingshire Crematorium overlooks the historic city of Stirling and the surrounding countryside, offering a natural place for families.
- Holmsford Bridge Crematorium was opened in 1997, it is situated within ten and a half acres of beautiful Ayrshire Countryside.

5.3 Alternative Locations

As stated, it is recognised that crematoria require a site with the following characteristics:

- around 2ha in area
- 180m from any residential property
- 45m from a road
- Landscaped setting
- Quiet, peaceful location

There is no designation within the ALDP 2016 for a crematorium, although various cemetery extensions have been allocated. There are very limited opportunities, if any, of the scale and nature of the required site in or around the existing settlements. From a review of the settlement plans for the various towns in Angus, a site of the required size could potentially be provided on the following:

- Opportunity sites - these tend to be brownfield sites within the town. These sites are close to existing residential properties and therefore are not suitable for a crematorium use.
- Allocated residential sites - these sites have been allocated by Angus Council to maintain a generous supply of effective housing land. The sites are generally in the ownership of house builders, are high value sites and are therefore not available for a crematorium use.
- Allocated employment sites - again, these sites have been allocated by Angus Council to maintain a generous supply of employment land within the council area. These sites are generally near existing employment sites and built development and therefore do not provide the peaceful environment required by a crematorium use.

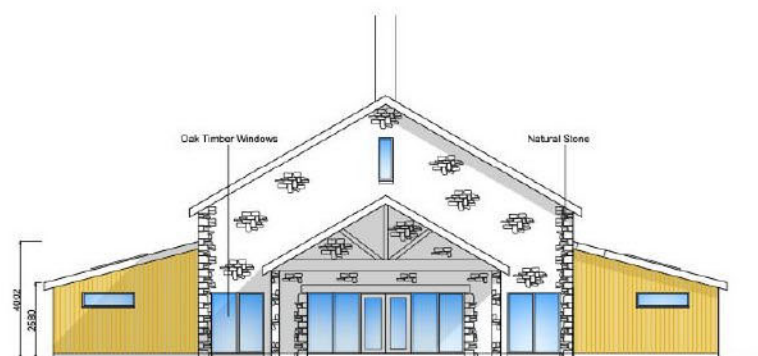
Further, and as confirmed by the Local Review Board, it is unlikely that crematoria will be located in town centre or edge of centre locations. As a result, rural locations provide the only opportunity to respond to the accepted need for new crematoria. It is within that context of site characteristics that the application should be assessed.

6. Development Proposal

6.1 Proposed Crematorium

The current application seeks full planning permission for a new 120-seat crematorium with 120 dedicated parking spaces, including staff and disabled spaces. The design has evolved from a desire to create a high-quality peaceful environment for bereaved visitors. The proposal sets the crematorium building to the southeast of the site with parking laid out to the northwest. Access to the site will be taken from the adjacent B916, with a sweeping arrival area for the funeral cortege which will sit separately from the main area of parking.

The crematorium is to be located on the south section of the site and will benefit from expansive views to the east. The building has been designed to be appropriate in character to the rural setting while being functional. High quality materials have been specified including natural stone detailing, white render, timber windows and a slate roof. The building will be set within an enhanced landscape setting with the existing tree belt to the south enhanced with additional planting providing a foil to the built development. A garden of remembrance will be planted to the northeast of the crematorium providing a quiet area for reflection.



Front elevation

Access to the site will be taken from the adjacent B916. A new footpath connecting the site to the existing bus stops in Redford will be created improving the overall accessibility of the proposal. A new bus stop will be provided at the frontage of the site.

In terms of operation, it is anticipated that the crematorium will operate from Monday to Friday between 9am and 4pm, with a maximum of 5 funerals per day. The applicant realistically expects that there will be an average of 3 funerals per day.

It is submitted that the proposed crematorium will create 4 new jobs once it is operating, with further jobs created during the construction phases. Further, there is anticipated spin off benefits to the surrounding local hospitality facilities.

6.2 Technical Supporting information

The following technical information has been lodged in support of the application:

- Ecology Assessment - confirms a negligible impact on any protected species. Tree root protection plan required. It also sets out the biodiversity enhancement to be provided by the proposal.
- Ground Assessment and Drainage Report - sets out SUDs and drainage requirements, no issues highlighted.
- Transport Assessment - in line with the requirements of Angus Council Roads Service, a new access to the B961 will be created which will provide the visibility splays 4.5m x 215m to the south and 4.5m x 160m to north. Parking provision for 120 cars, which includes 5 disabled spaces, meets the national parking standards. A further small staff car park will be provided including 14 spaces, which represents an over provision. The site layout further includes 2 coach parking spaces.
- The Transport Assessment concludes that the existing roads network can accommodate the proposed traffic connected to the crematorium use and that there is no reason to refuse the application for transport reasons.
- Air Impact Assessment - Assesses the dust related to construction, traffic emissions, odour emissions from the operations of the crematorium stack, and emissions relating to climate change. Overall, the Assessment confirmed odour emissions would be negligible.

In terms of sustainable transport:

- Walking - the proposal will provide a new footpath on the east side of the B961 connecting to the existing bus stop in Redford.
- Cycle provision - while there are no dedicated cycle routes in the immediate area, the rural roads can accommodate cycling. Cycle parking will be provided on site.
- Public transport - the site is on the existing No.36 bus route from Arbroath to Redford. This bus operates 4 services per day. The bus connects to Arbroath which provides bus and train routes to the wider area. There is the opportunity to expand this existing service to meet the demand generated by the crematorium, and the applicant would also be willing to provide a private bus service either along a dedicated route or on a bespoke basis, through arrangements with undertakers.

6.3 Sustainability

The proposal has been carefully considered to be sustainable, minimising the use of energy and waste. The building footprint has been kept to the minimum required, with the remainder undeveloped providing a detailed landscape plan incorporating native planting. The development will further incorporate full SUDS system within the proposed landscaped area.

The building structure has been designed to minimize energy load while at the same time maximizing energy efficiency. Energy use within the building will be minimal with the structure being highly insulated with green energy technology solutions incorporated, including photo voltaic roof

panels fitted to the southwest elevation. Seventy-two PV panels have been integrated into the design providing approximately 25 kw of energy. The energy will then be stored on site via a battery system and used to offset power usage within the electric cremator. Further, a ground source heat pump system will provide warmth to the building via an underfloor heating system.

The building has been designed in such a way as to maximise the use of daylight within the main hall area without the potential of the hall overheating. At building warrant stage consideration will be given to the implementation of appropriate ventilation and moisture control within the building.

The proposed electric cremator within the building will be highly efficient and sustainable. The unit will be ISO 14001 certified, an internationally agreed standard that sets out the requirements for an environmental management system and its environmental performance through the use of efficient materials and the reduction of waste. The lifespan of the proposed units will be a minimum of 40 years and the steel frame and brickwork within the unit would be fully recyclable.

Building materials will be locally sourced. The northwest elevation will be clad in natural stone, most likely sourced from the Pitairlie Quarry (Denfind Stone) which is only 5.4miles away from the proposed site. The proposed stonework will be practically carbon neutral as natural stone greenhouse gases are extremely low. The building side wings will be clad in natural larch harvested from fully sustainable forests within the UK.

The venue will have the capability to stream funerals, offering the ability to watch remotely; this will eliminate the need to travel completely for those patrons who are unable to attend.

Finally, eco-composting of all floral tributes, grass cuttings, hedge trimmings etc. will be put in place at the site thereby allowing all waste to be re-used as environmentally friendly as possible.

7. Consultations responses

The following consultees have responded to planning application Ref 23/00268/FULL:

- **Roads Service** - The Roads Service confirmed via e mail dated 13th February 2024 that there are no outstanding concerns with regard roads network or the proposed access. However, they expressed concerns with regard to the lack of substantive public transport services to the site. We have sought to address those concerns under the assessment against Policy 13 of NPF4.
- **Environmental Health** - No objection subject to a condition related to the control of plant noise.

8. Representations

In total 18 representations have been received with 14 objecting, 3 neutral and 1 in support. It should be noted that a number of the objections are from the same household. Considering the points of concern:

- **Impact on road traffic** - The Transport Assessment has confirmed that the surrounding roads network can accommodate the proposed traffic associated with the crematorium. The Roads Service have confirmed no concerns about the impact of the development on the surrounding roads network and confirmed that they are satisfied with the layout of the proposed access.
- **Pedestrian safety** - A safe footpath will be provided connecting the crematorium to Redford.
- **Need** - In granting planning permission for a new crematorium at Duntrune, Angus Council accepted that there is a need for a new crematorium facility in Angus. The planning consent for Duntrune is subject to a judicial review which, if successful, will result in the consent being quashed. Therefore, at present there is no certainty that the identified need for a new crematorium will be met at Duntrune. Currently residents in Angus pay significantly more for a crematorium service than other areas of Scotland (and London), which has resulted in funeral poverty in the area. An effective crematorium is required to meet the current demand and resolve the current issues relating to availability and exceptionally high costs.
- **Impact on Carmyllie Hall** - It is not anticipated that there will be any negative impact on Carmyllie Hall. Indeed, there may be a net benefit as there may be the opportunity for Carmyllie Hall to be hired out for the funeral teas bringing further revenue to the local community.
- **Accessibility** - The site is located on an existing bus route. A new formal layby and bus stop will be provided as part of the proposed development at the entrance of the crematorium site. New bus shelters will be provided at the existing stops in Redford as part of the development making a net improvement to the existing public transport facilities. The applicant would also be willing to offer a private bus service to ensure that sustainable modes of travel are available to all visitors to the crematorium. A new footpath will be installed connecting the site to the existing bus stops and Redford. Finally, the site is accessible by bike and cycle parking will be provided. Therefore, it is submitted that the site is accessible by sustainable transport modes.
- **Lack of odour assessment** - The site is not close to any sensitive receptor and as such no odour assessment is required, and therefore has not been requested by Angus Council.
- **Traffic Assessment and Ecological Assessment insufficient** - Both studies have been completed by professional experts. No issue has been raised with regard to the content or quality of the reports by Angus Council.

9. Development Plan

9.1 National Planning Framework 4

National Planning Framework 4 was adopted on the 13th of February 2023 and is part of the development plan. The following policies are considered of relevance in the determination of the current proposal:

Policy 1 Tackling the climate and nature crises.

Policy Intent: To encourage, promote and facilitate development that addresses the global climate.

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

Policy 1 provides the overview of Scottish Government Policy and is closely linked to the specific policies of Policies 2 see below.

Policy 2 Climate mitigation and adaptation

Policy Intent: To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

2a) provides that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible, while 2b) looks to ensure development proposals are sited and designed to adapt to current and future risks from climate change.

In the current circumstances the proposal has been designed to meet all best proactive design and construction methods. The applicant is committed to minimising all pollution and waste. The proposal has been sited and designed to minimise greenhouse gas emissions. The site is located centrally in Angus, which makes it easy to access from the surrounding towns and villages. Journey times will therefore be minimised when compared with journey times to the existing crematorium. By increasing the number of crematoria, and ensuring that they are located in separate areas, it is likely that the customers will gravitate towards the nearest crematorium rather than travel across the local authority area to access an alternative. The proposal also incorporates four EV charging points to encourage electric car use to the crematorium and will provide cycle parking areas.

Therefore, it is submitted that the proposal complies with Policies 1 and 2.

Policy 3 Biodiversity

Policy Intent: To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

The relevant parts of Policy 3 are:

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.

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.

The site is currently an arable field, and therefore undergoes cycles of growth, harvest, and ploughing. The Ecological Assessment submitted in support of the application confirms that it has limited, if any, ecological merit and contains little in the way of any biodiversity features.

Although the development proposals will require the removal of four beech trees in order to provide visibility splays at the entrance to the site, there will be significant biodiversity enhancement provided through the development. These have been identified as noted below, and can be secured through the imposition of planning conditions requiring the submission of a landscape plan for the approval of Angus Council, to include:

- An expansive programme of native tree and shrub planting will be incorporated into the site design (approximately 80). These will both mitigate against the loss of the four beech trees, and also significantly enhance the provision of trees and shrubs, well above the assessment baseline level.
- Drystone dykes will be retained and restored around the site. These will provide habitats for small mammals and birds.
- The applicant will ensure that the boundary of the site will be “porous” in order to enable the movement of small mammals to and from the site.
- The building design will incorporate features to encourage nesting birds, including swift boxes and crevices in the wall heads.
- The managed grassland areas will be planted with wildflower lawn mixes.
- Flower beds will be stocked with native and/or insect attracting species.

The application therefore meets the requirements of Policy 3 by including the enhancement of biodiversity and restoration of degraded habitats in a manner that is proportionate to the nature and scale of the proposed development.

Therefore, it is submitted that proposal complies with Policy 3.

Policy 5 Soils

Policy Intent: To protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.

Policy 5a) provides that 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 disturbance to soils on undeveloped land, and (ii) in a way that protects soil from damage, including compaction and erosion, and that minimises soil sealing.

In the recent case of the *Wildcat Haven Community Interest Company*, the Courts set out the correct interpretation of, among other policies, Policy 5. It confirmed that the hierarchy was not a sequential assessment. Rather, the mitigation hierarchy sets out the principles that should be considered as part of a development proposal. In other words, avoidance does not get priority, with minimising following on. An application must show how both have been considered.

Looking at avoidance first, the site plan clearly shows that the application site is a relatively small portion of the enclosed arable field in which it is located (less than 25% of the area). Therefore, the proposal has been formulated in such a way to provide a modern, inviting, and efficient crematorium while retaining the majority of the agricultural land around it. There is also a generous amount of land, particularly to the west (front) and north of the site, that will be landscaped areas and unaffected by built development.

Every effort has been made to avoid and minimise the disturbance to soil as part of the development, and to protect the remaining soil. The requirements of Policy 5a) have therefore been addressed and satisfied.

The remainder of Policy 5 relates largely to prime agricultural land. As explained above, the application site is categorised as Class 3.2 land, which is not prime. Therefore, the balance of Policy 5 is not of relevance in the determination of the current application.

Policy 13 Sustainable transport

Policy Intent: To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

The policy outcomes relevant to this application are:

- (i) more, better, safer and more inclusive active and sustainable travel opportunities, and
- (ii) developments are in locations which support sustainable travel.

The relevant parts of Policy 13 are:

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.

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.

The current proposal is to deliver a new crematorium. The principle of a new crematorium in Angus has been accepted by the Council as something which is required to address the long-standing need within the area. There is, now, only one crematorium in Angus. This means that there is both a notable capacity for additional crematoria, as well as an acute need for more. The absence of choice available to residents of Angus, together with consequent demand placed on the sole existing crematorium, means that the prices for cremation services in Angus are the highest in Scotland, among the highest in the UK, and exceed even those that are (on average) chargeable in London. There are naturally delays in accessing funeral services as a result of the strong demand for cremation services. This position places residents of Angus at a significant disadvantage and means that funeral poverty is a very real issue affecting the area. The need for the development, in principle, is therefore well-established.

The general requirement for cremation services, in the sense of how and when crematorium services are accessed by the public, should also be considered when assessing the development proposal. It is, fortunately, the case that a crematorium does not fall into the category of serving the daily needs of people. It is an operational use that is deeply sensitive and is required only at periodic intervals in people's lives. This proposal, and its assessment against Policy 13, should be viewed in that context.

In approving the application for a new crematorium in Duntrune, the Council's officers and elected members were clear that a rural location is appropriate for a crematorium given the sensitive nature of its use, the importance of its setting, and the specific requirements of a development of this nature in terms of land take and distance from neighbour properties. In that context, the application site is an ideal location for a new crematorium. It requires only a small portion of land to be fully built out and operated, and it is located a suitable distance from any neighbouring properties so that there will be no adverse impact on any adjacent residents or occupiers in relation to amenity issues. Its rural setting is in keeping with the tradition of locating crematoria in rural, or quasi-rural, settings. We would note that recent award-winning crematoria in Scotland are all based in rural locations.

In terms of part (b) of Policy 13, the proposal must be assessed against the sustainable investment hierarchy and the sustainable travel hierarchy. These concepts are defined in the glossary of NPF4.

In terms of the sustainable travel hierarchy, this means that walking, wheeling, cycling, public transport, and shared transport options should be promoted in preference to single occupancy private car use for the movement of people. Sustainable travel itself is defined as being the top three modes in the sustainable travel hierarchy – walking, wheeling and cycling. However, its definition in NPF4 explains that:

"It is recognised that in some locations, particularly in rural areas, where the top three modes have been judged as unfeasible for day to day travel, low emissions vehicles and shared transport options will play an important role."

This means that in order to properly assess the sustainable travel acceptability of the proposal, it must be assessed against all forms of sustainable travel. In the same way as Policy 3 should be applied, the description of the options as a "hierarchy" does not mean that one is favoured over the other – it means that all options must be considered. However, this assessment must be balanced against the requirement to locate a new crematorium in a rural setting.

There will be some scope for walking to the crematorium, particularly for residents in Carmyllie and Redford. Wheeling and cycling may be possible but, in a practical sense, it is considered unlikely that these modes of transport would be used in order to attend a funeral or cremation service.

There is one bus service that serves the development site. It operates from Arbroath, which is the nearest large town to the site, to Redford. There are four services each day that operate from east to west (i.e. from Arbroath bus station to Redford) – these arrive at Redford at 8am, 12.30pm, 3.40pm, and 5.45pm. There are also five services that run from west to east (i.e. Redford to Arbroath bus station) – these depart Redford at 8.05am, 9.13am, 1.08pm, 3.45pm, and 5.50pm. Discussions have taken place with the local bus operator, JP Coaches, please see letter attached, who have confirmed

that they would work with the applicant to improve the regular bus service in the area as a result of the anticipated increased demand as a result of the crematorium. As part of this proposal, the applicant would undertake to fund the delivery of an additional morning bus service from Arbroath to Redford. This could be secured through a planning condition or a Section 75 Agreement.

The applicant has also explored the possibility of providing a private bus service from the crematorium either along a dedicated route, or on a bespoke basis based on the needs of each funeral service. JP Coaches have confirmed that they would work with the applicant to achieve this outcome. Again, this service could be secured through a planning condition or Section 75 Agreement to ensure that the sustainable travel options remain in place in perpetuity.

There is currently no bus stop immediately serving the development site, but the applicant is proposing to instal a new bus layby containing a bus stop and a bus shelter at the front of the site. These can be secured by a suitably worded planning condition that could, for example, require the design of the bus layby, stop and shelter to be approved by the Council before any work commences on site, and then require those items to be delivered before the crematorium is opened for use.

There is also an existing informal bus stop at Carmyllie Hall and a formal bus stop at Redford. The applicant proposes to build a new footpath to connect to Redford and the bus stops within the village to the application site. Again, the delivery of this footpath can be secured by way of a suitably worded planning condition.

The layout of the development has been carefully considered to ensure the proposed crematorium is accessible to all with no barriers to entry. There will be no impacts on local public access routes.

In terms of addressing the other planks of part (b) of Policy 13, the proposal incorporates four EV charging points and the necessary cycle and car parking areas, with the cycle parking areas located close to the crematorium building.

In terms of part (c) of Policy 13, a Transport Assessment (TA) has been lodged in support of the current proposal. The TA has assessed the existing road network, the impact of the additional traffic and road safety issues and concludes that the existing roads network has the capacity to accommodate the likely traffic connected to the crematorium use, and therefore should be no reason to refuse the application for traffic impact reasons.

In terms of part (d) of Policy 13, notwithstanding the public transport methods available, given the reason for visiting a crematorium and the circumstances surrounding them, it is accepted that most journeys to and from crematoria generally take place by private car albeit with visitors generally preferring to share journeys and travel together. This approach would meet the requirements of the sustainable travel hierarchy where all sustainable options must be considered, including shared modes of transport (including by private car). It may, on the face of it, not comply with the first part of part (d) of Policy 13, but the "tailpiece" of the policy says that in assessing a proposal against part (d), the decision maker must take "*into account the specific characteristics of the area*". Following the Duntrune example, the Council has already accepted that suitable sites for crematoria are, in general, rural locations. Accepting that position, the specific characteristics of the application site (as well as

the sensitive nature of the development) mean that it is appropriately located in a rural setting in order to provide a peaceful place for mourning, remembrance and reflection. There is therefore some degree of flexibility built into part (d) of Policy 13, to enable rare and much-needed developments that are suited primarily to rural locations to come forward.

The site is located centrally in Angus, making it easy to access from the surrounding towns and villages, therefore minimising the journey times. Particularly if visitors are travelling from the south and west of Angus, journey times will be reduced when compared to travelling to the existing crematorium, thereby saving on carbon emissions.

In terms of part (f) of Policy 13, the applicant would be pleased to discuss a Travel Plan for the site which would incorporate targets in connection with travel arrangements. That Travel Plan could contain reference to the works to provide bus laybys along the front of the site, the delivery of new footpath connecting the site with the existing bus stops in Redford, and the provision of information on the crematorium's website in relation to the provision of public transport, the private bus offering, and the availability of cycle spaces and EV charging points at the site.

The development also looks to encourage sustainable transport modes with improvements to the footpath connections in the area, providing a footpath link to Redford to the north.

The site sits on an existing bus route. It may be (and it is hoped) that an increased use of the bus service as a result of the crematorium leads to a greater number and frequency of buses serving the application site and the wider area. The development supports this further by including the provision of new bus shelters at the existing bus stops, bringing a net improvement to public transport facilities in general. Finally, a travel plan will be developed to assist visitors to choose and use more sustainable travel options which. The travel plan (which will contain travel options and information linked to those) will be posted on the future web site of the crematorium. The requirement to deliver the travel plan can be included in a suitably worded planning condition.

Therefore, it is submitted that the proposal complies with Policy 13.

Policy 14 Liveable Places

Policy Intent: To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

The relevant part of Policy 14 that apply to this application are:

- 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.

The proposed crematorium has been designed to provide a calm and peaceful environment where services are held in a tranquil setting as part of the rural surroundings. The design and layout, which takes advantage of the sloping site and the existing mature tree belt to the south, will ensure that the proposals will have a very limited impact on the surrounding area. The nearest residential properties to the application site are in Redford to the north, which is of sufficient distance to ensure the residential amenity of the village is maintained and not adversely affected by the proposal.

The detailed design and specification have been developed to reflect the countryside location with high quality materials used throughout. The application is considered to fully accord with Policy 14. It has been formulated by taking a design led approach, which has created a carefully and sympathetically considered development, and which has located this very sensitive use within an appropriate setting and environment, while not impacting on or detracting from the wider area.

Therefore, it is submitted that the proposal complies with policy 14.

Policy 22 Flood Risk and Water Management

Policy Intent: To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

The application site is not identified as being of any flood risk on the SEPA flood maps. A Drainage Assessment has been completed which confirms no issues in terms of proposed drainage.

Therefore, the proposal complies with Policy 22.

Policy 23 Health and safety

Policy Intent: To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

The relevant part of Policy 23 is:

d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

An air quality assessment has been lodged in support of the application. This confirms that the proposed crematorium will give rise to no issues in connection with air quality or air pollution. The results of this Assessment have been accepted by the Environmental Health Service of Angus Council who have made no objection to the proposal.

Therefore, it is submitted that the proposal complies with Policy 23.

Policy 25 Community wealth building

Policy Intent: To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

The relevant part of Policy 25 is:

a) Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported.

The proposal will directly result in a number of employment opportunities both during the construction phase and in the operation of the crematorium.

In terms of the construction phase, it is anticipated that there will be approx. 50 full time jobs created, with the construction phase lasting between 12 and 18 months.

Once the development is completed, it is anticipated that there will be 4 FTE jobs available in connection with the operation of the crematorium.

The construction phase will also provide opportunities for the local supply chain. Contractors will be required for ground works and construction of the crematorium. Specialist builders, joiners, electricians, engineers, and plumbers will be required to construct the building and instal the apparatus on site. The development value of the proposal is estimated at present o be £1.4- £1.6 million, the applicant would look to place the required contracts with contractors in the local area, as well as sourcing the materials in the local area.

The crematorium will also deliver indirect economic benefits, particularly in relation to local hospitality operators within the area, who can provide function space for gatherings after funeral services bringing benefits to the local hospitality facilities.

The proposal will improve footpath connections and public transport connections with new and improved bus facilities including new bus shelter in Redford. Further, and as confirmed by the letter of support from the local bus operator, the applicant and bus operator will work with Angus Council to improve the regular bus service in the area as a result of the anticipated increased demand as a result of the crematorium, to the benefit of the wider community.

The crematorium is a facility which serves the community. Given the real need for a new crematorium and the current costs associated with funeral cremations in Angus, the proposal will have a positive impact on the alleviation of funeral poverty.

Therefore, it is submitted that the proposal complies with Policy 25.

Policy 29 Rural development

Policy Intent: To encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

- a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:
 - ii. diversification of existing businesses;
 - iv. essential community services; Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

The current proposal represents the diversification of an existing long established family business. A need for a new crematorium has been identified and confirmed by Angus Council. The applicant is committed to a high-quality development which will contribute to the rural economy while not having a detrimental impact on the character of the area.

The proposed development has been carefully considered to ensure that it is suitably sited and designed in order to deliver a development that is in keeping with the character of the area. In addition, the comprehensive landscape plan will ensure that there is no adverse visual impact from the development.

Therefore, insofar as the policy is applicable, it is submitted that the proposal supports rural diversification of the rural economy and complies with Policy 29.

Therefore, overall, it is submitted that the current proposal complies with the overall ambitions and policies of NPF4. While there is some slight divergence from Policy 15, sufficient justification has been provided to set aside strict adherence in the current circumstances.

9.2 Angus Local Development Plan 2016

The Following policies are considered of relevance.

- Policy DS1 : Development Boundaries and Priorities
- Policy DS2 : Accessible Development
- Policy DS3 : Design Quality and Placemaking
- Policy DS4 : Amenity
- Policy TC8 : Community Facilities and Services
- Policy TC15 : Employment Development
- Policy TC17 : Network of Centres
- Policy TC19 : Retail and Town Centre Uses
- Policy PV5 : Protected Species
- Policy PV6 : Development in the Landscape
- Policy PV7: Woodland, Trees and Hedges
- Policy PV15 : Drainage Infrastructure
- Policy PV17 : Waste Management Facilities
- Policy PV20 : Soils and Geodiversity

These policies will be considered in the Assessment section below.

10. Assessment

The current application seeks full planning permission for a crematorium with associated garden of remembrance, parking and access. The need for a new crematorium has been expressly recognised by the Council in their consideration of the planning application for a new crematorium at Duntrune. As part of that consideration, the Councillors acknowledged that the nature of the crematorium use meant that it was best suited to a rural location.

However, we are aware that the Council's decision to grant permission for the proposed crematorium at Duntrune has been threatened with a judicial review. This is likely to prevent development from coming forward in the short-term at the very least and may, potentially, stop development from proceeding altogether. Therefore, given the accepted and acute need for at least one new crematorium in Angus, and the demonstrable funeral poverty across the local authority area, it is appropriate for the Council to consider an alternative proposal.

We have sought to demonstrate that the current proposal complies with the policies of NPF4, which forms the upper tier of the statutory development plan. Where there is any conflict with the policies of the Angus Local Development 2016 ("**ALDP**"), it is those in NPF4 that should prevail. We have considered the relevant policies of the ALDP below.

Policy DS1

Policy DS1 in the ALDP indicates that out with 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.

It is submitted that the current proposal offers a development of appropriate scale and nature in a rural location. Overall, the proposal complies with the remaining relevant policies of the ALDP.

Policies DS2, DS3 and TC8

Policy DS2 (*accessible development*) provides that development proposals will require to demonstrate, according to scale, type and location, that they are or can be made accessible to existing or proposed public transport networks and provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks. Policy DS3 (*design quality and placemaking*) provides that development proposals should create buildings and places which are well connected and where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport. Policy TC8 (*community facilities and services*) provides that new facilities should be accessible and of an appropriate scale and nature for the location.

The proposed development will provide a 120-seat crematorium with 120 dedicated parking spaces, including staff and disabled spaces. A new access to the B961 will be created which will provide the visibility splays as agreed with the Roads Service, being 4.5m x 215m to the south and 4.5m x 160m to north. A Transport Assessment has been lodged in support of the current application. This demonstrates that the surrounding existing roads network has the capacity to accommodate the anticipated traffic visiting the crematorium.

The site is located on an existing bus route which will be improved by the applicant through the provision of a new bus stop and bus shelters at the front of the application site. Further, the expected use of the bus service may lead to additional services being provided in order to increase public transport capacity. The applicant also intends to provide a private bus service which can either operate along a dedicated route, or which can provide bespoke transport in accordance with the requirements of each funeral or cremation service.

The site is a short walk to the village of Redford. If approved the applicant is committed to the provision of a footpath connecting the site to the bus stop at Redford village, this will enhance public transport links and provide a further net improvement to the local community.

Further, while there are no dedicated cycle lanes, the local rural roads are capable of accommodating cyclists. Cycle parking will be provided as part of the development and will be located close to the crematorium building.

As explained in more detail connection with Policy 13 of NPF4, it is recognised that the nature of the development means that many visitors will attend by car, although the general approach will be that families and friends will share car journeys and travel together. There will be very few single-occupant

journeys. A Travel Plan will be provided to encourage sustainable modes of transport including car sharing, as well as capture the delivery of the of the works to promote the use of public transport.

Policy TC15

Policy TC15 directs new employment development to employment land allocations and existing employment areas within development boundaries. It also offers support for rural diversification where there is an economic and/or operational need for the location and other relevant issues can be addressed.

The current circumstances represent a diversification of an existing local business. The applicants are a well-established farming family who have identified a recognised need for an additional crematorium facility in Angus. Crematoria have a recognised requirement for a 2-ha site which is at least 120m from the nearest residential property. Further, the nature of the crematorium use dictates the need for a quiet and peaceful location which can provide a tranquil setting. It is clear such a location does not exist in town centre or edge of centre locations. The Council has previously confirmed that *"crematoriums require an appropriate and sensitive location, and it was unlikely that this type of development would be near a town centre or edge of centre location."* This demonstrates the operational need for the rural location.

It is also important to note that the loss of a comparatively small area of non-prime land would have no effect on the continuing viability of the existing farm unit.

The proposed crematorium will provide a variety of short and long term employment opportunities to the benefit of the wider rural economy.

Policy DS4

Policy DS4 (*amenity*) requires that 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 in terms of air quality, noise and vibration levels, 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.

In terms of this application, the design and layout have been developed to create a high-quality crematorium facility which will have minimal impact on the surrounding landscape. All potential amenity impacts have been considered with no detrimental impact identified. An Air Quality Assessment has been completed with no issues identified. The Environmental Health Service has been consulted and has made no objection. The site is sufficiently distanced from any residential property and, as a result, there are no concerns with regard to impact on the amenity of local residents. In term of light pollution, low impact lighting will be used to ensure no light pollution.

Policies TC17 and TC19

Policy TC17 (*Network of Centres*) and Policy TC19 (*Retail and Town Centre Uses*) seek to protect and enhance the scale and function of the existing centre with a town centre first approach applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people.

As stated above, given the specific requirements of a crematorium in terms of site area, distance from any existing use and environmental requirements, it is clear that a town centre or edge of centre location is simply not feasible or appropriate. This has been accepted by the Council. The development of a crematorium in the rural location will have no impact on the vitality or viability of the existing centres.

Therefore, it is submitted there is no conflict with Policy TC17 or TC19.

Policy PV5

Policy PV5 (*Protected Species*), requires that the Council will work to protect and enhance all wildlife including its habitats, important roost or nesting places.

An Ecology Report has been lodged in support of the application prepared by an appropriate expert. This confirms no impact on any protected species. Further, the development will include a considered landscape scheme with new native planting, enhancing biodiversity and habitat opportunity on sites.

Therefore, the proposal fully adheres with Policy PV5.

Policy PV6

Policy PV6 (*Development in the Landscape*) provides that the Council will seek to protect and enhance the quality of the landscape in Angus, its diversity, its distinctive local characteristics, and its important views and landmarks. Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus.

The proposal has been designed to minimise the loss of agricultural land. There will be no landscape or visual impact arising from the development.

The site is not the subject of any natural heritage designation.

Therefore, there is no conflict with Policy PV6.

Policy PV7

Policy PV7 (*Woodland, Trees and Hedges*) provides that woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced.

The site includes a mature tree belt to the south. This will be retained with appropriate root protection employed during construction. Further new significant native tree planting will be included in the development creating an attractive environment for the proposed crematorium and ensuring the enhancement of the site.

Policy PV15

Policy PV15 (*Drainage Infrastructure*) requires Drainage Impact Assessment to be lodged in support of a development proposal. This has been done for the application and confirms the acceptability of installing a septic tank and a suitable SUDS on the site.

The proposal therefore complies with Policy PV15

Policy PV17

Policy PV17 (*Waste Management Facilities*) requires suitable refuse and waste management to be provided on site. These features are included in the development proposal.

Policy PV20

Policy PV20 (*Soils and Geodiversity*) relates to prime agricultural land. The application site is designated 3.2 and is therefore not prime agricultural land.

Material Consideration

The most significant material consideration in support of the proposed development is the acute requirement for further crematoria within Angus. There is currently only one crematorium operating within the local authority area. As a result, we understand that it is operating well-beyond capacity and that the price point of cremation services in Angus are the highest in Scotland and among the highest in the UK. This leads to multiple consequence, the most prominent of which is funeral poverty, where individuals either are significantly financially prejudiced by funeral costs or simply cannot pay them.

11. Conclusion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise.

It is worth noting that while the ALDP allocates land for extension to cemeteries, it contains no specific allocations or policies for new crematoria in Angus. Therefore, it is inevitable that an application will come forward on land that has no relevant allocation.

The Council has accepted, in principle, the need for a new crematorium within Angus. In doing so, the Councillors acknowledged the high cost of cremation services in Angus as a result of the lack of choice and the very high demand at the existing facilities.

That there is a need for at least one additional crematorium in Angus is beyond doubt. Against that background, the Council must decide whether the application site is an appropriate site for a crematorium.

The Council has accepted that, given the largely rural nature of Angus and the specific needs of a crematorium in terms of location, site size, and proximity to other uses, Angus crematoria in Angus are unlikely to be located in town centres or edge of centre locations. Their overall conclusion is that the nature of crematorium use is more suited to a quiet rural location.

The site at Duntrune which has been approved for a crematorium development has a number of significant issues which may constrain development including the threat of a judicial review, all of which may constrain the site in the long term. Therefore, in order to address the accepted need for additional crematoria in Angus, it is reasonable to look at other viable and fully effective sites with no constraints, such as the current application site.

The current application is for a 120-seat crematorium with associated parking, access and remembrance garden. The site provides the peaceful location required by this most sensitive of uses. It is located centrally in Angus, and therefore provides connections to the surrounding towns and villages. The design and layout of the proposal have been developed to provide a high-quality environment with no adverse impact on the surrounding countryside. All necessary consultees have been notified with no technical reasons to justify refusal.

It has been demonstrated that the proposal complies with the policies and overarching principles of NPF4 which encourage the rural economy and diversification. The development will create jobs in the construction and operation phase. The site has further been demonstrated to comply with the policies of the ALDP.

The applicant acknowledges that issues have been raised in connection with the proposal's compliance with Policy 13 of NPF4. However, when that policy is understood in full, it can be seen that the proposal adheres to almost every plank of it. It is critical when assessing the proposal against this policy that the decision-maker has a full understanding of the nature of a crematorium development. It is one which should be located in a rural, or quasi-rural, location. It is an incredibly sensitive use

which requires a quiet setting to enable visitors and mourners to undertake meaningful remembrance, contemplation, and reflection for those who are making their final journey at the crematorium. This is equally true of visitors to the Garden of Remembrance. This provides a significant justification for the location of the proposal.

In terms of public transport, the applicant accepts that there are not multi-modal forms of public transport serving the site. However, there is a public bus route that serves the site, with 9 journeys across both directions throughout each day. The existing formal and informal bus stops are not located immediately adjacent to the application site, but the applicant proposes to instal a bus layby (including a bus stop and bus shelter) which would be used by buses travelling in both directions. This would therefore provide a readily accessible public transport route from Arbroath bus station to the door of the crematorium. Further, increased use of the bus service as a result of the crematorium may result in a more frequent service being provided. In addition, the applicant will provide a private bus that can either operate on a dedicated route or be available for ad hoc journeys depending on the requirements of each funeral or cremation service. The development will also provide improved footpath links to the existing bus stops in Redford. Cycling opportunities are available on the rural roads and cycle parking is provided by the development, close to the crematorium building. There will also be EV charging points available within the car park. Therefore, the site provides alternative sustainable travel modes. A Travel Plan will be developed to encourage use of the alternative travel opportunities. Therefore, it is submitted that the site is accessible by sustainable modes of transport.

Overall, it is recognised that the general travel pattern to funeral services and cremation services is to travel in multi-occupancy car journeys. As a general point, it is very uncommon for single occupancy car journeys to crematoria, with mourners generally choosing to travel with friends and family for what is often a very difficult and emotional journey.

The nature of the use demands a peaceful location on a large site located away from existing residents, and therefore justifies a more remote location. In Angus there are no suitable sites available within the town centres or edge of centre and therefore a site out with the settlements must be considered. We are not aware of any other development proposals coming forward for an additional crematorium in Angus (other than at Duntrune).

The design achieves a development which will sit well in the landscape and provide a tranquil setting, including a garden of remembrance, which will enjoy expansive views across the Angus countryside towards the sea. This will ensure that bereaved visitors to the site can mourn the loss, and celebrate the life, of their loved ones in the beautiful natural environment of rural Angus. It balances those site requirements with the policy requirements of the development plan.

Accordingly, we respectfully request that the planning application is granted.



Ecological Assessment

Land at Greystone, Carmyllie

Grid Ref. NO557433

Field Survey: January 2023

Countrywise

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1. Summary	3
2. Objectives of the Survey	3
3. Legislation	3
4. Site Description.....	4
5. Personnel.....	4
6. Method	4
6.1 Desk Study.....	4
7. Limitations of the Survey	5
8. Results.....	5
8.1 Desktop Study.....	5
8.2 Field Survey	5
8.2.1 Habitats	5
8.2.2 Protected Species.....	5
9. Recommendations:.....	6
10. Biodiversity Enhancement.....	6
11. Impact Assessment.....	6
12. Proposed Site & Tree Removal Plan.....	7
13. Photographs	8

1. Summary

Planning permission is to be sought to develop this site. An Ecological Assessment was requested as part of the planning process. This survey reports the results of a daytime survey carried out in January 2023. The development will have negligible effect on protected species. A root protection zone for trees to the Southwest of the site is required. 4 beech trees are to be removed to improve sightlines, these should be surveyed for the presence of protected species before removal.

2. Objectives of the Survey

The objectives of the survey are to establish:

- If there are protected species or valuable habitats on or close to the site
- If protected species are found, the location of the species and extent of use of the site.
- The species and numbers found on the site
- The impact of the development

3. Legislation

The basis of the current wildlife protection system throughout the UK was developed in the 1980s and 1990s, in response to 3 international agreements on nature conservation:

- The Bern Convention, 1979 (Convention on the conservation of European wildlife and natural habitats)
- The EU Birds Directive 1979 (Directive on the conservation of wild birds)
- The EU Habitats and Species Directive 1992 (Directive on the conservation of natural habitats and of wild flora and fauna).

Following devolution these key pieces of legislation were revised by the Nature Conservation (Scotland) Act 2004 and The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007

Considerations for this survey are

- *killing or injuring any bird species (with some exceptions)*
- *destroying, damaging obstructing access to any birds nest while in use*
- *disturbing specially protected birds whilst breeding, or at lek sites, or in certain other circumstances;*
- *killing or injuring other specially protected animals or destroying, damaging or obstructing access to a structure or place used for their shelter or protection*
- *disturbing a specially protected animal species while it is occupying a structure or place used for shelter or protection*

- *damaging or destroying a breeding site or resting place of a European protected species of animal*
- *disturbing a European protected species or animal*
- *picking, uprooting or destroying any specially protected plant species and European protected plant species including their seed or spore*

4. Site Description

This site is the West corner of an agricultural field in cereal stubble at the time of the survey. The remainder of the field is to the East, the Northwest is bounded by a drystone dyke with a public road on the other side and the Southwest a drystone wall with a strip of mixed woodland beyond the wall.

The owners propose to develop a crematorium and associated infrastructure on the site. 4 beech trees are to be removed to permit clear sightlines.

5. Personnel

The survey was carried out by Isobel Davidson who has around 20 years' experience of carrying out environmental surveys and is a bat roost visitor license holder.

6. Method

6.1 Desk Study

A data search was carried out for records of protected wildlife and habitats in the area.

6.2 Field Survey

A walkover survey was carried out to record vegetation on the site. Any walls, trees, hedges, watercourses and waterbodies were noted.

The site was examined for animal footprints, tracks and other signs of wildlife.

The beech trees scheduled for removal were assessed for potential bat roosts, bird nests and squirrel dreys.

7. Limitations of the Survey

There were limitations to the survey. The optimum time for carrying out wildlife surveys is in the summer and autumn months when plant species are visible and animals and birds are most active. This survey was carried out with the optimum survey window. There was snow on the ground during the first visit.

8. Results

8.1 Desktop Study

There are no protected sites on or close to the site.

There are records of red squirrels close to the site but none on the site. There are also records of grey squirrels close to the site. There are no other records on or close to the site though the area is likely to be under-recorded.

8.2 Field Survey

8.2.1 Habitats

This is part of an agricultural field with a drystone boundary walls and a strip of mixed woodland on adjacent land to the Southeast.

The drystone walls would provide habitat for small mammals and birds and the strip of woodland will provide habitats for birds, bats and squirrels.

4 beech trees are to be removed as part of the development.

8.2.2 Protected Species

Snow was lying on the ground during the first survey visit. Deer and fox foot prints were visible in the snow where they crossed the site. Subsequent walkover and tree surveys in Spring 2023 found no signs of protected species on or close to the site.

9. Recommendations:

There are no signs or records of protected species on this site and the site offers very little suitable habitat.

A root protection zone should be in place, marked by protective wire mesh fencing to prevent any damage to trees on adjacent land. A selection of the trees along the length of the site were measured to calculate an appropriate root protection zone of 6m from the drystone dyke into the site.

The beech trees identified for removal should be checked for nesting birds and squirrel dreys before removal. A pre-removal bat survey is also advised as there may be dead wood, crack and splits in the trees, not visible from the ground and use of trees by wildlife can vary from year to year.

Drystone dykes should be retained where possible.

10. Biodiversity Enhancement

- Native tree and shrub planting will be incorporated into the site design.
- Drystone dykes should be retained as far as possible.
- Site boundaries should be porous to allow free movement of small mammals.
- Building design should incorporate features to encourage nesting birds, such as swift boxes and crevices in wall heads.
- Some or all managed grassland should be planted with wildflower lawn mixes.
- Flower beds should use native and/or insect attracting species wherever possible.

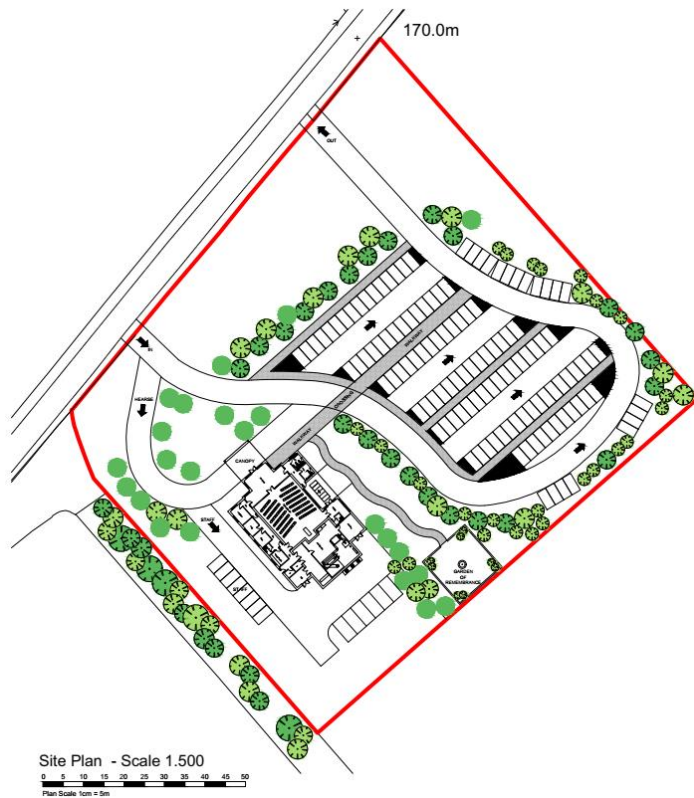
11. Impact Assessment

Proposal: Develop the site

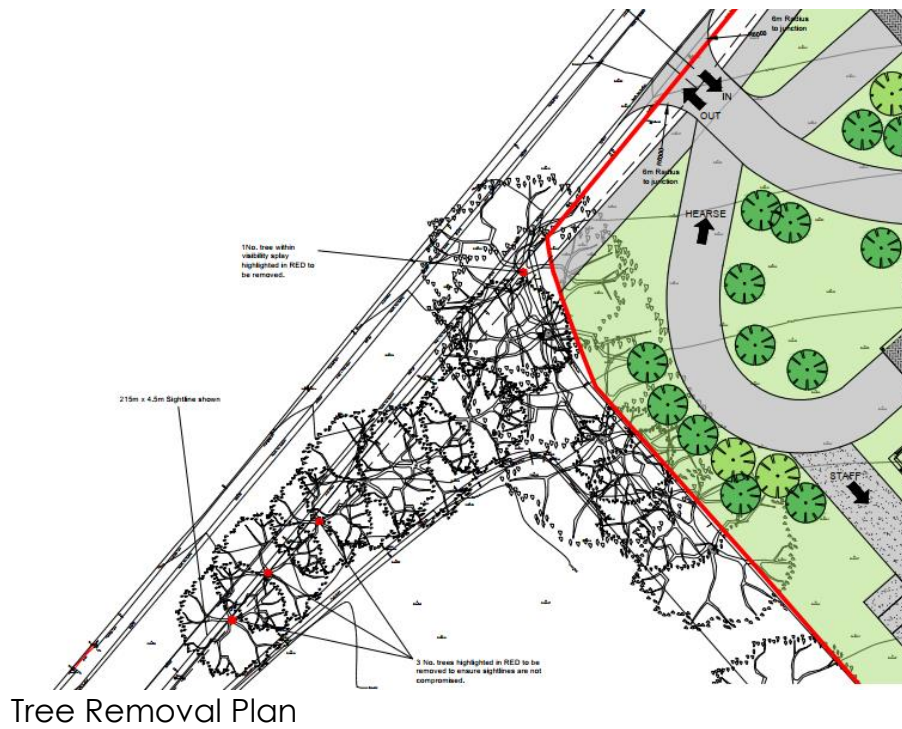
Impact: Low – no signs of protected species were found on the site. Pre removal surveys for birds, bats and squirrels on the trees to be removed are advised.

Risk: None.

12. Proposed Site & Tree Removal Plan



Site plan



Tree Removal Plan

13. Photographs



Site from West corner



Dyke and treeline boundary to site



Dyke between site and public road



Site from North



Animal tracks crossing site



Trees to be removed

S.A. MCGREGOR



**GROUND ASSESSMENT &
DRAINAGE RECOMMENDATION REPORT**

**PROPOSED NEW CREMATORIUM
AT GREYSTONES
CARMYLLIE
ARBROATH
ANGUS
DD11 2QZ**

Architects: A B Roger & Young Ltd

Client: R T McEwan Ltd

Contract No. 3266/23

Report Issued: ***DRAFT***
05 February 2023

CONTENTS

Introduction

Site Location & Brief Description

Site Work

Trial Pits

Percolation Testing

Infiltration Testing

Ground Assessment

Published Geology

Encountered Ground Conditions

Groundwater Observations

Discussion

Sub-Soils

Sewage Treatment

Foul Water Discharge

SuDS & Surface Waters

Drainage Recommendations

Foul Water Discharge

SEPA

Surface Water Disposal

Indicative Soakaways

System Maintenance

Sewage Treatment System

Soakaways

Regulations

Foundation Recommendations

Safe Bearing Capacity

Settlement

Excavations

De-watering

APPENDIX A

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&
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It is proposed to erect a new crematorium, on the site.

The purpose of the visit was to carry out a ground investigation to determine the nature of the materials underlying the area of the site and to undertake the following: -

- to carry out percolation testing to assess the suitability of the underground strata for the disposal of effluent from a sewage treatment system to the ground via a designed sub-surface soakaway system
- to carry infiltration testing for the disposal design for surface waters from the proposed development
- to initially assess the sub-soils for foundation design

SITE LOCATION & BRIEF DESCRIPTION

The site is located on a plot of land at Greystones, Carmyllie, west of Arbroath with access from the A933, B9127 and local roads, OS NGR NO 55813 43330, see Fig.1. General Location Plan.

The site is currently used for agricultural purposes and was overlain by stubble. The area is generally level with a very slight fall to the south-east.

The site is currently un-serviced; however, electricity, water and telephone are nearby. There is no mains drainage; all nearby properties are served by private sewage treatment systems.

There are no watercourses within 10m of the proposed infiltration fields.

SITE WORK

Trial Pits

On the 24th January 2023, a site and ground assessment were undertaken at the site. A tracked excavator with a 0.50m bucket excavated trial pits to carry out an assessment of the underlying ground conditions, to carry out percolation and infiltration testing in the areas of the potential sub-surface soakaways.

The locations of the trial pits were decided on site and are indicated on Fig. 2. Indicative Site Layout & Test Location Plan in Appendix A.

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Percolation testing was carried out in test holes adjacent to observation trial pits FW1 in accordance with Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic) and SEPA WAT-RM-04. The test results are shown on the following table: -

Date of Testing 24/01/2023	FW1 A	FW1 B
Average time taken for water to drain 3 times in each sump hole (middle 150mm)	2820	3040
Depth of Water Table below Ground Level (m)	>2.00m	
Soil Percolation Values, Vp, s/mm	18.8	20.3
Average Soil Percolation Values, Vp, s/mm	19.6	

Infiltration Testing

Infiltration tests were carried out in trial pit SW1 in accordance with BRE Digest 365. The test results are tabulated below: -

Trial Pit No.	Pit Dimensions (W x L)m	Test Zone (mbegl)	In-Fill	Soil Infiltration Rate, f(m/s)
SW1	0.50 x 1.40	1.00-2.00	Open	3.33 x 10⁻⁵

GROUND ASSESSMENT

Published Geology

The British Geological Survey 1:50,000 Quaternary and Solid maps indicate that the site is overlain by Till, Devensian (Diamicton - sand, gravel, silt and clay) and underlain by the Dundee Flagstone Formation formed between 419.2 and 393.3 million years ago during the Devonian Period.

Encountered Ground Conditions

Topsoil: The site is overlain by 360-400mm thickness of topsoil.

Natural Sub-Soils: The natural underlying sub-soils have an upper mantle of firm red brown silty sandy gravelly clay with some cobbles and boulders becoming dense red brown clayey silty sandy sub-angular to angular gravel (completely weathered rock) below 0.80m to 1.50m. The strata then becomes dense red brown slightly silty sandy angular gravel and cobbles (completely to highly weathered rock) proved to the maximum investigated depth of 2.00m.

Bedrock: Completely to highly was encountered below 1.30m and proved to 2.00m.

Groundwater Observations

Groundwater was not encountered during the investigation.

DISCUSSION

Sub-Soils

The silty sandy gravelly nature of the underlying strata below 1.00m and the results from the percolation and infiltration testing confirmed the moderate draining properties of the sub-soils.

Sewage Treatment

The soil percolation value, ***V_p = 19.6 s/mm*** and therefore a standard septic tank is suitable for the development, however, to further protect the wider water environment a package sewage treatment may be considered.

It is recommended to install septic tank with a minimum 4,700-litre capacity as required for up to PE = 14.

Foul Water Discharge

A sub-surface stone-filled soakaway (infiltration system) is considered suitable for the discharge of foul waters from a PSTP directly to the ground. The soakaway should comply with the Domestic Technical Handbook (para. 3.9.2) which sets out guidance on design in accordance with the requirements of SEPA Regulatory Method (WAT-RM-04) Indirect Sewage Discharges to Groundwater.

SuDS

The disposal of surface waters from the dwellinghouse needs to be assessed in terms of both the quantity and the quality of the discharge for Building Regulations and SEPA. Using the SIA tool, the land use run-off quality has been determined, see following summary table: -

Land Use Type	Commercial Roofing	Visitor Access & Parking Areas
Pollution Hazard Level	Very Low	Low
Pollution Hazard Indices		
TSS	0.2	0.5
Metals	0.2	0.4
Hydrocarbons	0.05	0.4
SuDS Component Proposed	None	
Component 1	(not discharging to watercourse)	
SuDS Pollution Mitigation Indices		
TSS	0.4	0.4
Metals	0.4	0.4
Hydrocarbons	0.4	0.4
Groundwater Protection Type	Infiltration Trench	Silt Trap for TSS Minimum 300mm permeable gravel finish
Combined Pollution Mitigation Indices		
TSS	0.4	0.4
Metals	0.4	0.4
Hydrocarbons	0.4	0.4
Acceptability of Pollution Mitigation		
TSS	Sufficient	Sufficient
Metals	Sufficient	Sufficient
Hydrocarbons	Sufficient	Sufficient

The SIA assessment confirms that the installation of an infiltration trench provides sufficient quality mitigation for the surface water run-off from the roof areas and permeable driveways/parking areas for the proposed development prior to disposal to the ground.

The design is to be effective in all-weather conditions and are not considered to pose a risk to local water supplies and the water environment.

DRAINAGE RECOMMENDATIONS

Foul Water Discharge

To comply with the Domestic Technical Handbook (para. 3.9.2) which sets out guidance on how proposals may meet the Building Standards set out in the Building (Scotland) Regulations 2004, an infiltration system must be designed and constructed in accordance with the requirements of SEPA.

Where the average soil percolation value, V_p is between 15-120 s/mm in accordance with the regulations the minimum base area, A , is derived from $A = V_p \times PE \times 0.25$, or a **minimum base area of 25m²**, see the following table: -

Proposed Development	Population Equivalent, PE (as defined in BW COP:18.11/14)	Ave. Percolation Value, V_p (s/mm)	Min. Base Area (m ²)
New Crematorium	14 Staff & Visitors	19.6	70

Full details of the proposed sewage treatment system will be made available to the Building Standards Officer once it has been determined after consultation with suppliers which models are the most suitable for the proposed development and the potential population equivalent of the dwellinghouse.

SEPA

The final installed sewage treatment system and discharge will require to be registered with SEPA under CAR.

Surface Water Disposal

The size of the proposed surface water soakaway is based on the impermeable surface areas of the development i.e. the house and garage roof areas.

Using the soil infiltration rate, $f = 3.33 \times 10^{-5} \text{ m/s}$ in the optimum dimensions for the surface water infiltration trench (soakaway) are shown on the following table: -

Impermeable Area (m ²)	Width (m)	Length (m)	Storage depth (m)	Half Empty Time (hrs)
Road and Roof Areas Up to 400m²	1.00	44.20	1.70	1.22
	2.00	24.20		2.31
	3.00	16.60		3.17
	6.00	8.50		4.38

These dimensions are based on a 1 in 200-year storm event +35% climate change.
 Calculations have been carried out in accordance with BRE Digest 365.

Please confirm building roof areas & choose optimum dimensions size to fit the site
Indicative Drainage Layout

The proposed drainage layout is shown on Fig 3. with indicative soakaway construction shown on Fig. 4. along with the certificates all in Appendix A.

SYSTEM MAINTENANCE

Sewage Treatment System

All servicing and maintenance should be undertaken in full accordance with the manufacturer's literature or by a responsible qualified person. The PSTP should be regularly inspected and 'desludged' (emptied) when appropriate to ensure solids and silts do not 'clog' the soakaway or make their way to the discharge outlet.

Soakaways

The soakaways are designed for the life time of the proposed development if they are not allowed to silt up nor the pipework to be blocked.

If a soakaway fails to due blockages or silting it should be excavated and reconstructed with fresh clean stone, new pipework and renewed terram.

During the development of the site, and the excavation of the soakaways, should any field drains be found within 10m of the soakaway they should be realigned or relocated accordingly.

REGULATIONS

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course (including any inland or coastal waters), permeable drain (including culvert), road or railway
- 5m from all buildings
- 5m from boundaries (*reduced distance to boundaries may also be subject to agreement from adjacent land owners where the soakaway is considered not to be detrimental to the adjacent property*)

FOUNDATION RECOMMENDATIONS

Safe Bearing Capacity

The firm and dense nature of the underlying strata have a safe bearing capacity of 150kN/m² which can be used for foundation design.

However, a more targeted assessment may be required once the proposed layout of the development has been confirmed.

It is recommended that the foundations should be taken down through the topsoil and rest on the underlying sub-soils at a minimum depth of below 0.60m, allowing for frost cover.

Excavations

Due to the underlying weathered rock some rock breaking may be required.

Settlement

It is considered that the dense nature of the sub-soils will provide settlement within tolerable design limits.

De-Watering

It is not anticipated that de-watering of excavations will be required during construction.

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Trial Pit Logs	FW1 & SW1
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Certificates	Foul Water Discharge Surface Water Disposal

DRAFT

Fig. 1. GENERAL & SITE LOCATION PLANS

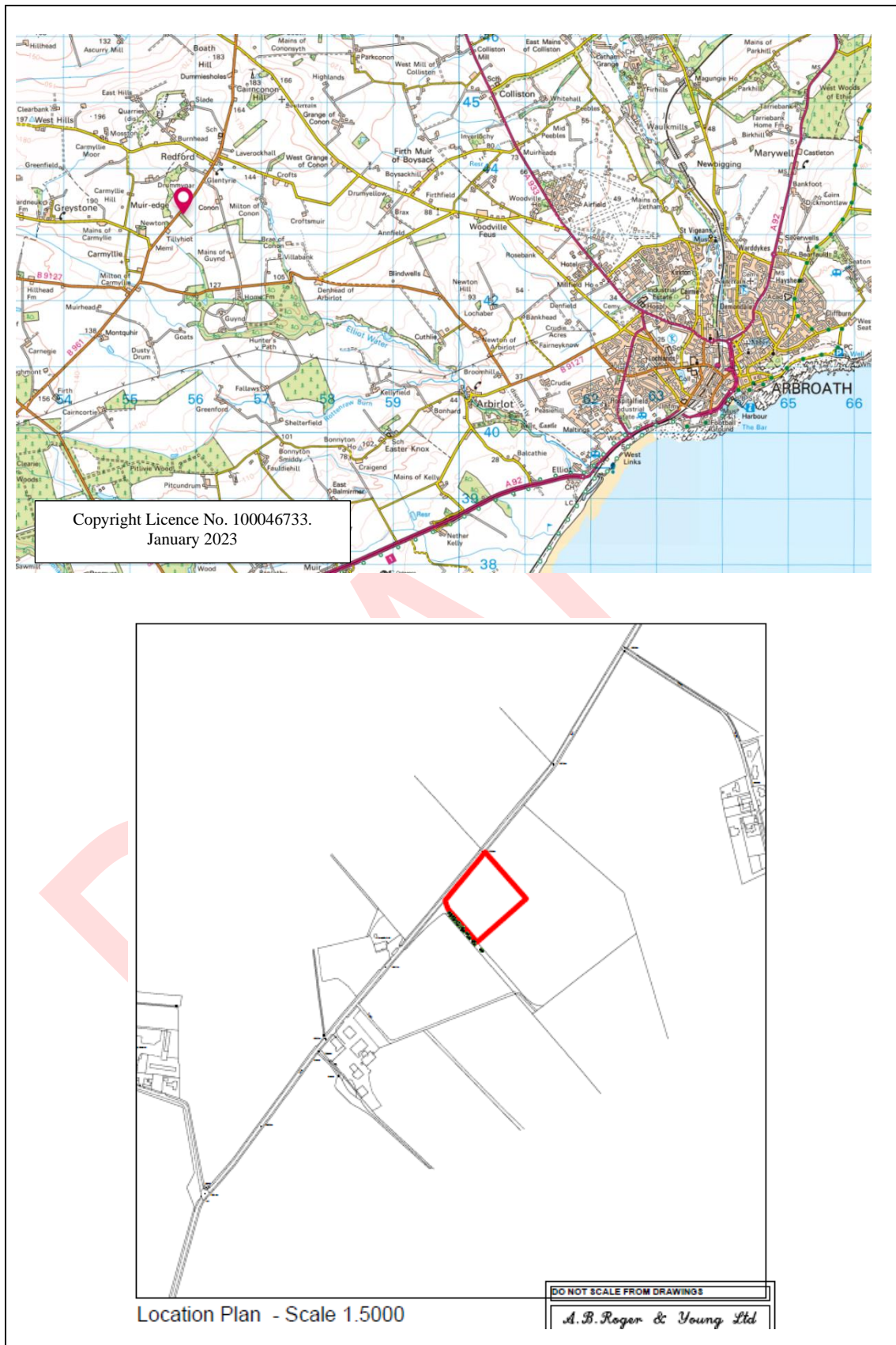
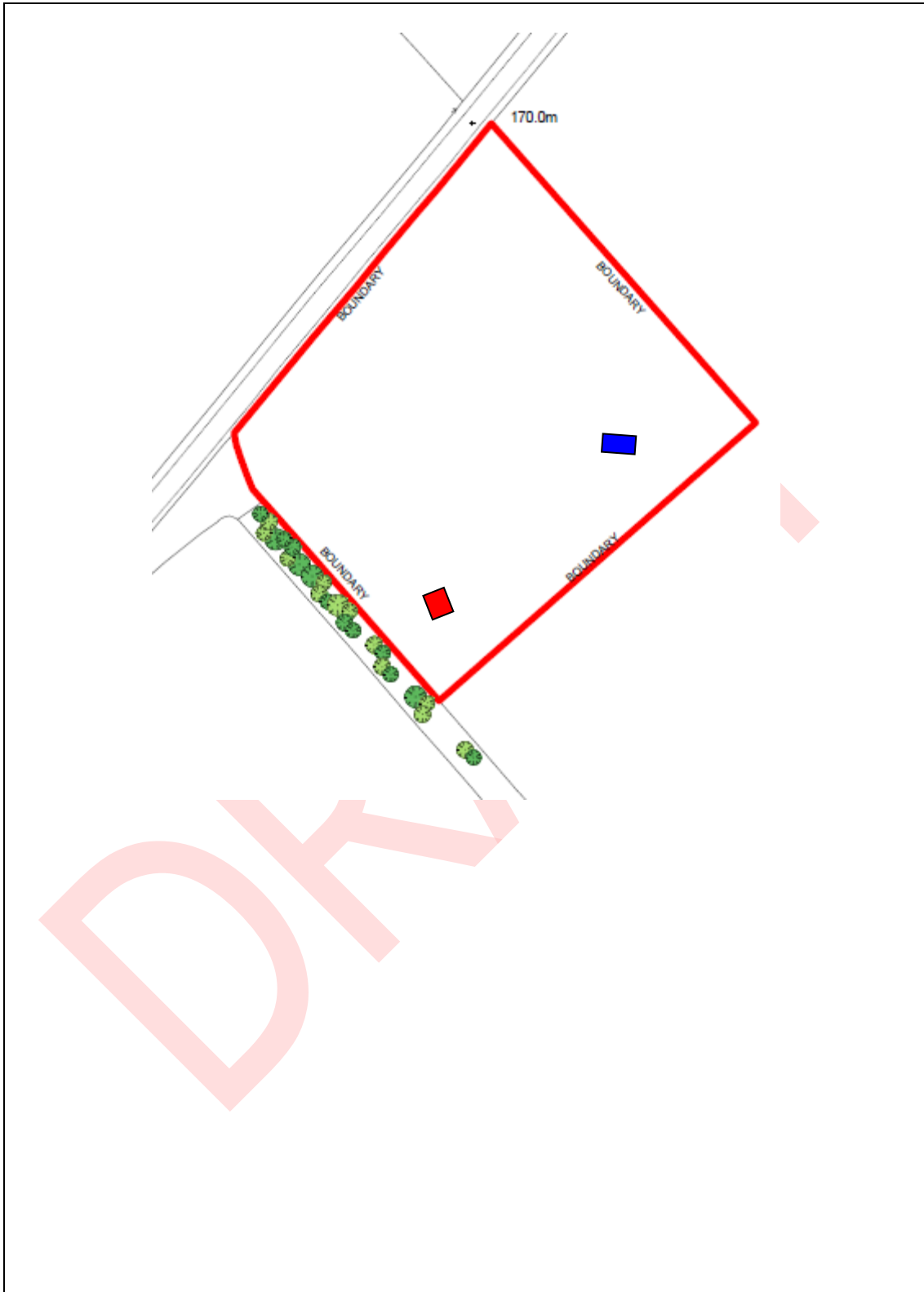







Fig. 2. TRIAL PIT LOCATION PLAN



SW1 log

 S.A. MCGREGOR <small>GEOTECHNICAL & ENVIRONMENTAL ON-SITE SERVICES</small>				Site Greystones, Carmyllie		Trial Pit Number SW1			
Excavation Method Tracked excavator with 0.50m bucket		Dimensions 0.50 x 1.40		Ground Level (mOD)		Client R.T McEwan Ltd			
		Location		Dates 24/01/2023		Architect A.B Roger & Young			
						Job Number 3266/23			
						Sheet 1/1			
Depth (m)	Sample / Tests	Water Depth (m)	Field Records	Level (mOD)	Depth (m) (Thickness)	Description	Legend	Water	
					0.40	TOPSOIL			
					0.40	Firm red brown silty sandy gravelly CLAY with some cobbles and occasional boulders			
					0.90	Dense red brown clayey silty sandy sub-angular to angular GRAVEL (completely weathered rock)			
			Infiltration test zone 1.00-2.00m		1.50	Dense red brown slightly silty sandy angular GRAVEL and COBBLES (completely weathered to highly weathered rock)			
					2.00	Complete at 2.00m			
Plan				Remarks					
. .				. .					
				Scale (approx) 1:20		Logged By SAM		Figure No. 3266/23.SW1	

Produced by the GEOTECHNICAL DATABASE SYSTEM (GEODASY) © all rights reserved

Fig. 3. PROPOSED DRAINAGE LAYOUT

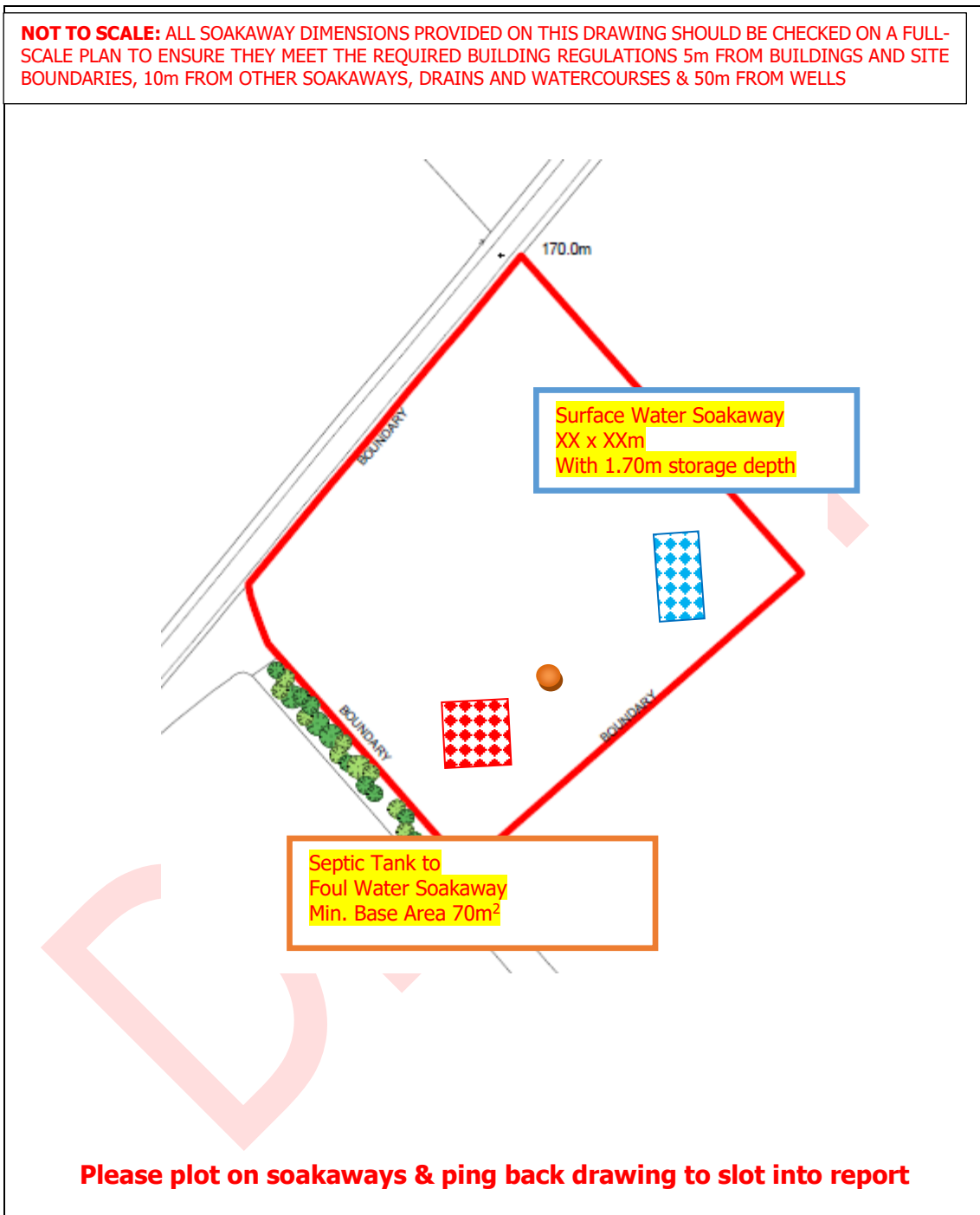
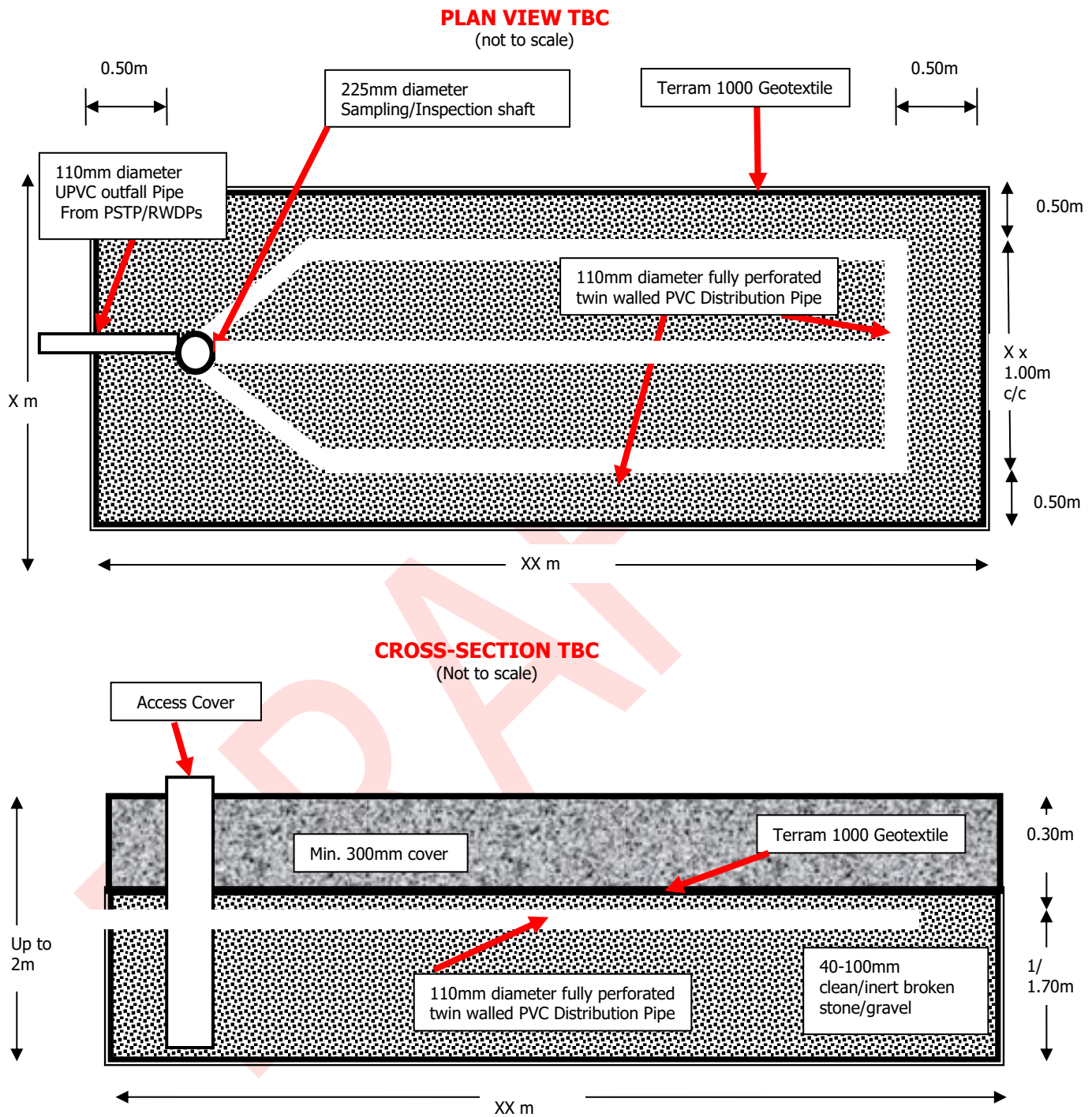


Fig. 4. INDICATIVE SOAKAWAY CONSTRUCTION (sketch only, not to scale)



CERTIFICATE FOR PROPOSED FOUL WATER SUB-SURFACE DISCHARGE

Two tests are normally required to demonstrate the suitability of the proposed drainage scheme:

1. A trial pit must be excavated to a depth of 1 metre below the proposed invert of the drain to establish whether the water table will interfere with the operation of the soakaway
- and
2. A percolation test must be carried out to determine the area of the ground required.

Certificate

Client: R T McEwan Ltd
Architects: A. B Roger & Young Ltd
Site Address: Greystones, Carmyllie, Arbroath, Angus, DD11 2QZ

Date of Test: 24/01/2023 **Time:** from 3pm **Weather:** Dry & sunny

Encountered Ground Conditions

Topsoil: The site is overlain by 360-400mm thickness of topsoil.

Natural Sub-Soils: The natural underlying sub-soils have an upper mantle of firm red brown silty sandy gravelly clay with some cobbles and boulders becoming dense red brown clayey silty sandy sub-angular to angular gravel (completely weathered rock) below 0.80m to 1.50m. The strata then becomes dense red brown slightly silty sandy angular gravel and cobbles (completely to highly weathered rock) proved to the maximum investigated depth of 2.00m.

Bedrock: Completely to highly was encountered below 1.30m and proved to 2.00m.

Groundwater Observations

Groundwater was not encountered during the investigation.

Wells: no known wells used for supply of potable water within 50m of site.

Percolation Tests

	FW1 A	FW1B
Depth of Drains	1.20m	
Depth of Excavations	>2.00m	
Time Taken (mean of three times), secs	2820	3040
Average Soil Percolation Values, Vp, s/mm	19.6	
Population Equivalent	14 Staff & Visitors	
Minimum Floor Area of Soakaway	70m²	

I hereby certify that I have carried out the above assessment in accordance with procedures specified within the Domestic Scottish Building Standards Technical Handbook (Environmental Standard 3.9 Infiltration Systems) and SEPA A WAT-RM-04, the results of which are tabulated above, and that the proposed drainage scheme detailed on the attached plans and report has been designed considering the recommendations in the standards and regulatory standards.

Signed ...  Date...DRAFT
Name / Company S. A. McGregor
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN
Qualification B.Eng (Civil Engineering).

CERTIFICATE FOR PROPOSED SURFACE WATER DISPOSAL

Client: R T McEwan Ltd
Architects: A. B Roger & Young Ltd
Site Address: Greystones, Carmyllie, Arbroath, Angus, DD11 2QZ
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Wells: no known wells used for supply of potable water within 50m of site.

Infiltration Test

SW1

Infiltration Test Zone (m)	0.50-1.40
Soil Infiltration Rate, f (m/s)	3.33×10^{-5}
Surface Area of Development	up to 400m ²

Recommendation

Surface Water Stone-filled Infiltration Trench (Soakaway)

X m x X m with XXm stone storage depth.

I hereby certify that I have carried out the above tests and calculations in accordance with BRE Digest 365 and in conjunction with the full requirements set out within the Domestic Scottish Building Standards Technical Handbook. The results of which are tabulated above, and that the proposed drainage scheme detailed within this report has been designed considering the recommendations in the standards.

Signed	Date...DRAFT
Name / Company	S. A. McGregor	
Address	Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN	
Qualification	B.Eng (Civil Engineering).	

S.A. MCGREGOR



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Infiltration Testing

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Published Geology

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To comply with the Domestic Technical Handbook (para. 3.9.2) which sets out guidance on how proposals may meet the Building Standards set out in the Building (Scotland) Regulations 2004, an infiltration system must be designed and constructed in accordance with the requirements of SEPA.

Where the average soil percolation value, V_p is between 15-120 s/mm in accordance with the regulations the minimum base area, A , is derived from $A = V_p \times PE \times 0.25$, or a **minimum base area of 25m²**, see the following table: -

Proposed Development	Population Equivalent, PE (as defined in BW COP:18.11/14)	Ave. Percolation Value, V_p (s/mm)	Min. Base Area (m ²)
New Crematorium	14 Staff & Visitors	19.6	70

Full details of the proposed sewage treatment system will be made available to the Building Standards Officer once it has been determined after consultation with suppliers which models are the most suitable for the proposed development and the potential population equivalent of the dwellinghouse.

SEPA

The final installed sewage treatment system and discharge will require to be registered with SEPA under CAR.

Surface Water Disposal

The size of the proposed surface water soakaway is based on the impermeable surface areas of the development i.e. the building roof areas and tarmac access road.

Using the soil infiltration rate, $f = 3.33 \times 10^{-5} \text{ m/s}$ in the optimum dimensions for the surface water infiltration trench (soakaway) are shown on the following table: -

Impermeable Area (m ²)	Width (m)	Length (m)	Storage depth (m)	Half Empty Time (hrs)
Road and Roof Areas Up to 892m²	2.50	44.40	1.70	2.96

These dimensions include for Climate Change Peak Rainfall Intensity Allowance +39% for Tay Region

Proposed Drainage Layout

The proposed drainage layout is shown on Fig 3. with indicative soakaway construction shown on Fig. 4. along with the certificates all in Appendix A.

SYSTEM MAINTENANCE

Sewage Treatment System

All servicing and maintenance should be undertaken in full accordance with the manufacturer's literature or by a responsible qualified person. The PSTP should be regularly inspected and 'desludged' (emptied) when appropriate to ensure solids and silts do not 'clog' the soakaway or make their way to the discharge outlet.

Soakaways

The soakaways are designed for the life time of the proposed development if they are not allowed to silt up nor the pipework to be blocked.

If a soakaway fails to due blockages or silting it should be excavated and reconstructed with fresh clean stone, new pipework and renewed terram.

During the development of the site, and the excavation of the soakaways, should any field drains be found within 10m of the soakaway they should be realigned or relocated accordingly.

REGULATIONS

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course (including any inland or coastal waters), permeable drain (including culvert), road or railway
- 5m from all buildings
- 5m from boundaries (*reduced distance to boundaries may also be subject to agreement from adjacent land owners where the soakaway is considered not to be detrimental to the adjacent property*)

FOUNDATION RECOMMENDATIONS

Safe Bearing Capacity

The firm and dense nature of the underlying strata have a safe bearing capacity of 150kN/m² which can be used for foundation design.

However, a more targeted assessment may be required once the proposed layout of the development has been confirmed.

It is recommended that the foundations should be taken down through the topsoil and rest on the underlying sub-soils at a minimum depth of below 0.60m, allowing for frost cover.

Excavations

Due to the underlying weathered rock some rock breaking may be required.

Settlement

It is considered that the dense nature of the sub-soils will provide settlement within tolerable design limits.

De-Watering

It is not anticipated that de-watering of excavations will be required during construction.

APPENDIX A

Site Plans	Fig. 1. General & Site Location Plans Fig. 2. Test Location Plan
Trial Pit Logs	FW1 & SW1
Drainage	Fig. 3. Indicative Drainage Layout Fig. 4. Indicative Sub-Surface Soakaway Construction
Certificates	Foul Water Discharge Surface Water Disposal

Fig. 1. GENERAL & SITE LOCATION PLANS

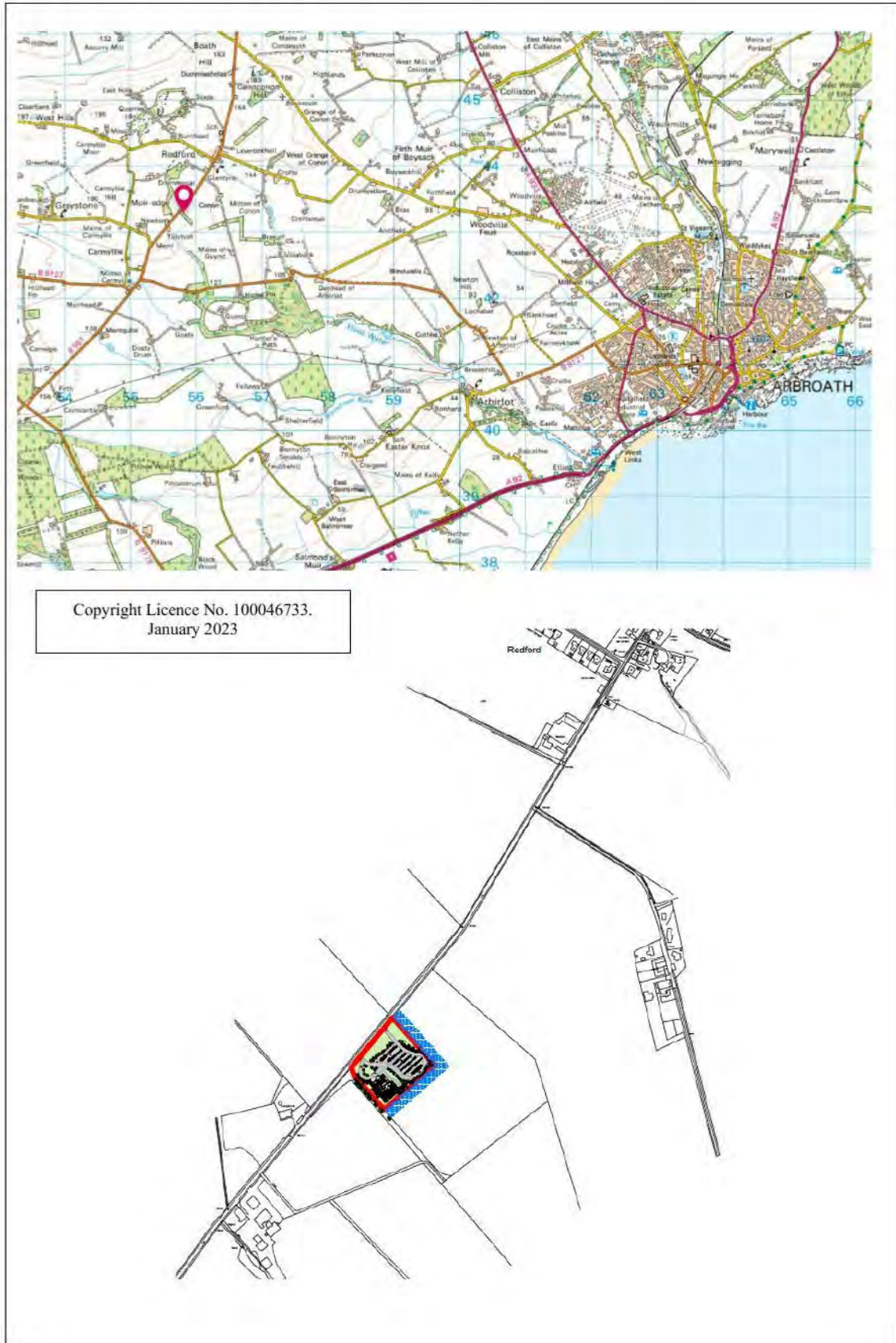


Fig. 2. TRIAL PIT LOCATION PLAN



FW1 Log

Excavation Method		Dimensions	Ground Level (mOD)	Client	Trial Pit Number				
Tracked excavator with 0.50m bucket		0.50 x 1.20		R.T McEwan Ltd	FW1				
		Location	Dates	Architect	Job Number				
			24/01/2023	A.B Roger & Young	3266/23				
					Sheet				
					1/1				
Depth (rh)	Sample / Tests	Water Depth (m)	Field Records	Level (mOD)	Depth (m) (Thickness)	Description	Legend	Water	
					(0.36)	TOPSOIL			
					0.36	Firm red brown silty sandy gravelly CLAY with some cobbles and occasional boulders			
					(0.44)				
					0.80	Dense red brown clayey silty sandy sub-angular to angular GRAVEL (completely weathered rock)			
					(0.50)				
			Percolation testing at 1.30m		1.30	Dense red brown slightly silty sandy angular GRAVEL and COBBLES (completely weathered to highly weathered rock)			
					(0.70)				
			No groundwater ingress		2.00	Complete at 2.00m			
Plan				Remarks					
				Scale (approx)		Logged By		Figure No.	
				1:20		SAM		3266/23,FW1	

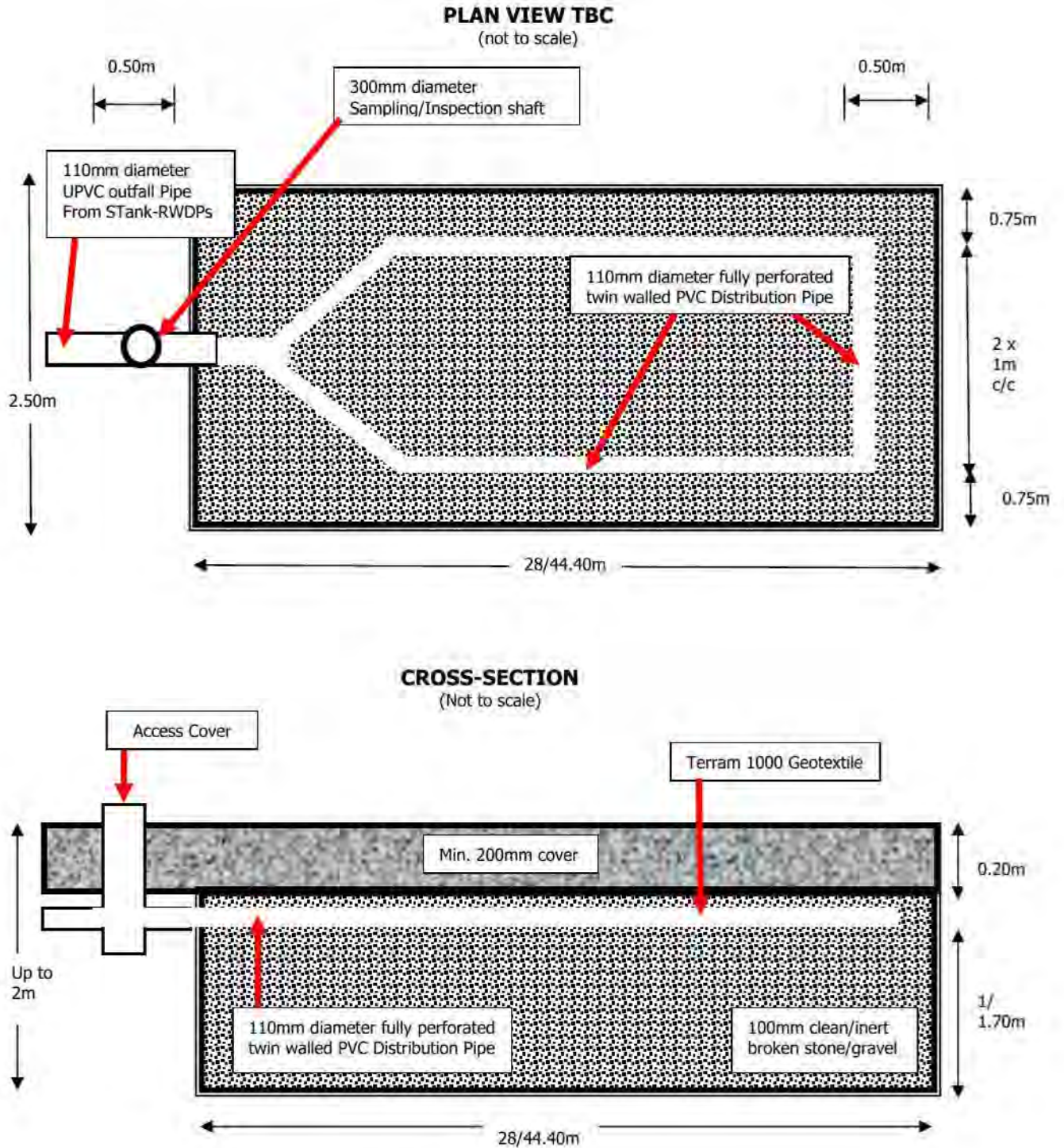
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SW1 log

Excavation Method		Dimensions	Ground Level (mOD)	Client	Trial Pit Number			
Tracked excavator with 0.50m bucket		0.50 x 1.40		R.T McEwan Ltd	SW1			
		Location	Dates	Architect	Job Number			
			24/01/2023	A.B Roger & Young	3266/23			
					Sheet			
					1/1			
Depth (rh)	Sample / Tests	Water Depth (m)	Field Records	Level (mOD)	Depth (m) (Thickness)	Description	Legend	Water
					(0.40)	TOPSOIL		
					0.40	Firm red brown silty sandy gravelly CLAY with some cobbles and occasional boulders		
					(0.50)			
					0.90	Dense red brown clayey silty sandy sub-angular to angular GRAVEL (completely weathered rock)		
			Infiltration test zone 1.00-2.00m		(0.60)			
					1.50	Dense red brown slightly silty sandy angular GRAVEL and COBBLES (completely weathered to highly weathered rock)		
					(0.50)			
					2.00	Complete at 2.00m		
Plan				Remarks				
				Scale (approx)	Logged By	Figure No.		
				1:20	SAM	3266/23.SW1		

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Fig. 4. INDICATIVE SOAKAWAY INSTALLATION
(sketch only, not to scale)



CERTIFICATE FOR PROPOSED FOUL WATER SUB-SURFACE DISCHARGE

Two tests are normally required to demonstrate the suitability of the proposed drainage scheme:

1. A trial pit must be excavated to a depth of 1 metre below the proposed invert of the drain to establish whether the water table will interfere with the operation of the soakaway
- and
2. A percolation test must be carried out to determine the area of the ground required.

Certificate

Client: R T McEwan Ltd
Architects: A. B Roger & Young Ltd
Site Address: Greystones, Carmyllie, Arbroath, Angus, DD11 2QZ

Date of Test: 24/01/2023 **Time:** from 3pm **Weather:** Dry & sunny

Encountered Ground Conditions

Topsoil: The site is overlain by 360-400mm thickness of topsoil.

Natural Sub-Soils: The natural underlying sub-soils have an upper mantle of firm red brown silty sandy gravelly clay with some cobbles and boulders becoming dense red brown clayey silty sandy sub-angular to angular gravel (completely weathered rock) below 0.80m to 1.50m. The strata then becomes dense red brown slightly silty sandy angular gravel and cobbles (completely to highly weathered rock) proved to the maximum investigated depth of 2.00m.

Bedrock: Completely to highly was encountered below 1.30m and proved to 2.00m.


Groundwater Observations

Groundwater was not encountered during the investigation.

Wells: no known wells used for supply of potable water within 50m of site.

Percolation Tests	FW1 A	FW1B
Depth of Drains	1.20m	
Depth of Excavations	>2.00m	
Time Taken (mean of three times), secs	2820	3040
Average Soil Percolation Values, Vp, s/mm	19.6	
Population Equivalent	14 Staff & Visitors	
Minimum Floor Area of Soakaway	70m²	

I hereby certify that I have carried out the above assessment in accordance with procedures specified within the Domestic Scottish Building Standards Technical Handbook (Environmental Standard 3.9 Infiltration Systems) and SEPA A WAT-RM-04, the results of which are tabulated above, and that the proposed drainage scheme detailed on the attached plans and report has been designed considering the recommendations in the standards and regulatory standards.

Signed ...  Date...17 April 2023
Name / Company S. A. McGregor
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN
Qualification B.Eng (Civil Engineering).

CERTIFICATE FOR PROPOSED SURFACE WATER DISPOSAL

Client: R T McEwan Ltd
Architects: A. B Roger & Young Ltd
Site Address: Greystones, Carmyllie, Arbroath, Angus, DD11 2QZ
Date of Test: 24/01/2023 **Time:** from 3pm **Weather:** Dry & sunny

Encountered Ground Conditions

Topsoil: The site is overlain by 360-400mm thickness of topsoil.

Natural Sub-Soils: The natural underlying sub-soils have an upper mantle of firm red brown silty sandy gravelly clay with some cobbles and boulders becoming dense red brown clayey silty sandy sub-angular to angular gravel (completely weathered rock) below 0.80m to 1.50m. The strata then becomes dense red brown slightly silty sandy angular gravel and cobbles (completely to highly weathered rock) proved to the maximum investigated depth of 2.00m.

Bedrock: Completely to highly was encountered below 1.30m and proved to 2.00m.

Groundwater Observations

Groundwater was not encountered during the investigation.

Wells: no known wells used for supply of potable water within 50m of site.


Infiltration Test	SW1
Infiltration Test Zone (m)	0.50-1.40
Soil Infiltration Rate, f (m/s)	3.33×10^{-5}
Impermeable Surface Area of Development	up to 892m²

Recommendation

Surface Water Stone-filled Infiltration Trench (Soakaway)

2.50m x 44.40m with 1.70m stone storage depth.

I hereby certify that I have carried out the above tests and calculations in accordance with BRE Digest 365 and in conjunction with the full requirements set out within the Domestic Scottish Building Standards Technical Handbook. The results of which are tabulated above, and that the proposed drainage scheme detailed within this report has been designed considering the recommendations in the standards.

Signed  Date...17 April 2023
Name / Company S. A. McGregor
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN
Qualification B.Eng (Civil Engineering).

Cameron + Ross

220947

PROPOSED CREMATORIUM
At GREYSTONES, CARMYLLIE,
ANGUS

TRANSPORTATION STATEMENT

JUNE 2023

RT MCEWAN LTD
MYRESIDE FARM
INVERKEILOR
ARBROATH
ANGUS
DD11 5RL

CAMERON + ROSS
CONSULTING ENGINEERS
15 VICTORIA STREET
ABERDEEN
AB10 1XB

CONTENTS

- 1.0 INTRODUCTION**
- 2.0 DEVELOPMENT PROPOSALS**
- 3.0 SUSTAINABLE TRAVEL OPPORTUNITIES**
- 4.0 NETWORK ANALYSIS**
- 5.0 CONCLUSIONS**

REVISION SCHEDULE

Rev No.	Description of Amendment	Prepared By	Approved By	Date
-	Initial Issue	B. Clark	R. Gibb	08.05.2023
A	Update Following Extended Topo Survey	B.Clark	R.Gibb	30.06.20283

220947 – PROPOSED CREMATORIUM, GREYSTONES, CARMYLLIE, ANGUS

1.0 INTRODUCTION

1.1 Cameron + Ross have been appointed by RT McEwan Ltd to prepare a Transportation Statement (TS) to support a planning application (Planning Ref 23/00268/FULL) for a proposed crematorium development at Greystones, Carmyllie.

1.2 The purpose of this Transportation Statement is to assess the suitability of the site transport infrastructure proposals, the local road network and local transport infrastructure for the development and to outline the sustainable transport accessibility of the site.

2.0 DEVELOPMENT PROPOSALS

2.0 The site is 1.35 hectares and is proposed to be developed for a 124-seating capacity crematorium. This is 120 funeral attendees plus 4 staff.

2.1 The site is located on the B961 around 800m SW of the village of Redford. The Site Location Plan is contained below:

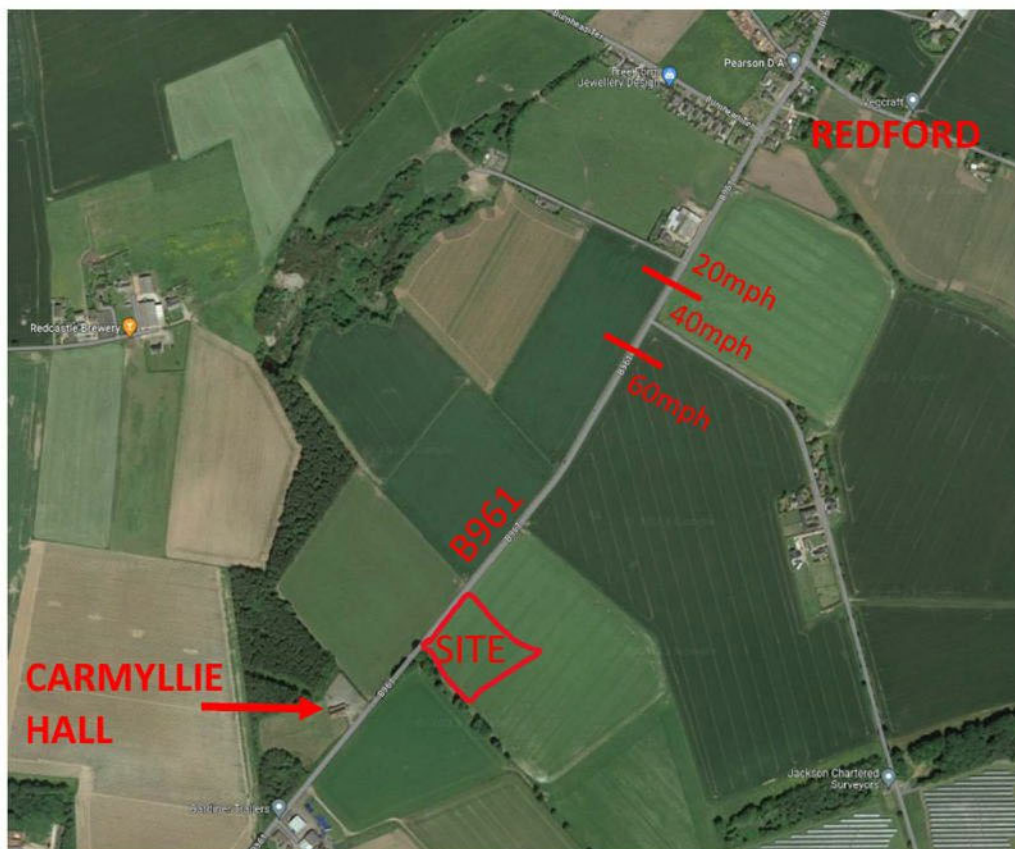


Figure 1 – Site Location Plan.

2.2 The site is surrounded by agricultural land. The existing single carriageway road the B961 passes along the site frontage along the NW boundary.

2.3 The average funeral is expected to be attended by 70 people.

- 2.4 The Crematoria will operate, Mon to Friday with funeral start times from 9am to 4pm. The Memorial Garden will be open to visitors during the weekend.
- 2.5 There will be a maximum of 5 funerals per day with an average of 3 funerals expected per day.

Development Layout and Access Overview

- 2.6 The Architects Proposed Site Layout Plan is contained below and shows that it is proposed to access the development via a simple priority T-junction directly from the B961. The site access is situated to the southern end of the site as this has been determined as the best location to maximise the junction visibility. A one-way system will be used internally with a loop road provided to gain access to the parking areas. A separate internal loop road is provided within the site for the funeral cortege to access the front of the Crematorium.



Figure 2 – Proposed Site Layout Plan

Speed Restriction

- 2.7 The site frontage is currently a national speed limit 60mph. The speed limit reduces to 40mph around 480m to the north of the site and then to 20mph around 580m to the north of the site prior to entering the village of Redford. See Figure 1 above.
- 2.8 The B961 along the site frontage is typically 5.8m to 6.0m in width. There is an existing 2.5 to 3.0m grassed verge on the north side of the carriageway and a 2.0m to 2.5m verge on the south (site) side of the carriageway.

Access Junction Visibility

- 2.9 Based on the existing 60mph speed limit the required visibility splays to comply with the DMRB should be 4.5m x 215m. DMRB CD 123 Geometric Design of at-grade priority and signal-controlled junctions, clause 3.8 allows for a minimum set back X-distance from the give way line of 2.4m for a simple priority T-junction. Therefore 2.4m x 215m is the min acceptable standard for the exit junction to fully comply with DMRB without relaxations.
- 2.10 For a 40mph speed limit the desired visibility reduces to 4.5m x 120m in each direction. Based on observed site conditions it is recommended that the 40mph speed limit is extended to the south of the development. This will aid with achieving an adequate junction visibility for the proposed access junction. This will also improve the safety conditions of existing traffic on the B961 by reducing the speed of vehicles to a more appropriate speed based on the road vertical and horizontal geometry immediately to the north of the development. The suggested new 40mph speed limit location is shown below.
- 2.11 The B961 rises to the north of the proposed site access. The crest of hill is situated 155m to the north of the proposed site access. This crest poses a forward visibility restriction to existing traffic on the B961 where the full forward visibility for a 60mph road is not achieved.
- 2.12 The visibility to the north is restricted by the crest in the B961 road, therefore the visibility at 4.5m back from the give way line is approximately 155m. Based on the proposed speed limit reduction to 40mph the visibility to be provided will be 4.5m x 120m. Any obstructions within the 4.5m x 120m visibility envelopes both to the north and south of the proposed access will require to be removed.
- 2.13 Looking to the north of the site access the existing boundary wall will require to be relocated out with the visibility line and any shrubs cut down to ground level. The visibility zone to the north is entirely within the developers' land and therefore within their control.
- 2.14 Looking to the south of the site access again the boundary wall that runs along the back of the B961 verge requires to be relocated out with the visibility zone. This includes a section to the south which is out with the landowner's ownership. The developer has agreement with the adjacent landowner to relocate the wall. Likewise, to the south there are 4No existing trees obstructing the visibility within the adjacent landowner's field. The developer has agreement with the adjacent landowner to remove the obstructing trees as well as any other vegetation within the visibility zone.

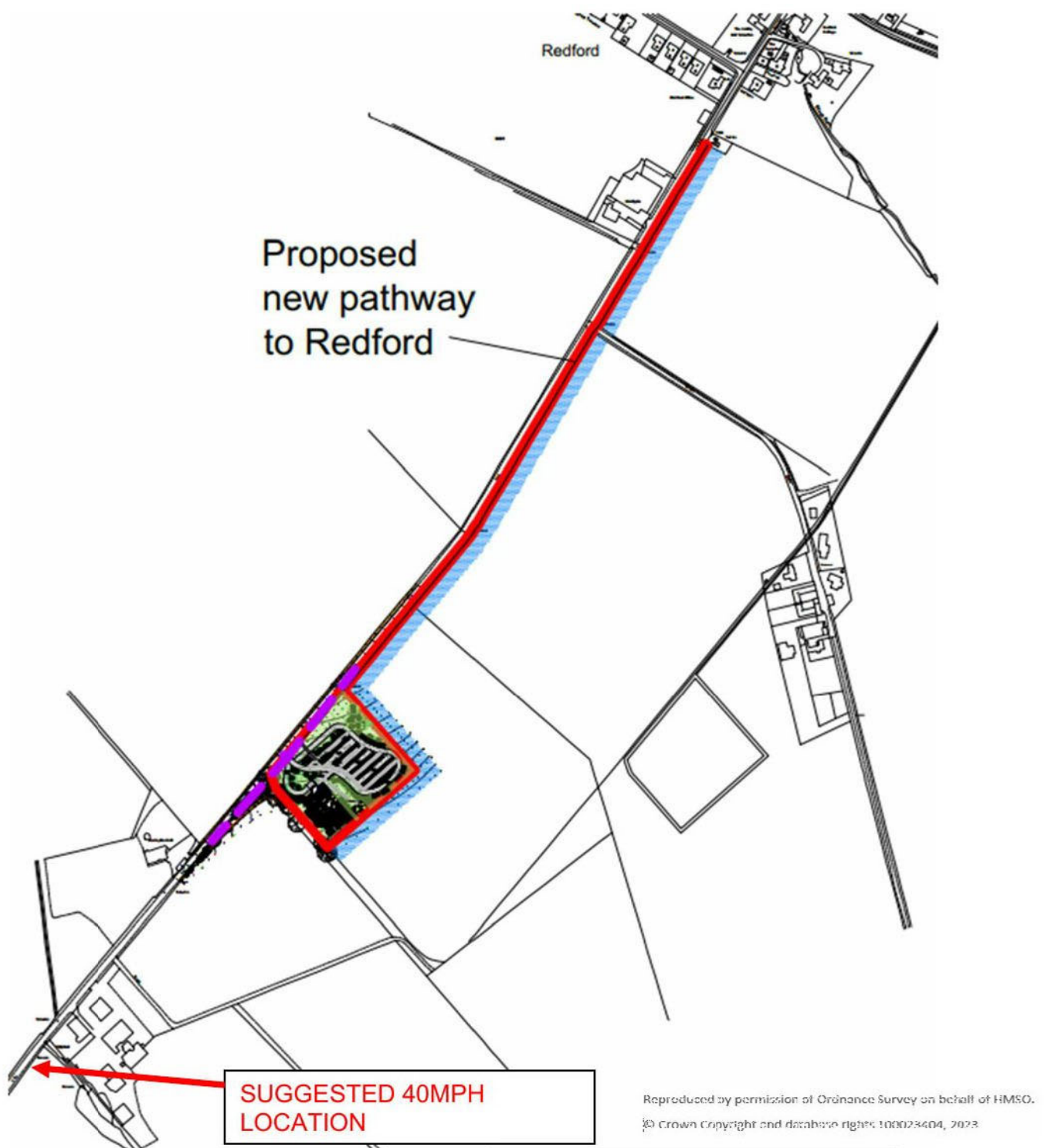


Figure 3 – Proposed 40mph Speed Limit Relocation

2.15 Any trees/shrubs within the visibility splays will require to be but down.

Parking Provision

2.16 The National Parking Standards stated for Crematoria is for a maximum of 1 space per seat to be provided. Therefore for 120 seats the required number of spaces is 120. The current site layout has 121 visitor spaces provided which closely matches the required standard.

- 2.17 The National Parking Standard indicates that there should be a minimum of 4 No disabled spaces or 4% of the total capacity. 4% of 121 spaces provided is 5 spaces. and 6 of the 122 visitor spaces are proposed to be laid out as disabled user spaces and these shall be situated as close to the Crematoria Entrance as practically possible.
- 2.18 There will be 4 No electric charge visitor spaces provided within the total 121 visitor spaces.
- 2.19 A separate staff car parking area will be provided. There is expected to be 4 full time staff and therefore 4 staff spaces are considered to be adequate corresponding to 1 space per permanent staff member.
- 2.20 1 disabled user staff space will be provided within the staff parking area. The current site layout allows for 14 staff spaces. This will provide an over provision.
- 2.21 If taking the behind the scenes approx. floor area of 280 sqm and applying the 1 space per 30sqm maximum parking standard for Office Use the max parking standard would be 9 spaces. The 14 spaces provided therefore exceeds this and can be considered an overprovision. It is therefore considered that a total of 10 spaces including 1 No disabled space would be sufficient within the staff parking area.
- 2.22 2 of the staff spaces will also be a electrical charging spaces.
- 2.23 The parking layout and parking numbers are identified on the Architects Site Layout Plan. This shows that adequate parking can be provided within the development layout.
- 2.24 There is also 2No coach parking spaces provided for within the site layout plan.

3.0 SUSTAINABLE TRAVEL OPPORTUNITIES

Walking

- 3.1 Due to the rural nature of the development there are currently no footpath links to the crematorium site.
- 3.2 A footpath link will be provided from the internal site footpaths to a new bus layby which is proposed along the site frontage. This footpath will also extend all the way to the north through the clients land up to the old BT Telephone Exchange building. At this point a new roadside footpath will be provided to link to the existing footpath within Redford.
- 3.3 Adequate footpath provision to link the various car park areas to the crematorium building will be provided within the Architects development layout.



Figure 4 - Footpath Link to North

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Cycle Infrastructure

- 3.4 There is currently no dedicated cycle facilities on the surrounding existing road network and any cyclists would require to cycle on the carriageway.
- 3.5 In order to cater for those who wish to travel to site by cycle parking will be provided for within the site as per the minimum requirement set out in the National Parking Standards. This requires a minimum of 1 space per 20 car parking spaces for the first 100 spaces plus 1 space per remaining 30 parking spaces.
- 3.6 Therefore the minimum requirement is for 6 visitor cycle spaces and 1 No staff space to be provided. A covered cycle stand with space for 6No cycles shall be provided.
- 3.7 For staff a covered cycle stand with space for at least 1 cycle is to be provided close to the staff entrance to the building. There is a shower provided within the staff facilities which will help to encourage any member of staff wishing to regularly cycle to work to shower and change before and after cycling.
- 3.8 Given the nature of the development it is anticipated that there would be a low public demand for cycling to the development by visitors. The provision of adequate cycle storage for visitors and the proposed staff cycle parking and shower facilities it is considered that there is adequate provision for cyclists should they wish to travel to the crematorium.

Public Transport

Existing Provision

- 3.9 There is currently one bus service (JP Coaches Service Number 36) that runs directly past the proposed crematorium site in both directions. The service between Arbroath bus station to Redford passes through Abirliot and Milton of Carmyllie. There are 4 services per day which arrive at Redford at 08:00, 12:30, 15:40 and 17:45.
- 3.10 There are 5 services in the opposite direction starting at Redford at 08:05, 09:13, 13:08, 15:45 and 17:50. The 09:13 service is additional to the inbound journeys above with the other 4 services from Arbroath turning around within Redford to make the return journey to Arbroath bus station. It is a 30minute bus journey between Arbroath bus station and Redford.
- 3.11 At Arbroath bus station a wide range of bus services are available linking the site to the wider bus network that services Angus and with a regular bus link to Dundee.
- 3.12 The nearest existing bus stops are the existing bus stop and shelter on the east side of eth B961 in Redford approximately 790m from the site. There is currently no footpath linking the site to this existing bus stop.
- 3.13 The closest existing bus stops to the south of the development is the layby and bus stop provided at the war memorial on the west side of the B961 around 830m south of the development. There is no footpath along the B961 linking the site to this bus stop.
- 3.14 As a result of the distances to the nearest bus stops it is proposed to provide a new bus layby with a bus stop and shelter along the site frontage.
- 3.15 The bus route and timetables are shown below:
- 3.16 There is therefore the opportunity for staff or funeral attendees to travel to the site via existing public transport. The provision of a new bus layby and shelter along the site frontage will ensure that the existing service can be utilised and allow safe pedestrian access from the new bus stop into the site.
- 3.17 There will be potential for people to travel to the site by private bus and the site layout is designed to accommodate 2 coach spaces.

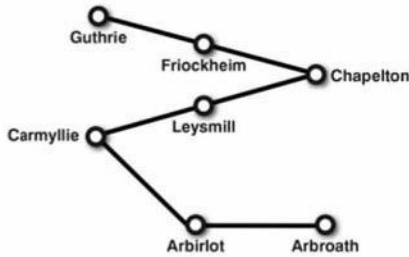
Service
36

Leaflet 9

Bus Timetable

Arbroath – Arbirlot – Carmyllie –
Leysmill – Friockheim
(and on demand to Guthrie)

From 2 June 2014 (reprinted July 2018)



Arbroath - Arbirlot - Carmyllie - Friockheim - Guthrie Service 36

Mondays to Saturdays

Code: NS

Lordburn Abbeygate	--	--	11:55R	15:05R	--
Morrisons Main Entrance	--	--	11:57R	15:07R	--
Arbroath Bus Station	07:30	08:35	12:00	15:10	17:15
Arbirlot Kirk	07:42	--	12:12	15:22	17:27
Balclathie	07:45R	--	12:15R	15:25R	17:30R
Milton of Carmyllie	07:57	--	12:27	15:37	17:42
Redford opp Bus Shelter	08:00	--	12:30	15:40	17:45
Leysmill	--	--	12:38	--	--
Chapelton	--	--	12:41	--	--
Parkgrove Crematorium	--	--	12:43	--	--
Friockheim Bus Stance	--	(09:00)	12:45	--	--
Guthrie Village	--	08:55R	12:50R	--	--

Time in brackets (09:00) indicates place served in a different order to other journeys listed

Codes: R Served on request only; see below for further information
NS Journey runs on Mondays to Fridays only

Guthrie - Friockheim - Carmyllie - Arbirlot - Arbroath Service 36

Mondays to Saturdays

Code: NS

Guthrie Village	--	08:55R	12:50R	--	--
Friockheim Bus Stance	--	09:00	12:55	--	--
Parkgrove Crematorium	--	09:02	12:57	--	--
Chapelton	--	09:04	12:59	--	--
Leysmill	--	09:07	13:02	--	--
Redford Bus Shelter	08:05	09:13	13:08	15:45	17:50
Milton of Carmyllie	08:08	09:16	13:11	15:48	17:53
Arbirlot Kirk	08:18	09:26	13:21	15:58	18:03
Balclathie	08:21	09:29	13:24	16:01	18:06
Red Lion Caravan Park	--	09:36	--	--	18:13
Hospitalfield	08:26	--	--	--	--
Arbroath Bus Station	08:33	09:42	13:36	16:13	18:19
Lordburn Abbeygate	--	09:44R	13:38R	--	--
Morrisons Main Entrance	--	09:46R	13:40R	--	--

Code: R Served on request only; see below for further information
NS Journey runs on Mondays to Fridays only

4.0 NETWORK ANALYSIS & TRIP GENERATION

Trip Generation

- 4.1 As there are no traffic count data sites for Crematoriums within the TRICS database the generated trips will be based on the expected usage of the Crematorium.
- 4.2 The following information has been provided by the client.
- The Crematorium will have a seating capacity of 124.
 - 120 funeral attendees plus 4 staff.
 - There is expected to be an average of 3 cremations per day.
 - There will be no weekend cremations.
 - A maximum of 5 cremations per day will take place.
 - Cremations will be at a minimum of 1-hour intervals (i.e. There is a minimum of 1-hour gap between a service ending and the next one starting).
 - Cremations start times will be between 9am and 4pm.
 - Cremations will be attended by an average of 70 people arriving in 24 cars, with an occasional maximum of 124 people arriving in 67 cars. This is based on the average occupancy of 3 people per car.
 - There will be a memorial garden which is expected to not have a high peak demand with usage expected at weekends when there are no cremations planned.
- 4.3 It is unlikely that two maximum capacity funerals would take place back to back and these are not expected to occur with any great frequency. Therefore, the worst case frequently experienced scenario to be considered is for an average size funeral leaving and an average size funeral arriving within the same hourly period. Therefore, it is considered that 24 cars arriving and leaving within the same hour should be assessed for impact on the local road network.

Road Network Extent Considered

- 4.4 The initial extent of the existing road network to be included in the study is limited to the proposed site access and egress junctions.

Existing Traffic Count Data

- 4.5 There is a Department for Transport Automatic Traffic Count site reference 950031 situated on the B961, 6.0km south of the proposed development. The average annual daily traffic flow (AADF) for the last year that figures are available is 2019 is 1126 vehicles 2-way flow. This is made up of 566 northbound and 560 southbound vehicles.
- 4.6 As there is no peak hour flows provided within the ATC data then the approximate peak hour flows can be considered to be 10% of the daily traffic flows. This gives 56 vehicles northbound and 50 vehicles southbound within the peak hour.

Trip Distribution

- 4.7 Given the even split of existing traffic it is considered appropriate that a 50/50 split is used in distributing the traffic to the existing road network. The peak hour existing plus proposed traffic is shown in the figure below. The existing traffic flows are unbracketed and the proposed development average peak hour traffic flows are (bracketed).

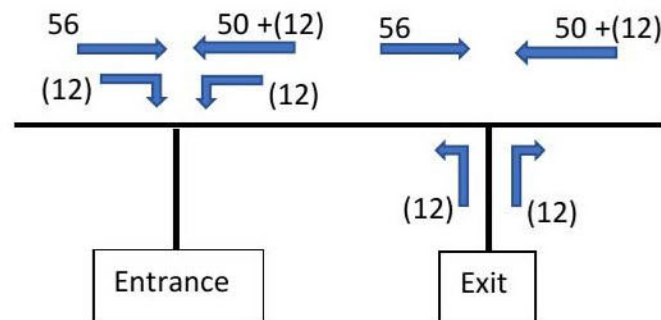


Figure 5 – Existing Peak Hour Traffic Flows + Average Funeral Peak Hour Traffic Flows

- 4.8 The above indicates that the existing single carriageway is lightly trafficked and therefore it is considered that there would not be any capacity issues with the proposed access and egress junctions. As a result, it is not proposed to model the site access and egress junctions as these are clearly well within capacity.

Committed Developments

- 4.9 There are no known committed developments to consider.

5.0 CONCLUSIONS

- 5.1 The proposed 124 seating capacity crematorium is to be open Monday to Friday with funeral start times between 9am and 4pm.
- 5.2 The proposed site access will be in the form of a simple priority T-junction taken off the B961.
- 5.3 Junction modelling for the proposed simple priority T-junction site access junction is not required as a result of the existing low traffic flows and the scale of the development would clearly not result in the proposed access having any capacity issues.
- 5.4 It is proposed to extend the existing 40mph speed limit to the south of the development. This is both in order to achieve adequate visibility for the proposed site access junction but also as there is insufficient forward visibility provided to existing traffic at the crest of the hill to the north of the development for the existing 60mph speed limit.
- 5.5 The 4.5m x 120m visibility splays each side of the development required to meet the desired standard for a 40mph speed limit are achievable. To the north of the proposed

site access this requires the existing boundary wall to be relocated further into the site and this length of wall is fully under the developers' land ownership and control.

- 5.6 To the south the boundary wall both within the site and land under the developers' control is to be moved out with the visibility splay. There is also a length of wall to be relocated to the property to the south along with 4 trees and some shrubbery to which the developer has agreement with the adjacent landowner to relocate/remove these elements.
- 5.7 A new bus layby with bus stop and shelter will be provided along the site frontage to allow the existing bus service which passes the site to safely stop and allow users safe access to the site.
- 5.8 Coach parking is provided for within the site layout.
- 5.9 There is one existing bus service which passes the site in each direction with 4 or 5 services in each direction linking the site to Arbroath Bus Station which provides the opportunity for staff and funeral attendees to access the site via existing public transport. The wider bus network can be accessed at Arbroath Bus Station.
- 5.10 Adequate visitor, staff, coach and cycle parking is provided for within the Architects Site Layout Plan. This includes adequate numbers and located disabled parking spaces.
- 5.11 Shower facilities are available for staff who wish to cycle.
- 5.12 There are currently no footpath or cycle links to the site. A footpath link will be provided from the new bus layby along the site frontage to allow safe access between the site and the bus layby.
- 5.13 A new footpath will also be provided within the developers' land to the north up to the existing telephone exchange and then a short length of new roadside footpath will be provided to connect to the existing footpath within Redford.
- 5.13 As a result, of the existing low traffic flows and low traffic impact on the surrounding road network and the proposed access provision and improvements to existing visibility splays and provision of a new bus layby there is no foreseeable reason for refusal of the proposed planning application, in terms of traffic impact or transport provision.

BAC
30.06.2023



Crematorium at Greystones

Air Quality and Climate Change Assessment

November, 2023

Crematorium at Greystones



Document Control Sheet

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Table of Contents

1	Introduction	7
1.1	Overview	7
1.2	Objectives	7
1.3	Site Location	8
1.1	Key Pollutants	8
1.1.1	Particulate Matter	8
1.1.2	Carbon Monoxide (CO)	9
1.1.3	Hydrogen Chloride (HCl)	9
1.1.4	Mercury (Hg)	10
2	Legislation and Policy	11
2.1	Legislative Framework – Air Quality	11
2.1.1	International Legislation (European Union)	11
2.1.2	National (Scotland)	12
2.2	Legislative Framework – Climate Change	13
2.2.1	National (Scotland)	13
2.3	Scottish Planning Policy – Air Quality and Climate Change	13
2.3.1	Clean Air for Scotland 2	14
2.3.2	Relevant Air Quality Standards and Environmental Assessment Levels	14
2.3.3	Statutory Nuisance	15
2.4	Local (Angus Council)	16
2.4.1	Angus Local Development Plan	16
3	Methodological Approach	18
3.1	Scope of the Assessment	18
3.2	Construction Phase	18
3.3	Operational Phase	18
3.3.1	Road Traffic	18
3.3.2	Stack Emissions	19
3.3.3	Odour	19
3.3.4	Climate Change	19
3.4	Dispersion Model	19
3.4.1	Modelled Scenario	19
3.4.2	Site Layout (Building and Structural Effects)	20
3.4.3	Source and Emission Parameters	20
3.4.4	Meteorological Data	21
3.4.5	Topography	23
3.4.6	Surface Roughness	23
3.4.7	Minimum Monin-Obukhov Length	23
3.5	Modelled Grid Extent	23
3.6	Sensitive Receptors	23
3.6.1	Human Health	23
3.7	Screening Criteria	24
3.7.1	Human Health	24

3.8	Significance Criteria	25
3.9	Modelling Assumptions, Uncertainties and Exclusions	26
4	Baseline Conditions	28
4.1	Air Quality Management Areas (AQMAs)	28
4.2	Particulate Matter	28
4.3	CO	28
4.4	HCl	28
4.5	Hg	29
4.6	Baseline Summary	29
5	Results	30
5.1	Operational Phase – Air Quality	30
5.1.1	Human Health Impact	30
5.1.2	Impact at Specified Receptors	31
5.2	Operational Phase – Climate Change	32
6	Conclusion	33

List of Figures

Figure 1.1: Proposed Crematorium Location.....	8
Figure 3.1: NWP meteorological data Windrose Plots: 2018 – 2022	22
Figure 2.2: Specified Receptors	24

List of Tables

Table 2.1: Air Quality Standards and EALs	14
Table 2.2: Examples of where the AQO should apply.....	14
Table 3.1: Scope of Work	18
Table 3.2: Modelled building dimensions	20
Table 3.3: Source Parameters.....	20
Table 3.4: Emissions Data.....	21
Table 3.5: Modelled Grid Parameters.....	23
Table 3.6: Sensitive Receptors.....	24
Table 3.7: Impact descriptors for predicted change in annual mean concentrations at individual receptors (Reproduced from EPUK and IAQM Guidance).....	26
Table 4.1: Backgrounds assigned to modelled grid receptors	29
Table 5.1: Maximum PC and PEC across the modelled grid extent	30
Table 5.2: Assessment of pollutants against EA screening criteria	30
Table 5.3: IAQM/EPUK Significance Criteria (PM ₁₀ , µg/m ³).....	31
Table 5.4: IAQM/EPUK Significance Criteria (PM _{2.5} , µg/m ³).....	32

Glossary of terms

Term	Definition
AC	Angus Council
AQA	Air Quality Assessment
AQAL	Air Quality Action Level
AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQO	Air Quality Objectives
AQS	Air Quality Standard
ASR	Annual Status Report
CERC	Cambridge Environmental Research Consultants
CO	Carbon Monoxide
Defra	Department for Environment, Food and Rural Affairs
EA	Environment Agency
EAL	Environmental Assessment Level
EPUK	Environmental Protection UK
EQS	Environmental Quality Standard
EU	European Union
HCl	Hydrogen Chloride
HGV	Heavy Goods Vehicle
IAQM	Institute of Air Quality Management
LAQM	Local Air Quality Management
MMOL	Minimum Monin-Obukhov Length
NAQS	National Air Quality Strategy
NNR	National Nature Reserve
NO	Nitric oxide
NO ₂	Nitrogen dioxide
NO _x	Oxides of nitrogen
NRMM	Non-road Mobile Machinery
NWP	Numerical Weather Prediction model
PC	Process Contribution
PEC	Predicted Environmental Concentration
PM	Particulate Matter

Term	Definition
SEPA	Scottish Environment Protection Agency
WHO	World Health Organisation

1 Introduction

1.1 Overview

A.B Roger and Young (ABRY) are assisting their client with planning matters relating to a proposed crematorium development on agricultural land at Greystones, Carmyllie.

The Planning Application (ref: 23/00268/FULL) is as follows:

“Proposed Change of Use of Land from Agricultural and Erection of Crematorium and associated works.”

The planning application will be determined by Angus Council (AC). Following Planning Application Consultation with AC, DustScanAQ were instructed by ABRY to conduct an Air Quality and Odour Assessment to assess the impact of emissions from the proposed crematorium on local air quality. Angus Council has a statutory duty to undertake Local Air Quality Management for specific regulated pollutants under the Environment Act 1995, and requested an air quality assessment to assist in determining the planning application.

Climate change emissions are considered in addition to air quality, in order to assess the proposed development against planning policy.

Under the Environmental Permitting Regulations 2016, crematoria require a permit due to emissions released to air, and this is regulated by the Scottish Environmental Protection Agency (SEPA). The pollutants assessed in this report make the report suitable to support an application for a permit from SEPA.

The potential air quality impacts of the proposed crematorium have been assessed using the latest guidance from Scottish Environment Protection Agency (SEPA), the Environment Agency (EA), Environmental Protection UK (EPUK), the Institute of Air Quality Management (IAQM)¹ and the Department for Environment, Food and Rural Affairs (Defra)².

1.2 Objectives

This report provides an assessment on the following key impacts associated with the construction and operation of the proposed crematorium:

- The significance of impact from dust relating to the construction phase of the proposed development;
- The significance of the impacts from traffic emissions on local air quality;
- The significance of the impacts from the operational phase of the development on human health receptors as a result of pollutant concentrations associated with stack emissions;
- Odour emissions; and

¹ IAQM (2017): ‘Land Use Planning and Development Control: Planning for Air Quality v1.2’.

² Defra (2022): ‘Local Air Quality Management – Technical Guidance (TG22)’.

- Climate change emissions.

The objective of the report is to provide an air quality assessment suitable to support the planning application.

1.3 Site Location

The site of the proposed crematorium is currently agricultural land, located approximately 800 m southwest of Redford, in the parish of Carmyllie in Angus, Scotland. It is bounded to the northwest by the B961. The location of the proposed crematorium is shown in Figure 1.1.

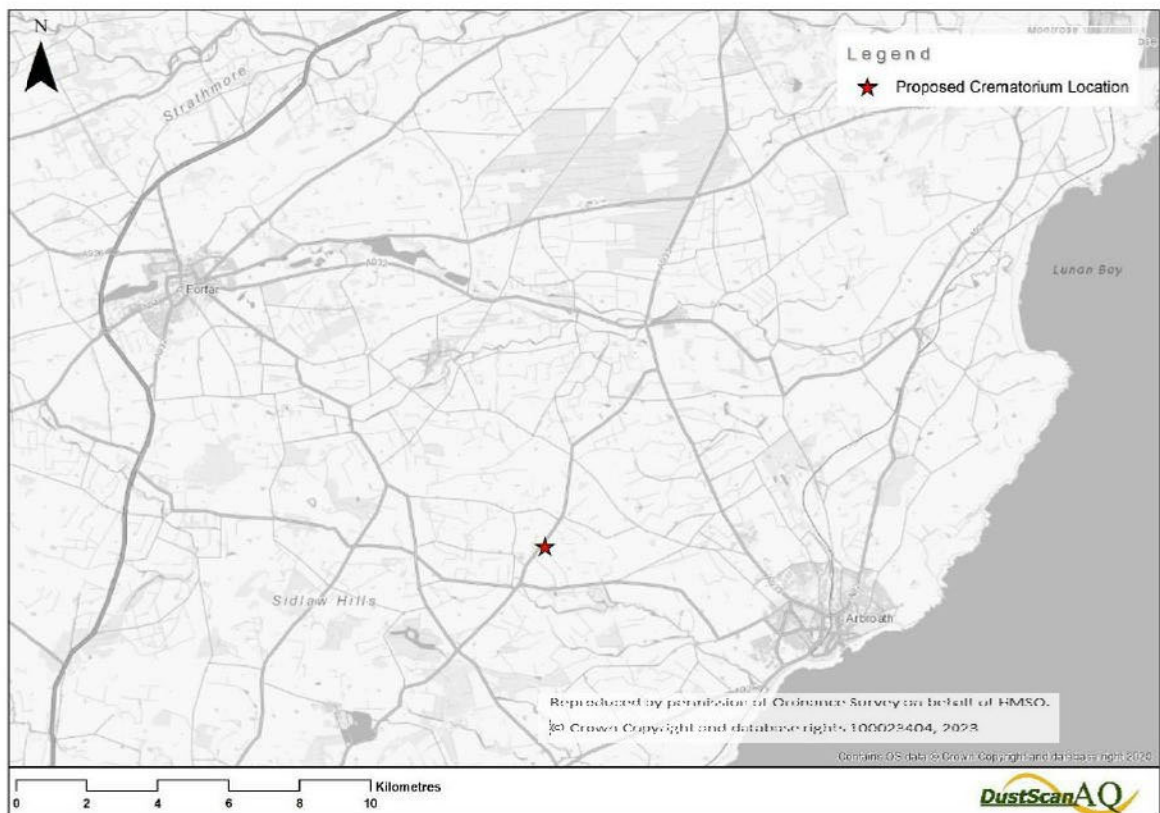


Figure 1.1: Proposed Crematorium Location

1.1 Key Pollutants

1.1.1 Particulate Matter

Particulate matter (PM) is a complex mixture of solid and liquid particles suspended in the air. PM can vary widely in size, shape and chemical composition. Particles are therefore generally classified by aerodynamic diameter size as: PM₁₀ (diameter of 10 microns (µm) or less); PM_{2.5} (diameter of 2.5 µm or less), also called fine particles; and PM_{0.1} (diameter of 0.1 µm or less), called ultrafine particles.

PM₁₀ is known to arise from a number of sources such as construction sites, road traffic movement, industrial and agricultural activities. When inhaled, PM₁₀ is likely to be deposited on surfaces of larger airways of the upper region of the lung and is associated with respiratory mortality, exacerbation of airway diseases and reduction of lung function. PM with an aerodynamic diameter of less than 10 µm have a greater impact on human health.

Due to its size, PM_{2.5} is able to accumulate more, stay in the air for longer and travel farther than PM₁₀³ making it a regional pollutant. A significant proportion of PM_{2.5} concentrations in a particular area originating from natural and transboundary contributions and emissions from neighbouring areas⁴. Local authorities therefore face challenges with the management of local PM_{2.5} concentrations. There is increasing pressure on governing bodies to reduce long-term average PM_{2.5} concentrations in light of emerging research, public awareness on air pollution and recent technical advancements in low-cost sensors for monitoring.

In 2019, the Global Burden of Disease estimated the global ambient PM_{2.5}-related deaths was over 4 million⁵. The Committee on the Medical Effects of Air Pollution (COMEAP) estimated 29,000 attributable deaths from PM_{2.5} occur a year in the UK⁶. The size and shape of PM_{2.5} means it is likely to travel into, and deposit on the surface of, deeper parts of the lung. A recent review, commissioned by Greater London Authority, highlighted the lifelong health impacts of air pollution and found no evidence to identify a threshold where PM_{2.5} did no harm⁷. Health effects associated with short- and long-term exposure of PM_{2.5} includes a range of respiratory and cardiovascular diseases, increased incidence of strokes, preterm births and lung cancer as well as increased risk of Alzheimer's, Parkinson's and other neurodegenerative diseases³. PM_{2.5} is generally associated with combustion and vehicle traffic and is more likely to be associated with the operational phase of the proposed development.

1.1.2 Carbon Monoxide (CO)

Carbon monoxide (CO) is a colourless, odourless gas produced by the incomplete combustion of carbon-based fuels and by biological and industrial processes. The predominant source of carbon monoxide is traffic, particularly in urban areas. CO is produced under conditions of inefficient combustion, is rapidly dispersed away from the source and is relatively inert over the timescales relevant for its dispersion.

1.1.3 Hydrogen Chloride (HCl)

Under standard conditions, HCl is a colourless – slightly yellow, corrosive, non-flammable gas that is denser than air and has a strong irritating odour. Upon exposure to air, HCl forms a dense corrosive white vapor but is readily removed by precipitation when released to the

³ Thangavel, Park and Lee, (2022). 'Recent Insights into Particulate Matter (PM_{2.5})-Mediated Toxicity in Humans: An Overview'. Accessible at:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9223652/>

⁴ Department for Environment, Food and Rural Affairs. (2022), 'Air Quality PM_{2.5} targets: Detailed evidence report'.

⁵ Sang et al., (2022). 'The global burden of disease attributable to ambient fine particulate matter in 204 countries and territories, 1990 – 2019: A systemic analysis of the Global Burden of Disease Study 2019'. Accessible at: <https://www.sciencedirect.com/science/article/pii/S0147651322004286?via%3Dihub#sec0060>

⁶ Committee on the Medical Effects of Air Pollutants, (2018). 'Associations of long-term average concentrations of nitrogen dioxide with mortality'

⁷ Imperial College London, (2023). 'Impacts of air pollution across the life course – evidence highlight note'

atmosphere. When HCl interacts with water droplets into the atmosphere the two constituent atoms readily dissociate to their respective ions, thereby lowering the pH of the water and forming Hydrochloric Acid.

1.1.4 Mercury (Hg)

Mercury (Hg) is classed as a heavy metal and has a high toxicity. As an elementary substance, mercury is persistent and cannot be degraded into harmless products. It will therefore be permanently recycled in the physical, chemical and biological processes in the environment.

Acute exposure to high levels of Hg can cause chest pain and shortness of breath and affect the central nervous system (CNS) and kidneys. Chronic exposure leads to CNS disorders, kidney damage and stomach upsets.

2 Legislation and Policy

This section summarises all legislation, policy, statutory and non-statutory guidelines relevant to the proposed crematorium. Furthermore, the latest local planning policy guidance specifically applicable to the proposed crematorium has been reviewed.

2.1 Legislative Framework – Air Quality

2.1.1 International Legislation (European Union)

Whilst the UK has left the European Union (EU), it is relevant to understand the source of the current UK legislation. Following exit day on the 31st January 2020, the current framework of air quality legislation was converted into domestic law through the European Union (Withdrawal) Act 2018⁸. The EU sets legally binding limit values for outdoor air pollutants to be met by EU countries by a given date. These limit values are based on the World Health Organisation (WHO) guidelines on outdoor air pollutants. These are legally binding and set out to protect human health and the environment by avoiding, preventing or reducing harmful air pollution effects.

Directive 2008/50/EC⁹ on ambient air quality and cleaner air for Europe entered into force in June 2008 and made law in Scotland through the Air Quality Standards (Scotland) Regulations 2010¹⁰. This merged the existing ‘Daughter’ Directives^{11 12 13 14}(apart from the fourth Daughter Directive), maintaining existing air quality objectives set out by ‘Daughter’ Directives for:

- Sulphur dioxide (SO₂);
- Nitrogen dioxide (NO₂);
- Oxides of nitrogen (NO_x);
- Particulate matter (PM_{2.5} and PM₁₀);
- Lead (Pb);
- Benzene(C₆H₆);
- Carbon monoxide (CO); and
- Ozone (O₃).

Directive 2008/50/EC also includes related objectives, exposure concentration obligations and exposure reduction targets for PM_{2.5} (fine particles). The ‘Daughter’ Directives were based upon requirements set out in the first EU Ambient Air Quality Framework Directive 96/92/EEC¹⁵. Following the EU exit, changes these regulations were required and are currently being amended in Scotland. Equivalent regulations exist in England, Wales and Northern Ireland.

⁸ European Union. (2018): <http://www.legislation.gov.uk/ukpga/2018/16/contents/enacted>

⁹ European Union. (2008), ‘Ambient air quality assessment management’, Framework Directive 2008/50/EC.

¹⁰ Scottish Statutory Instruments. (2010), ‘The Air Quality Standards (Scotland) Regulations 2010’. King’s Printer of Acts of Parliament

¹¹ European Union. (1999), ‘Ambient air quality assessment management’, Framework Directive 1999/30/EC.

¹² European Union. (2000), ‘Ambient air quality assessment management’, Framework Directive 2000/3/EC.

¹³ European Union. (2002), ‘Ambient air quality assessment management’, Framework Directive 2002/3/EC.

¹⁴ European Union. (2004), ‘Ambient air quality assessment management’, Framework Directive 2004/107/EC.

¹⁵ European Union. (1996), ‘Ambient air quality assessment management’, Framework Directive 96/62/EC.

2.1.2 National (Scotland)

The 2008 EU ambient air quality directive 2008/50/EC was transposed into Scots law through the introduction of the Air Quality Standards (Scotland) Regulations in 2010¹⁶ which incorporated the fourth EU Daughter Directive (2004/107/EC) that set target values for certain toxic heavy metals and polycyclic aromatic hydrocarbons (PAHs) in ambient air. The Air Quality (Scotland) Amendment Regulations 2016¹⁷ introduced the present AQO for PM_{2.5}.

The UK government has a legal responsibility to meet the EU limit values. Part IV of the 1995 Environment Act¹⁸ sets guidelines for protecting air quality in the UK and forms the basis of local air quality management (LAQM). The Environment Act requires local authorities in the UK to review air quality in their area periodically and designate AQMAs where the objectives are not being achieved or are not likely to be achieved within the relevant period. Where an AQMA is designated, local authorities are also required to produce an 'Air Quality Action Plan' (AQAP) detailing the pollution reduction measures that need to be adopted to achieve the relevant air quality objectives within an AQMA.

The Air Quality Objectives (AQO) specifically for use by local authorities in carrying out their air quality management duties are set out in the Air Quality (Scotland) Regulations 2000¹⁹ and the Air Quality (Scotland) Amendment Regulations 2002²⁰. In most cases, the air quality objectives are numerically synonymous with the limit values specified in the EU Directives although compliance dates differ.

The Environment Act requires the UK Government to publish a National Air Quality Strategy (NAQS) to establish the system of LAQM for the designation of AQMAs. This led to the introduction of the first Air Quality Strategy (AQS) in 1997²¹ which has since progressed through several revisions until it was replaced by the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007²². Each revision introduced strategies and regulations that considered measures for different pollutants by tightening existing objectives and introducing new ones to establish a common framework to protect human health and the environment by achieving ambient air quality improvements.

¹⁶ Parliament of Scotland. (2010), 'Air Quality Standards (Scotland) Regulations 2010', 2010 No. 204. Queen's Printer for Scotland.

¹⁷ Parliament of Scotland. (2016), 'The Air Quality (Scotland) Amendment Regulations 2016', 2016 No. 162. Queen's Printer for Scotland.

¹⁸ Parliament of the United Kingdom. (1990), 'Environmental Protection Act', Chapter 43. Queen's Printer of Acts of Parliament.

¹⁹ Parliament of Scotland. (2000), 'Air Quality (Scotland) Regulations 2000', 2000 No. 97. Queen's Printer for Scotland.

²⁰ Parliament of Scotland. (2002), 'Air Quality (Scotland) Amendment Regulations', 2002 No. 297. Queen's Printer for Scotland.

²¹ Department for Environment Food and Rural Affairs. (1997), 'The United Kingdom National Air Quality Strategy', Cm 3587, Department for Environment Food and Rural Affairs.

²² Department for Environment Food and Rural Affairs. (2007), 'The Air Quality Strategy for England, Scotland, Wales and Northern Ireland', Cm 7169, Department for Environment Food and Rural Affairs.

2.2 Legislative Framework – Climate Change

Climate change is a phenomenon resulting from an enhancement of the greenhouse gas effect of the Earth's atmosphere. It is increasing the average energy content (temperature) of the atmosphere. Particular constituent gases of the atmosphere trap a proportion of the radiant heat being emitted from the Earth's surface back into space in what is known as the greenhouse effect. This significantly raises the temperature of the planet above what it would be without this atmosphere and makes it generally suitable for human habitation. One of the main gaseous constituents which does this is carbon dioxide, and its concentration has been rising steadily in the past century. This change is attributed mainly to the anthropogenic combustion of fossil fuels (coal, gas and oil) since the Industrial Revolution.

2.2.1 National (Scotland)

At a national level, Scotland has legislated to achieve net zero climate change emissions by 2045. The Climate Change (Scotland) Act 2009 was amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, increasing the ambition of Scotland's emissions reduction targets to net zero by 2045, in response to the Paris agreement. At the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris, on 12 December 2015, Parties to the UNFCCC reached a landmark agreement to combat climate change and to accelerate and intensify the actions and investments needed for a sustainable low carbon future. The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius.

2.3 Scottish Planning Policy – Air Quality and Climate Change

The latest Scottish Planning Policy (SPP)²³, published 23rd June 2014, sets out national planning policies which reflect the priorities of Scottish Ministers for operation of the planning system. The SPP is non-statutory, however it carries weight with decision makers as it is a statement of Minister's priorities. The appropriate weight is determined by the local decision-maker on a case by case basis.

With regard to air quality the SPP states:

“The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. This means that policies and decisions should be guided by the following principles....

Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality”

²³ Scottish Government. (2014), 'Scottish Planning Policy'.

2.3.1 Clean Air for Scotland 2

Cleaner Air for Scotland 2²⁴ – Towards a Better Place for Everyone (CAFS2) is Scotland’s second air quality strategy. CAFS2 sets out how the Scottish Government and its partner organisations propose to further reduce air pollution to protect human health and fulfil Scotland’s legal responsibilities over the period 2021 – 2026. CAFS2 was published in July 2021 and replaces Cleaner Air for Scotland – The Road to a Healthier Future (CAFS), which was published in 2015. CAFS2 aims to achieve the ambitious vision for Scotland "to have the best air quality in Europe". A series of actions across a range of policy areas are outlined, a summary of which is available on the Scottish Government’s website.

2.3.2 Relevant Air Quality Standards and Environmental Assessment Levels

A summary of the relevant Air Quality Objectives (AQO) for human health and environmental receptors are presented in Table 2.1 and Table 2.2 respectively.

A summary of where standards referred to in Table 2.1 are applicable is presented in Table 2.2.

Table 2.1: Air Quality Standards and EALs

Pollutant	Averaging Period	AQS/ EAL (µg/m ³)	Exceedance Allowance	Percentile Equivalent
Nitrogen Dioxide (NO ₂)	Annual	40	-	-
	1-hour	200	18 per annum	99.8 th
Particulate Matter (as PM ₁₀)	Annual	18	-	-
	24-hour	50	7 per annum	90.41 th
Particulate Matter (as PM _{2.5})	Annual	10	-	-
Carbon Monoxide (CO)	8-hour	10,000	-	-
Hydrogen Chloride (HCl)	1-hour	750	-	
Mercury (Hg)	Annual	0.25	-	
	1-hour	7.5		

AQS = Air Quality Standard; EAL = Environmental Assessment Level.

Table 2.2: Examples of where the AQO should apply

Averaging period	Objectives should apply at	Objectives should not apply at
Annual	All locations where members of the public might be regularly exposed. Building façades of residential properties, schools, hospitals, care homes etc.	Building façades of offices or other places of work where members of the public do not have regular access. Hotels, unless people live there as their permanent residence. Gardens of residential properties.

²⁴ Scottish Government. (2021), ‘Clean Air for Scotland 2 – Towards a Better Place for Everyone’.

Averaging period	Objectives should apply at	Objectives should not apply at
		Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short-term.
24 Hour	All locations where the annual mean objective would apply, together with hotels and gardens of residential properties ^(a) .	Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short-term.
1 Hour	All locations where the annual mean and 24 and 8-hour mean objectives apply. Kerbside sites (for example, pavements of busy shopping streets). Those parts of car parks, bus stations and railway stations etc. which are not fully enclosed, where members of the public might reasonably be expected to spend one hour or more. Any outdoor locations where members of the public might reasonably have expected to spend one hour or longer.	Kerbside sites where the public would not be expected to have regular access.
15 Minute	Any location where a member of the public can be reasonably expected to spend 15 minutes.	

Note:

- (a) *"Such locations should represent parts of the garden where relevant public exposure to pollutants is likely, for example where there is seating or play areas. It is unlikely that relevant public exposure to pollutants would occur at the extremities of the garden boundary, or in front gardens, although local judgement should always be applied."*

2.3.3 Statutory Nuisance

It is recognised that the planning system presents a way of protecting amenity. However, in cases where planning conditions are not applicable to a development/installation, the requirements of the Environmental Protection Act 1990 still apply. Under Part III of the Environmental Protection Act 1990, local authorities have a statutory duty to investigate any complaints of:

- *"any premises in such a state as to be prejudicial to health or a nuisance*
- *smoke emitted from premises so as to be prejudicial to health or a nuisance*
- *fumes or gases emitted from premises so as to be prejudicial to health or a nuisance*
- *any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance*

- *any accumulation or deposit which is prejudicial to health or a nuisance”*

Where the local authority establishes that any one of these issues constitutes a statutory nuisance and believes it to be unreasonably interfering with the use or enjoyment of someone’s premises and/or is prejudicial to health, an abatement notice will be served on the person responsible for the offence or the owner / occupier. Failure to comply with the notice could lead to a prosecution. It is however considered as a defence if the best practicable means to prevent or to counteract the effects of the nuisance are employed.

2.4 Local (Angus Council)

2.4.1 Angus Local Development Plan

The Angus Local Development Plan²⁵, adopted September 2016, set out AC’s view on how the area should develop over the 10 years from 2016-2026. The Plan contains one policy which is directly related to air quality and is relevant to the proposed development, Policy DS4. DS4 states:

“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

²⁵ Angus Council, 2016. ‘Angus Local Development Plan’.

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.”

3 Methodological Approach

This section sets out the approach taken to assess the potential impact on air quality and climate change during the operation of the proposed crematorium. For climate change the assessment is whether the proposed development can meet net zero.

3.1 Scope of the Assessment

The assessment is based on the following scope of work presented in Table 3.1:

Table 3.1: Scope of Work

Scope	Consideration
Spatial	The assessment considers the impact of emissions from the site on local air quality.
Temporal	The operational phase impacts resulting from the proposed crematorium have been considered for the earliest possible year of operation (2025) with 2023 background concentrations.

3.2 Construction Phase

Construction phase impacts from development are assessed using the IAQM's 'Assessment of dust from demolition and construction 2023 V20.1' guidance. The proposed development will comprise earthworks with low levels of construction and trackout. The only high sensitivity receptor within 350 m of the proposed development is located approximately 320 m away. Therefore, it is considered that all impacts will be negligible and further assessment and mitigation is not required. Construction impacts are not considered further in this assessment.

3.3 Operational Phase

3.3.1 Road Traffic

Operational traffic related emissions are scoped out of this assessment using the below indicative IAQM/EPUK criteria:

A change of LDV flows of:

- more than 100 AADT within or adjacent to an AQMA
- more than 500 AADT elsewhere.

A change of HDV flows of:

- more than 25 AADT within or adjacent to an AQMA
- more than 100 AADT elsewhere.

As the proposed crematorium is not within or adjacent to an AQMA, the less stringent criteria are applicable. DS understand that the traffic generated by the proposed crematorium will fall below the indicative criteria. The operational traffic emissions can therefore be scoped out as the traffic change is not considered significant. The impact of traffic on air quality is therefore assessed as insignificant. This is not considered further in this report.

3.3.2 Stack Emissions

The operation of the facility has the potential to generate PM, CO, HCl and Hg emissions from the stack. The pollutant palette is consistent with pollutants included within the crematoria process guidance note 5/12. The assessment is of the predicted impact of these emissions on local air quality in the vicinity of the facility.

3.3.3 Odour

For strong cultural reasons, modern crematoria in the UK are designed and required to have no perceptible odorous emissions, and therefore odour is not considered further in this assessment. It is not culturally acceptable for the odour of crematorium emissions to be perceptible to visitors to them.

3.3.4 Climate Change

The operational emissions are quantified in tonnes of carbon dioxide equivalent per annum, and compared with a base case of conventional technology.

3.4 Dispersion Model

Dispersion modelling was undertaken using ADMS-6 (v6.0.0.1), which is developed by Cambridge Environmental Research Consultants (CERC) Ltd. ADMS-6 is a PC based dispersion modelling software package that simulates a wide range of buoyant and passive releases to atmosphere from either single or multiple sources. The model utilises hourly meteorological data to define conditions for plume rise, transport and diffusion. It estimates the concentration for each source and receptor combination for each hour of input meteorology and calculates user-selected long-term and short-term averages. Building and source parameters have been taken from the architect's drawings and emissions parameters for the proposed cremator.

The model typically requires the following input data:

- Extent of the modelling area;
- Locations and dimensions of all sources and nearby structures;
- Output grid and receptor locations;
- Meteorological data;
- Terrain data (if modelling terrain effects);
- Emission rates, emission parameters (e.g. temperature) and emission profiles (e.g. one hour per day) for modelled pollutants; and
- Surface roughness and Monin-Obukhov length.

3.4.1 Modelled Scenario

The proposed facility is expected to do four cremations a day on average, and operate Monday to Friday. In order to provide a conservative estimate of the impact, this assessment assumes that it runs continuously i.e. 8,760 hours per year.

The earliest possible year of operation is 2025. This assessment considers model scenarios with 2023 background concentrations, representing a very conservative assumption that background pollutant levels do not increase from the present year.

The model outputs have been set up for the:

- long-term (annual mean) PM₁₀ concentration;
- short-term (24-hour mean) 90.41st %ile PM₁₀ concentration;
- long-term (annual mean) PM_{2.5} concentration;
- short-term (8-hour rolling mean) CO concentration;
- short-term (1-hour mean) HCl concentration;
- long-term (annual mean) Hg concentration; and
- short-term (1-hour mean) Hg concentration.

3.4.2 Site Layout (Building and Structural Effects)

The dispersion of substances released from elevated sources can be influenced by the presence of buildings close to the emission point. Structures that are in excess of one third of the height of the stack can have a significant effect on dispersion by interrupting wind flows and causing significantly higher ground-level concentrations close to the source than would arise.

The grid references and the size dimensions of all buildings included in the dispersion model are set out below in Table 3.2.

Table 3.2: Modelled building dimensions

Name	Shape	X (m)	Y (m)	Height (m)	Length (m)	Width (m)	Angle (°)
Crematorium	Rectangular	355819	743303	7.066 ^a	30.55	12.55	138.2

a) Representative of the effective building height, above ground and in the airflow.

3.4.3 Source and Emission Parameters

The source parameters and emissions data supplied by the client and included in the model are summarised in Table 3.3 and Table 3.4 respectively. Emissions have been calculated based upon data provided by the client and emissions limit within crematoria process guidance note 5/12.

Table 3.3: Source Parameters

Parameter (unit)	Stack
Internal Stack Diameter (m)	0.2
Effective Stack Height (m)	9.816 ^a

Parameter (unit)	Stack
Stack area (m ²)	0.031
Stack Position (m)	355828.04, 743293.52
Temperature of release (°C)	92.3
Volume Flux (m ³ /s)	0.1122

^a this is the height of the stack above ground level

Table 3.4: Emissions Data

Pollutant	Emission Rate (g/s)
PM ₁₀	0.0022 ^a
PM _{2.5}	0.0022 ^a
CO	0.0112
HCl	0.0034
Hg	0.0000056

a) For both the PM₁₀ and PM_{2.5} scenarios, 100% of PM is in those size fractions for comparison against the AQO. It is plausible that 100% of PM could be PM₁₀, or that 100% of PM could be PM_{2.5}.

3.4.4 Meteorological Data

The key meteorological parameters for dispersion modelling are wind speed and wind direction. Meteorological parameters such as cloud cover, surface temperature, precipitation rate and relative humidity are also taken into account.

For dispersion modelling, hourly-resolved data are required and often it is difficult to find a local site that can provide reliable data for all the meteorological parameters at this resolution.

Given the location of the proposed development, NWP modelled meteorological data for the site was used in this assessment.

To account for variation in meteorological conditions, the dispersion modelling have been carried out with the latest available meteorological data from the period 2018 to 2022.

Figure 3.1 below presents the wind rose for each modelled year.

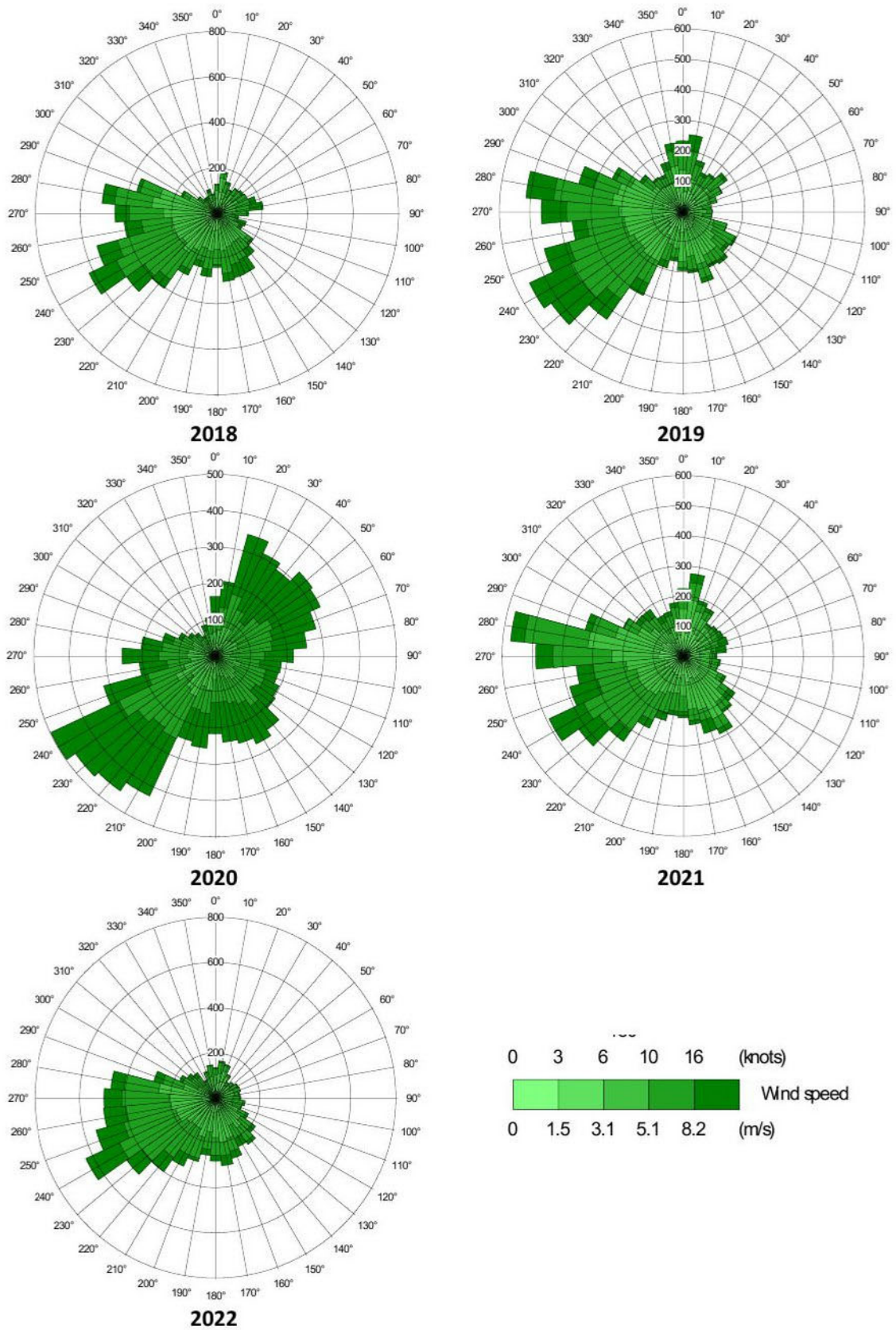


Figure 3.1: NWP meteorological data Windrose Plots: 2018 – 2022

3.4.5 Topography

The presence of elevated terrain can significantly affect ground level concentrations of pollutants emitted from elevated sources, such as stacks, by reducing the distance between the plume centre line and ground level, increasing turbulence and, hence, plume mixing.

Guidance for the use of the ADMS-6 model suggests that terrain is normally incorporated within a modelling study when the gradient exceeds 1:10. Terrain in the region does not meet this description and therefore terrain has not been included in this model.

3.4.6 Surface Roughness

The dispersion site surface roughness length (z_0) was set to 0.2 m and the meteorological site surface roughness length was set as the same.

3.4.7 Minimum Monin-Obukhov Length

The Minimum Monin-Obukhov Length (MMOL) provides a measure of the stability of the atmosphere. An MMOL value of 1 m was used in the dispersion model to describe both the modelling area and the meteorological station location. These values are considered representative of the respective surrounding areas.

3.5 Modelled Grid Extent

The assessment area was defined based upon the source location, anticipated pollutant dispersion patterns and the positioning of sensitive receptors. The modelled grid parameters are defined in Table 3.5 below with respect to the British National Grid.

Table 3.5: Modelled Grid Parameters

Parameter	Min	Max
X (m)	354828	356828
Y (m)	742293	744293
Z (m)	1.5	
Resolution (m)	20	

3.6 Sensitive Receptors

3.6.1 Human Health

This assessment includes the nearest residential receptors identified using aerial photography mapping. All receptors have been modelled at a height of 1.5 m.

Table 3.6 presents the receptors specified for assessment.

Table 3.6: Sensitive Receptors

Receptor	X	Y
R1	355558.06	743066.81
R2	356435.75	743133.31
R3	356306.03	743462.81
R4	356325.69	743504.06
R5	356123.19	743927.00
R6	355387.25	743773.62
R7	355249.88	742982.81

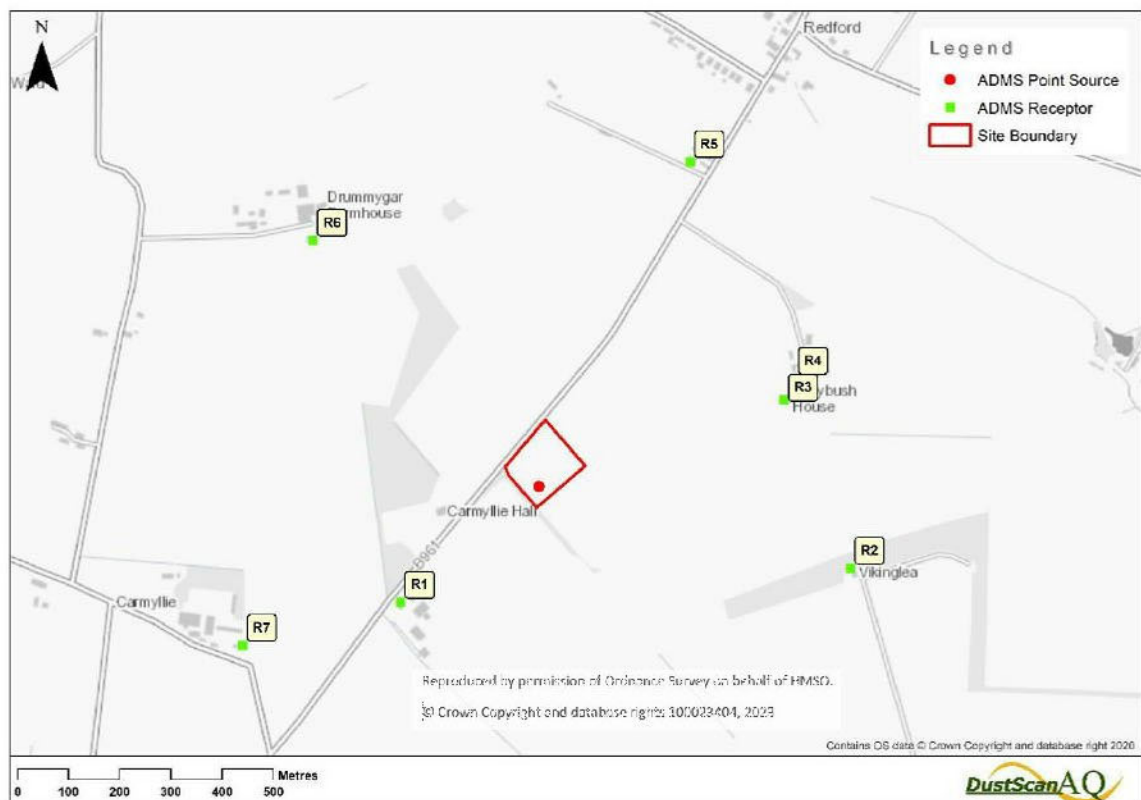


Figure 2.2: Specified Receptors

3.7 Screening Criteria

3.7.1 Human Health

In the absence of specific guidance from the Scottish agency, Scottish Environment Protection Agency, guidance is taken from the relevant EA publication. The EA risk

assessment guidance²⁶ provides criteria for assessing the significance of emissions with respect to the background air quality and air quality standards.

Stage 1: Criteria for screening out insignificant Process Contributions (PCs)

PCs can be screened out from detailed dispersion modelling if both of the below criteria are met:

- PC long-term < 1% of the long-term air quality standard; and
- PC short-term < 10% of the short-term air quality standard.

If both of these criteria are met, no further assessment of the pollutant in question is required. If one or both of the criteria are not met then further screening criteria are applied, outlined below in stage 2.

Stage 2: Criteria for screening out insignificant Predicted Environmental Concentrations (PECs)

The PEC is the combination of the PC and the background concentration of the pollutant. Detailed dispersion modelling can be screened out if both of the below criteria are met:

- PEC long-term < 70% of the long-term air quality standard; and
- PC short-term < 20% of the short-term air quality standard minus twice the long-term background concentration.

Any emissions which don't meet the screening criteria for stage 2 require further detailed modelling.

Detailed modelling is also required if:

- Emissions affect an AQMA; or
- Restrictions apply for any substance emitted in this area.

The results of the detailed modelling are assessed for the resulting PECs against the relevant AQO. Significance criteria are used to inform the assessment, and are discussed in the next section.

3.8 Significance Criteria

For the purposes of this assessment, the IAQM and EPUK (2017) criteria have been used for calculating the magnitude descriptors for predicted change in annual mean concentrations of nitrogen dioxide at individual receptors (Table 3.7). The IAQM recognise that professional judgement is required in the interpretation of air quality assessment

²⁶ <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>

significance. Table 3.7 is intended to be used as a tool to assist with interpretation of the air quality assessment.

Table 3.7: Impact descriptors for predicted change in annual mean concentrations at individual receptors (Reproduced from EPUK and IAQM Guidance)

Long term average concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)			
	1	2-5	6-10	>10
75% or less of AQAL	Negligible	Negligible	Slight	Moderate
76-94% of AQAL	Negligible	Slight	Moderate	Moderate
95-102% of AQAL	Slight	Moderate	Moderate	Substantial
103-109% of AQAL	Moderate	Moderate	Substantial	Substantial
110% or more of AQAL	Moderate	Substantial	Substantial	Substantial

- Notes:
- ¹ AQAL = Air Quality Assessment Level, which may be an air quality objective, EU limit or target value, or an Environment Agency 'Environmental Assessment Level (EAL)'.
 - ² The Table is intended to be used by rounding the change in percentage pollutant concentration to whole numbers, which then makes it clearer which cell the impact falls within. The numbers are treated with their likely accuracy in order to avoid assumption of false level of precision. For example, Changes of 0%, i.e. less than 0.5% will be described as Negligible.
 - ³ The Table is only designed to be used with annual mean concentrations.
 - ⁴ Descriptors are used for individual receptors only; the overall significance is determined using professional judgement. For example, a 'moderate' adverse impact at one receptor may not mean that the overall impact has a significant effect. Other factors need to be considered.
 - ⁵ When defining the concentration as a percentage of the AQAL, use the 'without scheme' concentration where there is a decrease in pollutant concentration and the 'with scheme;' concentration for an increase.

3.9 Modelling Assumptions, Uncertainties and Exclusions

In addition to the parameters outlined above, some assumptions have been made for the modelling, including:

- The crematorium will operate for 24 hours a day throughout the year; and
- Emission data and source parameters has been obtained from the provider of the cremator and

Uncertainty in dispersion modelling predictions can be associated with a variety of factors, including:

- Model limitations;
- Data uncertainty due to errors in input data, emission estimates, operational procedures, land use characteristics and meteorology; and
- Variability - randomness of measurements used.

Potential uncertainties in the model results were minimised as far as practicable and worst-case inputs used in order to provide a robust assessment. This included the following:

- Choice of model - ADMS-6 is a widely used atmospheric dispersion model and results have been verified through a number of studies to ensure predictions are as accurate as possible;
- Emission rates - Emission rates were calculated based upon monitoring data supplied by the cremator supplier. As such, they are considered to be representative of potential releases during normal operation;
- Receptor locations - A Cartesian Grid was included in the model in order to provide suitable data for contour plotting as well as specified receptors;
- Variability - Where site specific input parameters were not available, assumptions were made with consideration of the worst-case conditions as necessary in order to ensure a robust assessment of potential pollutant concentrations; and
- All results presented are the maximum concentrations from a 5-year modelling period, so represent the worst case.

4 Baseline Conditions

The following section sets out the baseline conditions in relation to air quality at the subject site. For the purpose of this assessment, evidence has been obtained from the AC 2022 Air Quality Annual Progress Report (APR)²⁷, the Defra air quality resource website²⁸ and the Air Quality in Scotland website²⁹.

The 2022 APR is prepared by AC in accordance with the requirements of LAQM as set out in Part IV of the Environment Act (1995).

Defra provides background pollution concentration estimates to assist local authorities with undertaking their 'Review and Assessment' work. This data is available to download from the Defra air quality resource website for NO_x, NO₂, PM₁₀ and PM_{2.5} for every 1 km X 1 km grid square for all local authorities. The current dataset is based on 2018 background data and the future year projections are available for 2018 to 2030.

Further, modelled background concentrations for Scotland can be accessed on the Air Quality in Scotland website. These are analogous to those produced by Defra and provide projections for the same pollutants, with the exception of PM_{2.5}.

4.1 Air Quality Management Areas (AQMAs)

AC does not currently have any AQMAs declared within its jurisdiction.

4.2 Particulate Matter

Background PM₁₀ concentrations have been taken from 2023 Scottish Government background mapping which is deemed representative of background concentrations for the modelled area. The maximum PM₁₀ concentration in the modelled area for 2023 is 11.59 µg/m³.

Background PM_{2.5} concentrations have been taken from 2023 Defra background mapping which is representative of background concentrations for the modelled area. The maximum PM_{2.5} concentration in the modelled area for 2023 is 5.44 µg/m³.

4.3 CO

Background CO concentrations have therefore been taken from Defra background maps. CO background concentrations are based upon 2001 Defra background mapping, with a factor applied to adjust the value to the relevant year. The average CO background annual mean concentration for the modelled grid extent was 68.55 µg/m³.

4.4 HCl

²⁷ Angus Council. (2022), '2022 Air Quality Progress Report (APR) for Angus Council'.

²⁸ Department for Environmental Food and Rural Affairs. Accessible at: <https://uk-air.defra.gov.uk/data/laqm-background-maps?year=2018>

²⁹ Scotland's Environment. Accessible at <https://www.scottishairquality.scot/data/mapping/data>

Hydrogen chloride monitoring is carried out by Defra as part of its UKAEP: Acid Gas and Aerosol network. The closest monitoring site is Glensaugh, approximately 36 km north-northeast of the site. For the purpose of this assessment, annual mean concentrations of HCl have been averaged for the period 2015 (the latest year of available data from the site) giving an HCl annual mean background concentration of 0.26 $\mu\text{g}/\text{m}^3$. This is considered appropriate for the purpose of this assessment.

4.5 Hg

Mercury monitoring is carried out by Defra as part of its air pollution monitoring network. The closest monitoring site is Auchencorth Moss, approximately 94 km south-southwest of the site. For the purpose of this assessment, annual mean concentrations of Hg have been averaged for the period 2023 to present giving an Hg annual mean background concentration of 1.33 ng/m^3 (or 0.00133 $\mu\text{g}/\text{m}^3$).

4.6 Baseline Summary

A summary of the background concentrations used for the purpose of this assessment are presented below in Table 4.1.

Table 4.1: Backgrounds assigned to modelled grid receptors

Pollutant	Averaging Period	Background Concentration ($\mu\text{g}/\text{m}^3$)
PM ₁₀	Annual Mean	11.59
	24-Hour Mean	13.67
PM _{2.5}	Annual Mean	5.44
CO	Annual Mean	68.55
	8-Hour Mean	95.97
HCl	Annual Mean	0.26
	1-Hour Mean	0.51
Hg	Annual Mean	0.00133
	1-Hour Mean	0.00267

5 Results

5.1 Operational Phase – Air Quality

As discussed in Section 3, there are impacts on local air quality that will arise from the operation of the proposed crematorium. The potential impact of air quality on human health is discussed below.

5.1.1 Human Health Impact

The impact on air quality from the proposed crematorium for all modelled pollutants and averaging periods are detailed below in Table 5.1 and Table 5.2.

Table 5.1 sets out the maximum PC and PECs for the modelled grid extent, as well as comparison against the relevant AQS. All results presented in Table 5.1 are the maximum concentrations from a temporal 5-year modelling period across a spatial 2 km grid, so represent the worst case. As such, these values are conservative and likely only to occur close to the emission source. For the PM₁₀ and PM_{2.5} scenarios, both scenarios assume 100% of particulate matter is in the respected size fraction for each scenario.

Table 5.1: Maximum PC and PEC across the modelled grid extent

Pollutant	Averaging Period	AQS (µg/m ³)	Max PC (µg/m ³)	Max PC (% AQS)	Max PEC (µg/m ³)	Max PEC (% AQS)
PM ₁₀	Annual mean	18	0.2	1.1	11.8	65.5
	24-hour mean	50	0.6	1.2	14.3	28.6
PM _{2.5}	Annual Mean	10	0.2	2.0	5.63	56.3
CO	8-hour rolling mean	10000	1.0	0.0	97.0	1.0
HCl	1-hour mean	750	8.7	1.2	9.2	1.2
Hg	Annual Mean	0.25	0.0	0.2	0.0	0.7
	1-hour mean	7.5	0.0	0.2	0.0	0.2

Table 5.2 assesses the max PCs and PECs for the modelled grid extent for each pollutant and averaging period against the EA screening criteria outlined in Section 3.6.

Table 5.2: Assessment of pollutants against EA screening criteria

Pollutant	Averaging Period	Scoped out at Stage 1?	Scoped out at Stage 2?	Further Assessment required?
PM ₁₀	Annual mean	No	Yes	No
	24-hour mean	No	Yes	No
PM _{2.5}	Annual Mean	No	Yes	No
CO	8-hour rolling mean	Yes	-	No

Pollutant	Averaging Period	Scoped out at Stage 1?	Scoped out at Stage 2?	Further Assessment required?
	1-hour mean	Yes	-	No
HCl	1-hour mean	Yes	-	No
Hg	1-hour mean	Yes	-	No

The Predicted Environmental Concentrations of all the pollutants considered are well within their respective air quality objectives. Upon application of the second EA screening criteria, all pollutants are comfortably screened out and no further assessment is required.

Therefore, it can be said that there are no significant adverse impacts on air quality with respect to all pollutants.

Table 5.1 shows that all relevant AQSs are met by the PECs for all pollutants and averaging periods.

5.1.2 Impact at Specified Receptors

In order to illustrate the potential impact on local air quality at the nearest residential properties to the proposed crematorium using the criteria commonly used for development planning, the results of the assessment are presented below at those locations.

Table 5.3 sets out annual mean PM₁₀ concentrations at the modelled receptors and the impact descriptor. Table 5.4 sets out annual mean PM₁₀ concentrations at the modelled receptors and the impact descriptor.

Table 5.3: IAQM/EPUK Significance Criteria (PM₁₀, µg/m³)

Receptor	Max PC	Increase as %age of AQAL (%)	Background	PEC (a)	PEC as %age of AQAL	Impact Descriptor
1	0.004	0.02	10.80	10.80	60.02	Negligible
2	0.004	0.03	10.75	10.75	59.74	Negligible
3	0.005	0.03	10.75	10.75	59.74	Negligible
4	0.005	0.03	10.75	10.75	59.74	Negligible
5	0.002	0.01	10.75	10.75	59.73	Negligible
6	0.002	0.01	10.80	10.80	60.01	Negligible
7	0.002	0.01	11.09	11.10	61.65	Negligible

Table 5.4: IAQM/EPUK Significance Criteria (PM_{2.5}, µg/m³)

Receptor	Max PC	Increase as %age of AQAL (%)	Background	PEC (a)	PEC as %age of AQAL	Impact Descriptor
1	0.004	0.04	5.25	5.26	52.56	Negligible
2	0.004	0.04	5.22	5.23	52.26	Negligible
3	0.005	0.05	5.22	5.23	52.27	Negligible
4	0.005	0.05	5.22	5.23	52.27	Negligible
5	0.002	0.02	5.22	5.22	52.24	Negligible
6	0.002	0.02	5.25	5.25	52.54	Negligible
7	0.002	0.02	5.32	5.32	53.24	Negligible

The results show that even using conservative assumptions, the impact on nearby residential receptors will be negligible.

5.2 Operational Phase – Climate Change

Crematorium furnaces have typically been heated by natural gas up until relatively recently. The proposed development is designed to use a DFW Electric Cremation Furnace³⁰, which will offer considerable carbon savings over using natural gas. The proposed development is planned to carry out approximately 1000 cremations per year (four per day). This being the case, based on the average UK energy mix, this would result in an 82 % reduction in CO₂e emissions over the base case of a natural gas-powered unit, according to the estimates on the manufacturer’s website. These calculations are based on a natural gas consumption rate of 50 m³ per cremation, and have been verified by DS. However, since the grid electricity in Scotland is much more significantly decarbonised than the UK average because of the large quantity of installed wind generation, the actual reduction would be 95%. The Scottish Government has a target of keeping the emission factor for grid electricity to below 0.05 kg CO₂e/kWh³¹. The emission saving will be at least 102 tonnes per year, with the potential for the remaining 5 tonnes per year to be further reduced by the solar PV installed on the roof. The design makes net zero achievable in terms of process emissions.

As regards transport emissions, the location will require access by car for the greater part of journeys. Whilst the car fleet is only just beginning to transition to net zero capable vehicles (almost all battery electric vehicles), this is anticipated to complete by the target date for net zero of 2045. This will be supported by the proposed development with the provision of six EV charging points. In an effort to further reduce transport emissions, the proposed development will also introduce a new bus stop and two coach spaces, reducing the volume of car traffic to the location.

³⁰ <https://dfweurope.com/electric-cremator/>

³¹ <https://www.gov.scot/publications/climate-change-plan-monitoring-reports-2022/pages/3/>

6 Conclusion

This report provides an assessment of the impacts associated with the operation of the proposed crematorium on agricultural land at Greystones, Carmyllie, on local air quality.

This report has:

- The significance of impact from dust relating to the construction phase of the proposed development;
- The significance of the impacts from traffic emissions on local air quality;
- The significance of the impacts from the operational phase of the development on human health receptors as a result of pollutant concentrations associated with stack emissions;
- Odour emissions; and
- Climate change emissions.

It's considered that the impact from construction dust will be negligible.

The traffic generated by the site once in use has the potential generate emissions which will impact on local air quality. It is advised that the quantity of traffic generated will be well below the IAQM screening criterion of 500 vehicles per day. The impact of traffic on air quality is therefore assessed as insignificant.

Modelling was undertaken using emissions information provided by the client, and a series of conservative assumptions:

- The proposed crematorium was modelled to operate continuously; and
- All results presented are the maximum concentrations from a 5-year modelling period, so represent the worst case.

The results of the dispersion modelling show that at all modelled human health receptors and locations where the relevant air quality objectives are applicable, no exceedances will be caused by the proposed crematorium. The impacts are assessed as negligible.

It can therefore be concluded that the proposed Crematorium does not give rise to any significant air quality impacts on human health receptors and is fully compliant with national, regional and local planning guidance.

It is assessed that odour emissions will be negligible, and no further mitigation is required.

The proposed development meets national and local planning policy for achieving climate change goals to meet net zero by 2045.

ANGUS COUNCIL



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

**PLANNING PERMISSION REFUSAL
REFERENCE : 23/00268/FULL**

To **Greystone Crematorium
c/o A B Roger & Young
9 MacGregor Street
Brechin
Angus
DD9 6AB**

With reference to your application dated 20 April 2023 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Proposed change of use of land from agricultural and erection of crematorium and associated works at Land 200M NE Of Carmyllie Hall Carmyllie for Greystone Crematorium

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

1. The development would not be accessible by a choice of transport modes, increasing reliance on the private car in a situation where access to walking, cycling and public transport is poor and would result in an unsustainable pattern of travel and development. It has not been sited to minimise greenhouse gas emissions, The proposal is therefore contrary to National Planning Framework 4 policies 1, 2, 13, 14, 29 and Angus Local Development Plan policies DS2, DS3 and TC8.
2. The application is contrary to National Planning Framework 4 Policy 9(b) because it proposes the development of a greenfield site in circumstances where the site is not allocated for development and the proposal is not explicitly supported by policies in the Angus Local Development Plan (2016).
3. The application is contrary to Policy DS1 of the Angus Local Development Plan (2016) because the scale and nature of the development is not appropriate for its location because it does not enjoy good accessibility, particularly for pedestrians, cyclists and public transport; and because the proposal is not in accordance with other relevant policies, namely policies DS2, DS3 and TC8..

Amendments:

1. The proposal has been amended to alter the proposed vehicular access arrangements from separate in and out accesses to a single in/out access point. The plans identify that a visibility sightline of 4.5m x 215m would be provided to the southwest, and a sightline of 4.5m x 160m would be provided to the northeast of the new junction. Provision would be made for a new bus stop and shelter along the site frontage to the northeast of the proposed new junction with public road. A B Roger & Young 'Sightlines' (Drawing No. 2022 CGC 07 Revision B) and 'Site and Location' (Drawing No. 2022 CGC 04 Revision A) amend and supersede previous versions of those drawings.

Dated this **1 May 2024**

Jill Paterson

Service Lead

Planning and Sustainable Growth

Angus Council

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
Development Standards Committee/Full Council	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.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1
Delegated Decision	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.	Local Review Body – See details on attached Form 2
Other Decision	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.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1

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
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Telephone 03452 777 780
E-mail: planning@angus.gov.uk
Website: 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.

Angus Council

Application Number:	23/00268/FULL
Description of Development:	Proposed change of use of land from agricultural and erection of crematorium and associated works
Site Address:	Land North Land 200M NE Of Carmyllie Hall Carmyllie
Grid Ref:	355958 743383
Applicant Name:	Greystone Crematorium

Report of Handling

Site Description

The application site measures around 1.5 hectares (ha) and comprises agricultural land located southeast of the B961 public road. The majority of the site (around 1.35ha) sits adjacent to and northeast of a woodland belt, around 130 metres (m) northeast of Carmyllie Hall. The remaining part of the site comprises a linear section of land which runs adjacent to the public road on its southeast side and extends from the main body of the site in a north-easterly direction towards Redford. Surrounding land is primarily in agricultural use. The public road runs along the north-western site boundary, with agricultural land beyond the public road. The closest residential property to the proposed crematorium building would be located at Tillyhoit, around 300m to the southwest.

Proposal

Planning permission is sought for the erection of a crematorium building and associated works, which includes the formation of parking, access, turning space, landscaping and boundary enclosures.

The crematorium building would be located towards the southwest boundary of the site. It would have a floorspace of around 673sqm. The highest part of the building would have a ridge around 9m high, and it would provide seating for 124 people. The proposal would involve some cut and fill operations to create a level area for the building, and the proposed floor level of the building would be approximately 167m AOD. The building would be finished with an off-white render, natural stone and timber clad walls. The ridged roof would be finished in natural slate while lean-to wings would be finished with a sheeting material. Solar panels are proposed on the southwest roof slope. Ancillary rooms such as offices and toilets would be provided and the cremulator and associated plant would be located towards the rear (southeast) of the building. A dark grey flue would terminate around 12m from ground level towards the south end of the roof. The building would connect to the public water supply and would use a private treatment system for foul water. Sustainable drainage would be used for surface water management.

A new junction serving a vehicular access to the site would be formed onto the B961 public road. The plans indicate that a visibility sightline of 4.5m x 215m would be provided to the southwest of the new junction, with a 4.5m x 160m sightline provided to the northeast of the junction. The information submitted indicates that provision of sightlines would require the removal of 4 trees within the adjacent woodland belt to the southwest (not within the site). 120 visitor car parking spaces (6 of which would be disabled spaces) would be provided to the northeast of the building,

with an additional 14 parking spaces (1 of which would be a disabled space) in a staff car park to the southwest of the building. An area of cycle parking would be provided, and 6 of the car parking spaces would have electrical charging points. A garden of remembrance would be formed on the southeastern site boundary and the plans identify areas of landscaping adjacent to the building and within the car park.

The proposal also involves the formation of a new footpath adjacent to the southeast side of the public road between the proposed crematorium and the telephone exchange at Redford, around 800m northeast. The new path would terminate around 45m from the existing bus shelter located on the south side of the B961.

Amendments

The proposal has been amended to alter the proposed vehicular access arrangements from separate in and out accesses to a single in/out access point. The plans identify that a visibility sightline of 4.5m x 215m would be provided to the southwest, and a sightline of 4.5m x 160m would be provided to the northeast of the new junction. Provision would be made for a new bus stop and shelter along the site frontage to the northeast of the proposed new junction with public road. A B Roger & Young 'Sightlines' (Drawing No. 2022 CGC 07 Revision B) and 'Site and Location' (Drawing No. 2022 CGC 04 Revision A) amend and supersede previous versions of those drawings.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 5 May 2023.

Planning History

None.

Applicant's Case

Supporting Statement – describes the proposal and provides an assessment of the proposal against policies of the development plan. It indicates:-

- The crematorium would run an average of 3 services a day, with a maximum limit of 5 per day on week days. There is high demand for cremations within the area and the site is well located within the centre of Angus and close enough to Dundee to allow their residents to also choose this crematorium.
- Angus and Dundee are the most expensive crematoriums in Scotland with large savings being achieved just for travelling further afield. High prices could potentially cause funeral poverty in the local area and the proposed venue would offer cremations and ceremonies at a price in-keeping with the Scottish average.
- Crematoriums should be located away from houses and roads and accordingly a crematorium is not suited to being located within a development boundary.
- The site can be accessed sustainably, and patrons would be encouraged to arrive using an eco-friendly method of transport. There are bus stops within a 150m walk from the site, served by the No. 36-bus which travels from Arbroath Bus Station.
- In addition to public transport, the development site can be reached via foot or bike from the local villages and the applicant proposes a footpath and cycleway through their fields towards Redford.

- 120 patron car parking spaces would be provided with an additional staff car park. It is suggested that a private bus can be provided on request to take attendees to the venue.
- The proposals would provide economic benefits, offering jobs during the construction and operation of the development, but also increasing the use of the nearby hospitality businesses. There would be 4 full time staff positions created by the proposed development.

Addendum Planning Statement (March 2024) – this document indicates that Angus Council Development Management Review Committee has accepted the need for a new crematorium within Angus and it suggests that there is a need for at least one additional crematorium. It suggests that the Development Management Review Committee has accepted that crematoria are unlikely to be located in a town centre or edge of centre location and are more suited to a quiet rural location. The statement refers to a new crematorium which became operational in June 2022 outside of St Andrews, and a proposed crematorium at Duntrune (currently subject of a review to DMRC). The statement indicates that consideration has been given to opportunity sites, allocated housing sites and allocated employment sites identified in the Angus Local Development Plan (2016) but suggests that rural locations provide the only suitable location for this form of development.

The statement indicates that the applicant accepts that there are not multi-modal forms of public transport serving the site. It notes that there is a public bus route serving the site and indicates that the applicant would provide a bus layby (with shelter) along the road frontage thereby creating a readily accessible public transport route from Arbroath bus station. The statement indicates that the cremations would take place between 09:00 and 16:00 and suggests that applicant would undertake to fund the delivery of an additional morning bus service from Arbroath to Redford. They suggest that this could be secured through planning condition or planning obligation. The applicant could also provide a dedicated bus depending on the requirements of each funeral or cremation service. A footpath would be provided to Redford and cycle parking would be provided within the site. EV charging points would be provided for electrical vehicles and a travel plan would be developed to encourage use of alternative travel opportunities. The statement suggests that there are no suitable sites available within town centres or edge of centres and therefore a site out with a settlement must be considered.

The statement opines that it has been demonstrated that the proposal complies with the policies and overarching principles of development plan policy and will create jobs in the construction and operational phase.

Ground Assessment and Drainage Recommendation Report – provides recommendations in relation to appropriate means of foul and surface water drainage. Suggests that the development would provide a private foul drainage system and a sustainable drainage system for surface water.

Ecological assessment (Updated v4, 26 April 2024) - the updated report indicates an Ecological Assessment was requested as part of the planning process. This survey reports the results of a daytime survey carried out in January 2023. The development will have negligible effect on protected species. A root protection zone for trees to the southwest of the site is required. 4 beech trees are to be removed to improve sightlines, and they were assessed for potential bat roosts, bird nests and squirrel dreys during the field survey. It recommends that the beech trees identified for removal should be checked for nesting birds and squirrel dreys before removal. A pre-removal bat survey is also advised as there may be dead wood, crack and splits in the trees, not visible from the ground and use of trees by wildlife can vary from year to year. It also recommends a number of biodiversity enhancement measures including building design to incorporate features to encourage nesting birds, such as swift boxes and crevices in wall heads.

Transportation statement – assesses the suitability of the site transport infrastructure proposals,

the local road network and local transport infrastructure for the development and outlines the sustainable transport accessibility of the site.

It indicates that the crematorium would have a seating capacity of 124, with an average of 3 (and a maximum of 5) cremations per day. It estimates that cremations will be attended by an average of 70 people arriving in 24 cars (based on an average occupancy of 3 people per car), with an occasional maximum of 124 people arriving in 67 cars.

The statement proposes to extend the existing 40mph speed limit to the south of the proposed development in order to achieve adequate visibility for the proposed site access junction and because there is insufficient forward visibility for a 60mph speed limit provided to existing traffic at the crest of the hill to the north of the proposed development. It indicates that the 4.5m x 120m visibility splays each side of the development required to meet the desired standard for a 40mph speed limit are achievable. The visibility splay works require the relocation of boundary walls within the site, to the north of the site (on the applicant's land), and on land to the south of the site (on land outwith their control). The statement indicates that 4 trees and some shrubbery require to be removed from the woodland belt to the southwest of the site and suggests agreement with the adjacent landowner has been reached for these works.

The statement indicates that:

- coach parking is provided within the site layout:
- a new bus layby and bus stop would be provided along the site frontage to allow the existing bus service which passes the site to safely stop.
- there is one existing bus service which passes the site in each direction with 4 or 5 services in each direction linking the site to Arbroath bus station.
- Shower facilities would be available for staff who wish to cycle.
- There are currently no footpath or cycle links to the site, but a new footpath link will be provided along the site frontage and extending north to the existing telephone exchange, then a short length of new roadside footpath would be provided to connect to the existing footpath within Redford.
- As a result of existing low traffic flows and low traffic impact on the surrounding road network and the proposed mitigation, it opines that there is no foreseeable reason for refusal of the proposal in terms of traffic impact or transport provision.

Air Quality and Climate Change Assessment (November 2023) – this considers impacts of the proposed development on local air quality during construction and operation of the proposed development. It indicates that the impact of the development on air quality as a result of traffic movements would be insignificant. At all modelled human health receptors and locations where air quality objectives are applicable, no exceedances will be caused by the proposed crematorium and impacts would be negligible. Odour emissions would also be negligible and no further mitigation is required.

It suggests that the crematorium would be electric, offering considerable carbon savings over using natural gas, and indicates that a high degree of electricity generated in Scotland is by renewable energy, and energy would also be generated by the solar panels on the roof of the building.

In respect of transport emissions, it indicates that the location will require access by car for the greater part of journeys. It suggests that whilst the car fleet is only just beginning to transition to net zero capable vehicles, this is anticipated to be complete by the target date of net zero for 2045. EV chargers would be provided within the site and a new bus stop, and two coach spaces could reduce the volume of car traffic to the location.

Consultations

Angus Council - Roads – objects to the proposal on the basis the development is largely inaccessible by sustainable means of transport due to its rural location leading to a lack of comprehensive public transport services.

Roads provided comments in respect of walking, public transport, access and circulation, speed restriction and parking provision. It indicates that due to the rural nature of the site, there are currently no footpath links to the site, and it is noted that the proposal incorporates a new footpath link towards Redford to the northeast. The proposed provision for cycle parking is adequate, but the cycle parking should be covered, lit and signed.

There is currently one bus service (No. 36 Arbroath to Guthrie) that runs past the site with services from Arbroath that stop at Redford at 08:00, 12:30, 15:40 and 17:45 Monday to Saturday. There are return services from Redford to Arbroath Bus Station at 08:05, 09:13, 13:08, 15:45, 17:50. Roads notes that the proposal would incorporate a new bus layby and shelter along the site frontage but indicates that the lack of substantive public transport services to the site makes the proposed development ostensibly inaccessible by sustainable means of transport.

In terms of the proposed vehicular access arrangements, it notes that the applicant's transport statement proposes a reduction of the speed limit from 60mph to 40mph as a result of the visibility to the north of the proposed junction being restricted by a vertical crest in the carriageway, and to enable a reduced visibility sightline distance to be applied. Roads indicates that a reduced visibility sightline of 4.5m x 160m would be acceptable to the northeast in line with the Design Manual for Roads and Bridges, but it suggests that a reduction of the speed limit is not recommended. The proposed car parking provision, including provision of disabled parking, is acceptable. Additional provision for motorcycles (6 spaces) would be required.

Environmental Health - Offered no objection in terms of air quality, odour, and noise subject to the attachment of a planning condition regulating noise levels from fixed plant associated with the development. Environmental health indicates that a PPC Permit would be required from SEPA, who would regulate emissions to air.

Scottish Water, Community Council, and Roads (flooding/ drainage) – no comments were received from these parties at the time of report preparation.

Representations

21 representations were received with 16 raising objection, 1 offering support, and 4 providing general comment.

The main points of concern were as follows:

- Proposal is contrary to development plan policies;
- Lack of accessibility by a range of transport modes (poor public transport links; lack of footpath and cycle connections);
- Poor choice of location for crematorium;
- Lack of need for a crematorium in this location;
- Impacts on landscape and urbanisation of the countryside;
- Inappropriate building design;
- Impacts on trees, wildlife, protected species and biodiversity;
- Loss of agricultural land;

- Issues associated with road safety, the capacity of the surrounding road network, substandard visibility at proposed access, the geometry of the road, risk of accidents, impacts on safety of existing traffic and pedestrians;
- Deficiencies/ inaccuracies in supporting information; and
- Lack of public consultation and engagement.

Points in support were as follows:

- Central location is Angus with good accessibility by road and on a bus route;
- Would include path link to Redford;
- Proposal has green credentials – electrical cremator and solar panels on roof; and
- Proposal could help address funeral poverty.

The general comments raise issues similar to those summarised in the matters of objection listed above.

Development Plan Policies

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 TC8 : Community Facilities and Services
 Policy TC15 : Employment Development
 Policy TC17 : Network of Centres
 Policy TC19 : Retail and Town Centre Uses
 Policy PV5 : Protected Species
 Policy PV6 : Development in the Landscape
 Policy PV7 : Woodland, Trees and Hedges
 Policy PV8 : Built and Cultural Heritage
 Policy PV9 : Renewable and Low Carbon Energy Development
 Policy PV15 : Drainage Infrastructure
 Policy PV20 : Soils and Geodiversity

National Planning Framework 4

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 11. Energy
 Policy 13. Sustainable transport
 Policy 14. Design, quality and place
 Policy 15. Local living and 20 minute neighbourhoods
 Policy 18. Infrastructure first
 Policy 22. Flood risk and water management
 Policy 23. Health and safety

Policy 27. City, town, local and commercial centres
Policy 29. Rural development

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) (Adopted 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the proposal are reproduced at Appendix 1 and have been taken into account in determining this planning application.

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.

There are no policies in either NPF4 or the ALDP which deal specifically with applications for crematorium developments. Crematorium developments can attract reasonably significant numbers of people attending funeral services and memorial gardens. They can generate employment and can provide an important and necessary service for the community. Policies relating to the siting of new community facilities, the general location of development, the safeguarding of greenfield land, the accessibility of the site, and rural employment are therefore relevant. Policies relating to the climate and nature crises, climate adaptation and mitigation, sustainable transport, design, the natural and built environment, amenity and infrastructure issues are also relevant.

The main issue is whether the proposal would represent a suitable location for a crematorium, having regard to relevant development plan policy on the siting of new development and the availability of sustainable means of transport, and other material considerations including evidence of need for a crematorium in the area.

The suitability of the proposed location

In considering the suitability of the proposed crematorium location, the NPF4 spatial principles seek to (amongst other things) limit urban expansion so we can optimise the use of land to provide services and resources; encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together.

In respect of sustainable places, NPF4 indicates that 'Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030 including by reducing car kilometres travelled by 20% by reducing the need to travel and promoting more sustainable transport'.

NPF4 indicates that 'meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the

right place. Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation’.

NPF4 Policy 1 indicates that ‘when considering all development proposals significant weight will be given to the global climate and nature crises’. Policy 2 relates to climate mitigation and adaptation and the policy intent is to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. Policy 2 requires development proposals to be sited and designed to minimise greenhouse gas emissions as far as possible; and to be sited and designed to adapt to current and future risks from climate change.

Policy 5 relates to soils and indicates that development proposals will only be supported if they are (amongst other things) designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land. Policy 9 indicates that ‘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’.

Policy 13 relates to sustainable transport. Its intent is to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Policy 13(b) indicates 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. NPF4 confirms that the National Transport Strategy 2 Sustainable Travel Hierarchy should be used in decision making by promoting walking, wheeling, cycling, public transport and shared transport options in preference to single occupancy private car use for the movement of people. Policy 13(d) indicates that 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.

Policy 14 design, quality and place indicates that development proposals will be supported where they are consistent with the six qualities of successful places. Those qualities include (amongst other things) ‘connected’ – supporting well connected networks that make moving around easy and reduce car dependency. The policy indicates that ‘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 15 local living and 20-minute neighbourhoods seeks to ‘create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options’. Policy 27 city, town, local and commercial centres seeks to ensure that ‘development is directed to the most sustainable locations that are accessible by a range of sustainable transport modes and provide communities with easy access to the goods, services and recreational opportunities they need’. It requires proposals to be consistent with the town centre first approach and indicates that community uses which generate significant footfall will require a town centre first assessment which sequentially considers town centre and edge of centre options.

Policy 29 rural development seeks to ensure that rural places are vibrant and sustainable and rural communities and businesses are supported. The policy offers support to proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy. It requires proposals to be ‘suitably scaled, sited and designed to be in keeping with the character

of the area'; and to 'take into account the transport needs of the development as appropriate for the rural location'.

In summary, NPF4 emphasises the need to site new development in locations which have good access for sustainable travel options, in locations which reduce greenhouse gas emissions as far as possible, in locations which reduce car kilometres, and in locations which reduce reliance on the private car. It limits the circumstances where the development of greenfield land is permitted to land allocated for development, or to where a proposal is explicitly supported by policies in the LDP. It requires significant weight to be given to the global climate and nature crises.

ALDP Policy DS1 indicates that 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. The policy promotes the redevelopment of brownfield land in preference to greenfield sites.

The ALDP supports development which is accessible by a choice of transport modes including walking, cycling and public transport. Policy DS2 accessible development indicates that 'development proposals will require to demonstrate, according to scale, type and location, that they are or can be made accessible to existing or proposed public transport networks and provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks'.

Policy DS3 design quality and placemaking indicates that development proposals should create buildings and places which are well connected and where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport.

Policy TC8 community facilities and services indicates that new community facilities should be accessible and of an appropriate scale and nature for the location. Policy TC15 directs new employment development to employment land allocations and existing employment areas within development boundaries. It also offers support for rural diversification where there is an economic and/or operational need for the location and other relevant issues can be addressed. Policies TC17 and TC19 seek primarily to safeguard town centres, but also advocate a sequential approach to site selection which amongst other things gives preference to sites that are, or can be made accessible.

In summary, the ALDP requires new community facilities to be accessible and also places emphasis on locating new development in locations which have good access for sustainable travel options.

The application proposes a new 124 seat crematorium and memorial garden in the countryside to the south of the B961 Dundee to Friockheim public road around 800m to the southwest of the village of Redford. The site is remote from the main population centres in Angus and is approximately 8.5km from the centre of Arbroath, 13km from the centre of Forfar, and 20km from the centre of Montrose. The site is also around 20km from the centre of Dundee.

Supporting information indicates that the site was chosen so that it would be within a 30-minute drive of the Angus towns and Dundee. It suggests that a crematorium requires a countryside location and refers to recommendations for new crematoria produced by the Federation of Burial and Crematorium Authorities (FBCA) including the recommendation that crematoria are sited at least 160m from the nearest dwelling. The supporting information indicates that a review of the settlement plans of the Angus towns has taken place, but there are no suitable opportunity sites or allocated residential or employment sites available or suitable to meet the requirement to provide a crematorium in peaceful location remote from housing.

Information submitted in support of the application indicates that the majority of traffic visiting the site would do so by private car. The transportation statement estimates that there would be an average of 3 and a maximum of 5 cremations per day, which it suggests would be attended by an average of 70 people per cremation arriving in 24 cars (with an occasional maximum of 124 people per cremation arriving in 67 cars). It indicates that these figures are based on an average occupancy of 3 people per car. The statement notes that there are currently no footpath links or dedicated cycling links to the site. Public transport options comprise a bus service between Arbroath and Redford. That bus provides a service from Arbroath 4 times per day; with return journeys from Redford to Arbroath 5 times per day. The transport statement proposes the formation of a bus stop and layby on the site frontage, the formation of a footpath to Redford, and provision for coach and cycle parking within the site. Reference is made in the planning addendum statement to the crematorium financing an additional morning bus service past the site and suggests that this could be secured by planning condition or planning obligation. It also suggests that private coach travel to services could be arranged by the crematorium.

While development plan policy promotes a town centre first location for community facilities, a crematorium is not a use that immediately lends itself to a town centre location. However, it is a use where reasonably significant numbers of people will travel, and national and local policy seeks to direct such uses to locations where there is good accessibility by means other than private car. The FBCA 'Recommendations on the Establishment of Crematoria' (2019) document referenced by the applicant acknowledges that government policy advocates sustainable development and indicates that 'there is a growing recognition that new crematoria will be built in a countryside location close to the urban fringe'. It recommends that 'the site selected should be reasonably accessible by public transport'.

Public transport options serving the site are extremely limited. There is currently a single morning bus link from Arbroath bus station which passes the site, leaving Arbroath at 07:30 (arriving around 08:00), which is an hour before the earliest cremation would take place. The next service from Arbroath is at 12:00 (passing the site around 12:30), and the final service during the proposed opening hours of the crematorium leaves Arbroath at 15:10 (passing the site around 15:40). Return options to Arbroath from Redford are also limited. The first bus service passing the site during crematorium opening hours is at 09:13. The next service is 13:08 and there is a further service during opening hours at 15:45. Realistically, the 09:13 morning bus service is too early to benefit those who have attended ceremonies, which leaves two afternoon services to Arbroath during opening hours.

There are no public transport services which provide direct access to the site from other burghs within Angus, or from Dundee. Those accessing the site by public transport from other Angus burghs or Dundee would have to first travel to Arbroath to connect to the limited bus service available from that location, which makes the service available both infrequent and inconvenient for the majority of those attending funerals or the memorial garden.

The proposed footpath would enhance pedestrian connectivity between the crematorium and Redford. However, Redford is a small rural village with a small population. The vast majority of those attending ceremonies would not benefit from use of that footpath, and the majority would require to travel to the site via private car. As noted above, the site is remote from the main population centres in Angus and Dundee and there is no direct or convenient public transport connection from those locations, with the exception of a very limited service from Arbroath.

The roads service has commented on the proposal in the context of the accessibility of the development by a choice of transport modes. They comment that the lack of substantive public transport services to the site makes the proposed development ostensibly inaccessible by

sustainable means of transport. The roads service objects to the proposal on that basis.

The mitigation measures proposed (including the provision of an additional morning bus service from Arbroath, financed by the applicant) would not meaningfully address the limited and infrequent public transport connectivity of the site to the larger population centres it is intended to serve. It is unlikely that mourners from the other Angus burghs would be willing to embark on the multi-part journeys required for them to reach the crematorium for a service at a specific time, particularly where the one bus service which is available is so infrequent. This site is not well connected to public transport and is too remote from main population centres to allow meaningful accessibility for pedestrians or cyclists. Overall accessibility by means other than private car for a facility of this nature does not meet the policy objective for a new community facility to be accessible to those it would serve.

The information submitted does not present evidence that a diligent assessment has been carried out of alternative sites within the Angus towns, or of sites on the urban fringe which are (or can be made) easily accessible by a choice of transport (such as those on established transport corridors served by regular public transport services). The information does not demonstrate that there are no sequentially preferable options available that provide the required tranquillity and are accessible by a reasonable choice of transport.

The site proposed for development would not be accessible by a choice of transport modes and would increase reliance on the private car in a location where access to walking, cycling and public transport is poor. Information published by government indicates that in 2022 around 22% of households in Angus and 38% of households in Dundee did not have access to a car and accessibility to the facility for a significant percentage of the population would be limited. The development would not help to reduce car kilometres travelled and has not been sited to minimise greenhouse gas emissions. The proposal involves the development of greenfield land in circumstances where the site is not allocated for the proposed use, and the development is not explicitly supported by policies in the ALDP which directs community facilities to accessible locations. A crematorium in this location would promote an unsustainable pattern of travel and development, contrary to the approach set out in NPF4 and the ALDP.

Other development plan considerations

The closest sensitive receptors to the site are houses at Tillyhoit Farm (The Bungalow and Tillyhoit), located around 300m southwest of the proposed crematorium building. There is an application currently being assessed for an additional house at Tillyhoit, but that house would be at least 250m from the application site. There are other houses to the east and west at a greater distance than Tillyhoit, and Carmyllie Hall is located around 130m to the southwest.

The proposal would have some impact on the amenity of those that live in the surrounding area through an increase in activity in and around the site, including an increase in traffic associated with the development on surrounding roads. However, the development would have its own dedicated access onto the public road and there would be reasonable separation between activities within the site and those that reside closest to the development. Information submitted in support of the proposal also indicates that cremations would take place during the normal working day, and access at the weekend would be limited to those visiting the memorial garden.

The air quality assessment information submitted indicates that the impacts from the development in respect of air quality and odour would not be unacceptable. The council's environmental health service has been consulted and has reviewed the air quality information submitted. It has offered no objection to the proposal subject to the attachment of a planning condition regulating noise levels from fixed plant and machinery. The development would require a permit from SEPA under

the Pollution Prevention and Control Regulations which would regulate air quality. Available information suggests that amenity issues in respect of air quality, noise, light pollution, odour or loss of privacy to residential property would not be significant and could be mitigated by planning conditions.

Development plan policy seeks to ensure that development delivers a high design standard and seeks to protect and enhance the quality of the landscape in Angus. The site selected for development is located on reasonably elevated landform, with surrounding land to the east, south and west at lower elevation (with rising land to the north). There is a strip of land which contains some mature trees to the immediate southwest of the site. The proposed building would be sited close to this feature, which could help to integrate the proposed building into the landscape. New planting within the site would be required to enhance the effectiveness of existing tree cover, and to provide a landscape framework for a site which is currently reasonably open, exposed and prominent in some views. The building is reasonably large in scale, but the use of lean to wings either side of the main hall would break up the massing, coupled with external materials which would be largely recessive in appearance (natural stone, natural slate, timber cladding). The proposed white render would be less effective in integrating the building into the landscape, but a more suitable external render colour could be secured by planning condition. The information submitted indicates that the stone dyke adjacent to the public road (both within the site, and on land within the visibility sightlines) would require to be repositioned and that dyke is of some value as a landscape feature. The ecology report also notes that the dyke has some biodiversity value. Planning conditions could be utilised to ensure it is appropriately positioned and reconstructed. It is considered that the siting and design of the proposed development would not give rise to unacceptable landscape or visual impacts subject to appropriate mitigation which could be secured by planning condition, recognising that it would take some time to become effective.

The proposal would result in the loss of around 1.5ha of agricultural land. Available information indicates that the majority of land proposed for development is class 3.2 and is not prime quality agricultural land (a small section of the proposed footpath link to Redford falls on land classified as class 3.1 prime quality land). While there is no evidence to demonstrate that the loss of a comparatively small area of mostly sub-prime agricultural land would affect the viability of a farm unit, NPF4 is clear that the development of 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. As identified earlier in this report, the site is not allocated for development and there are no policies that explicitly support this type of development at this location.

The land on which the development would be located is currently used for the growing of crops. The land is not subject of any natural heritage designation and is not close to any such designation. The ecological assessment and biodiversity statement indicate that the development would have a negligible effect on protected species. It identifies that 4 beech trees would require to be felled to provide visibility sightlines to the southwest, but suggests those trees were inspected for protected species and no evidence was found. The report recommends a minimum 6m route protection zone for retained trees adjacent to the site, and the re-inspection of any trees to be felled for the presence of protected species prior to felling. It identifies biodiversity enhancement measures which could be implemented including native tree and shrub planting, the retention of drystone dykes, building design to encourage nesting birds, wildflower lawn mixes, and insect friendly flower beds. The impact of the removal of 4 beech trees from the adjacent land to improve junction sightlines could be mitigated over the longer term by new native tree planting within the site. Overall, the development would not result in any unacceptable impacts on natural heritage and planning conditions could be used to secure appropriate mitigation and biodiversity enhancement in the longer term. The site is not subject to any built or cultural heritage designation and is sufficiently remote from listed buildings and other cultural heritage features in the surrounding area to avoid any significant indirect impacts on those features.

The application is supported by a transportation statement which provides traffic count data for the B961 public road from 2019. It predicts existing peak hour traffic on the B961 road equates to approximately 56 cars travelling northeast, and 50 cars travelling southwest. It projects vehicle movements associated with the proposed development and predicts that based on expected usage of the crematorium, an average of 24 vehicles would enter the site per hour, and 24 vehicles would leave the site per hour. It anticipates that half of that traffic would travel to/from the northeast, and half to/from the southwest. The assessment indicates that the existing carriageway is lightly trafficked, and it therefore considers there to be no capacity issues at the proposed access.

The speed limit on the public road adjacent to the site is currently 60mph. The existing vertical alignment of the public road to the northeast means that the recommended sightlines for a 60mph speed limit (4.5m x 215m) cannot be achieved in a northeasterly direction at the proposed access; and insufficient forward visibility would be available to existing traffic at the crest of the hill to the northeast of the development. The transportation statement proposes relocation of the existing 40mph speed limit (currently around 480m northeast on approach to Redford) so that it encompasses the site frontage. This reduced speed limit is proposed to reduce the visibility sightline requirements at the proposed access to 4.5m x 120m. The transport statement indicates that the provision of visibility sightlines to the southwest would require the felling for 4 beech trees, the removal of some shrubbery, and the relocation of a length of the roadside stone wall on land not in the applicant's control. The statement indicates that agreement has been reached with the adjacent landowner to relocate or remove these elements.

The applicant's transport statement asserts that, as a result of the existing low traffic flows and low traffic impact on the surrounding road network, together with the other mitigation measures proposed, there is no foreseeable reason for refusal of the proposal in terms of traffic impact or transport provision.

The roads service has reviewed the information submitted by the applicant and has also considered public comment submitted relating to the methodology of the traffic assessment information submitted. The roads service indicates that a reduced visibility sightline of 4.5m x 160m would be acceptable to the northeast of the proposed access, in line with The Design Manual for Roads and Bridges. In general terms the service is satisfied with the methodology used in the applicant's analysis of road capacity, having regard to the low volumes of traffic using the public road. However, it suggests that a reduction of the speed limit is not recommended, commenting that speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility. The roads service is satisfied that the proposed car parking provision, including provision of disabled parking, is acceptable but recommends additional provision for motorcycles (6 spaces) and improved arrangements for bicycles (covered, lit and signed bicycle parking). The provision of visibility sightlines would require works on land outside of the applicant's control, but those works could be secured by negative suspensive condition(s) were the proposal otherwise acceptable. Roads has no objection to the proposal on the grounds of visibility sightlines or in relation to the capacity of the road network to accommodate the development, and its objection to the proposal relates to the inaccessibility of the by sustainable means of transport.

The site is not shown on SEPA flood maps as being at risk from any source of flooding. The proposal would connect to the public water supply and would utilise a private treatment system for foul drainage which is acceptable outside of areas served by the public drainage network. A soakaway would manage surface water from the development. Supporting technical assessments indicate the site could accommodate the required drainage infrastructure and Scottish Water has offered no objection to the proposal.

In summary, the proposal is compatible with some aspects of the development plan, but it does not comply with policies designed to ensure that development is sited to minimise greenhouse gas emissions as far as possible, is directed to locations which are accessible by a choice of transport modes and avoids increasing reliance on the private car in situations where access to walking, cycling and public transport is poor. A crematorium in this location would promote an unsustainable pattern of travel and development contrary to the approach set out in NPF4 and the ALDP. The proposal also involves the development of greenfield land in circumstances where the site is not allocated for development and the proposal is not explicitly supported by policies in the ALDP. On this basis the proposal is contrary to the development plan.

Material considerations

In terms of material considerations, it is relevant to have regard to additional matters raised in the applicant's supporting information and to issues raised in support and objection to the proposal by third parties in so far as that has not been addressed above.

The supporting information submitted on behalf of the applicant suggests that there is a need for a new crematorium. They suggest that the crematoriums in Dundee and at Friockheim are amongst the most expensive in Scotland and argue that additional crematorium facilities could help to address funeral poverty in the area by bringing down the cost. The statement opines that Angus Council Development Management Review Committee has accepted the need for a further crematorium in Angus in its deliberations relating to a crematorium proposal at Duntrune. The statement questions the deliverability of that proposal, which is currently subject to review.

Objections to the application suggest there is no need for an additional crematorium in this location and indicate that local need is served by the existing crematorium at Friockheim, which is approximately 11km northeast of the site.

The FBCA planning advice referenced by the applicant suggests that a business case for a new facility should consider the length and duration of journey and the availability of service times at existing neighbouring crematoria; it suggests that plans should take account of the proximity and capacity of neighbouring crematoria and where relevant, the future capacity of local cemeteries. It suggests that information should be obtained to establish the number of deaths in the area during the preceding five years which resulted in cremation being undertaken at existing crematoria, including any trends in terms of growth or decline in numbers.

The type of business case promoted by the FBCA has not been provided to substantiate that there is a need for an additional crematorium in this location. The University of Dundee (July 2019) produced a report entitled Tackling Funeral Poverty in Dundee through Social Enterprise. That report provided a number of recommendations to help address funeral poverty in Dundee including a recommendation that Dundee City Council could actively consider the addition of another crematorium facility. The report suggests that 800-1000 cremations per year are required to make a crematorium viable and given there are approximately 1,800 deaths per year in Dundee, if the surrounding areas were included, there could be potential for additional crematorium capacity.

It is relevant to note that a new crematorium at Brewsterwells (6 miles south of St Andrews) became operational in June 2022 and that may provide some additional capacity to serve areas closer to Dundee. There is also a crematorium proposed at Duntrune, Angus which is currently subject to review/appeal (ref: 20/00830/FULL) and an application being considered within the Dundee City Council area for a crematorium by Camperdown, adjacent to the Kingsway (ref: 24/00096/PPPM). If either or both of those developments comes forward, that would further

increase capacity.

The information submitted by the applicant suggests that the proposed crematorium would charge a price closer to the national average and less than is charged at Friockheim or Dundee. It is suggested that this might help address funeral poverty. However, the cost of a cremation cannot be controlled through the planning system. Any benefit in addressing inequality must be balanced against the fact that the site does not benefit from good accessibility by means other than private car and over 22% of households in the area that the crematorium would serve do not have access to a car.

Information submitted in support of the application indicates that the development is anticipated to create 50 full time jobs during the 12-18 month construction phase, and 4 full time jobs during the operational phase. It also suggests that the provision a crematorium would benefit local hospitality operators within the area who could provide function space for gatherings after services. It is accepted that there would likely be additional employment opportunities created through the construction and operation of the business. Potential benefit to the hospitality sector has not been quantified and the provision of an additional crematorium is unlikely, in itself, to increase hospitality trade; it may simply result in displacement of spend. Information has not been provided to quantify net economic impact associated with the proposal.

The proposal would provide some additional choice and it may provide some economic benefit. However, there is no information to demonstrate that there is an overriding need for the provision of a new crematorium on a site in the countryside that has poor accessibility, and there is no evidence to demonstrate it would provide significant net economic benefit that would justify setting aside development plan policy requirements regarding the location of development and accessibility.

Third parties raise concerns relating to traffic safety, public transport provision and the suitability of public roads in the area surrounding the site. One party suggests that the site has good accessibility and provides safe access. These matters are discussed earlier in this report and the lack of accessibility of the site to sustainable modes of transport is an issue which cannot readily be addressed at this location and which renders the proposal contrary to development plan policy. The roads service does not object to the proposal on the basis of road capacity, junction sightlines or road safety; but it has objected because of the lack of substantive public transport services to the site making the proposed development ostensibly inaccessible by sustainable means of transport.

The National Transport Strategy (2020) indicates that 'transport accessibility will influence the location and design of future development. Transport will help planning and development and also ensure our communities are sustainable. We will continue to create a planning system that puts in place options that will discourage people from owning or using cars. They will be designed so that workers in, and visitors to, an area are attracted to public transport or active travel options ahead of private cars. The transport system will also help ensure that places are convenient to get to without having to use a car. Strong links with spatial planning, including the National Planning Framework and local development plans, will ensure we understand and address these challenges.'

Comment has been submitted raising concern regarding adverse impacts of the proposed development on the landscape and environment of the area. Issues relating to landscape and environmental impacts are discussed in the policy assessment above. Having regard to the advice provided by consultation bodies and other relevant information, it is considered that these impacts could be adequately mitigated through the use of planning conditions. These impacts are not such that they would merit refusal of the application. The absence of unacceptable amenity or

environmental impact does not however justify setting aside development plan policy requirements regarding location of development and accessibility.

In relation to criticisms of the methodology used in the supporting information submitted, having regard the advice provided by consultees, the information is considered adequate to allow a decision to be made.

The proposal has been subject to publicity and consultation in accordance with the regulations.

Conclusion

This is a proposal for a new community facility in a location that is remote from the main population centres in Angus that would require those attending the facility to travel. The nature of the proposed location is such that persons attending cremations and the memorial garden are likely to be required to travel by private car. However, there are those in the community that do not have access to a private car and that rely upon other means of transport. As indicated above, in 2022 22% of households in Angus and 38% of households in Dundee did not have access to a car. There are also those in the community that want to exercise the ability to use sustainable means of transport.

Development plan policy indicates that community uses should be directed to locations which are accessible by a choice of transport modes and that avoid increasing reliance on the private car in situations where access to walking, cycling and public transport is poor. NPF4 indicates that every decision on our future development must contribute to making Scotland a more sustainable place. It seeks to reduce car kilometres travelled, to site development such that it minimises greenhouse gas emissions as far as possible, and it promotes development that is accessible by sustainable travel. This proposal is not in a location that would meet those requirements and it is a development which would not contribute to making Scotland a more sustainable place. It is in a location where direct links by walking and cycling networks are not available, and where public transport accessibility is poor. This development would increase reliance on the private car rather than reduce car kilometres travelled.

While the proposal is compatible with some aspects of development plan policy, it is not consistent with those policies which seek to ensure new community facilities are accessible by a choice of sustainable transport modes, reduce reliance upon the private car, and help to address the climate crisis. The proposal does not constitute a sustainable form of development given the reliance upon the private car and the lack of accessibility by sustainable modes of transport. The proposal involves the development of greenfield land in circumstances where the site is not allocated for development and the development is not explicitly supported by policies of the ALDP. The proposal is contrary to NPF4 and the ALDP, primarily for reasons related to poor accessibility. A facility of this nature should be provided at a location with good accessibility for all sections of the community, and not just those who can or wish to travel by private car. Account has been had for all matters raised in support and objection to the application, but there are no material considerations which justify approval of planning permission contrary to the provisions of the development plan.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present

application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Decision

The application is refused.

Reason(s) for Decision:

1. The development would not be accessible by a choice of transport modes, increasing reliance on the private car in a situation where access to walking, cycling and public transport is poor and would result in an unsustainable pattern of travel and development. It has not been sited to minimise greenhouse gas emissions, The proposal is therefore contrary to National Planning Framework 4 policies 1, 2, 13, 14, 29 and Angus Local Development Plan policies DS2, DS3 and TC8.
2. The application is contrary to National Planning Framework 4 Policy 9(b) because it proposes the development of a greenfield site in circumstances where the site is not allocated for development and the proposal is not explicitly supported by policies in the Angus Local Development Plan (2016).
3. The application is contrary to Policy DS1 of the Angus Local Development Plan (2016) because the scale and nature of the development is not appropriate for its location because it does not enjoy good accessibility, particularly for pedestrians, cyclists and public transport; and because the proposal is not in accordance with other relevant policies, namely policies DS2, DS3 and TC8.

Notes:

Case Officer: Ed Taylor
Date: 30 April 2024

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 11 Energy

a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

- i. wind farms including repowering, extending and extending the life of existing wind farms;
- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;
- iv. small scale renewable energy generation technology;
- v. solar arrays;
- vi. proposals associated with negative emissions technologies and carbon capture; and
- vii. proposals including co-location of these technologies.

b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.

c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.

e) In addition, project design and mitigation will demonstrate how the following impacts are

addressed:

- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
- ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
- iii. public access, including impact on long distance walking and cycling routes and scenic routes;
- iv. impacts on aviation and defence interests including seismological recording;
- v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- vi. impacts on road traffic and on adjacent trunk roads, including during construction;
- vii. impacts on historic environment;
- viii. effects on hydrology, the water environment and flood risk;
- ix. biodiversity including impacts on birds;
- x. impacts on trees, woods and forests;
- xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;
- xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
- xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity.

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 15 Local living and 20 minute neighbourhoods

a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- o sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- o employment;
- o shopping;
- o health and social care facilities;
- o childcare, schools and lifelong learning opportunities;
- o playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- o publicly accessible toilets;
- o affordable and accessible housing options, ability to age in place and housing diversity.

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.

Policy 23 Health and safety

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food

growing or allotments.

- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).

Policy 27 City, town, local and commercial centres

- a) Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.
- b) Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:
 - i. will be supported in existing city, town and local centres, and
 - ii. will not be supported outwith those centres unless a town centre first assessment demonstrates that:
 - o all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable;
 - o the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and
 - o the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.

- c) Development proposals for non-retail uses will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. These uses include:
- i. Hot food takeaways, including permanently sited vans;
 - ii. Betting offices; and
 - iii. High interest money lending premises.
- d) Drive-through developments will only be supported where they are specifically supported in the LDP.

Town centre living

- e) Development proposals for residential development within city/town centres will be supported, including:
- i. New build residential development.
 - ii. The re-use of a vacant building within city/ town centres where it can be demonstrated that the existing use is no longer viable and the proposed change of use adds to viability and vitality of the area.
 - iii. The conversion, or reuse of vacant upper floors of properties within city/town centres for residential.
- f) Development proposals for residential use at ground floor level within city/town centres will only be supported where the proposal will:
- i. retain an attractive and appropriate frontage;
 - ii. not adversely affect the vitality and viability of a shopping area or the wider centre; and
 - iii. not result in an undesirable concentration of uses, or 'dead frontages'.
- g) Development proposals for city or town centre living will take into account the residential amenity of the proposal. This must be clearly demonstrated where the proposed development is in the same built structure as:
- i. a hot food premises, live music venue, amusement arcade/centre, casino or licensed premises (with the exception of hotels, restaurants, cafés or off licences); and/or
 - ii. there is a common or shared access with licenced premises or other use likely to be detrimental to residential amenity.

Policy 29 Rural development

- a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:
- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
 - ii. diversification of existing businesses;
 - iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
 - iv. essential community services;
 - v. essential infrastructure;
 - vi. reuse of a redundant or unused building;
 - vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
 - viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
 - ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or

- x. improvement or restoration of the natural environment.

- b) Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

- c) Development proposals in remote rural areas, where new development can often help to sustain fragile communities, will be supported where the proposal:
 - i. will support local employment;
 - ii. supports and sustains existing communities, for example through provision of digital infrastructure; and
 - iii. is suitable in terms of location, access, siting, design and environmental impact.

- d) Development proposals 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 their rural location; and
 - iv. is designed to minimise greenhouse gas emissions as far as possible.

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 DS2 : Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- o are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- o appropriate planning obligations in line with Policy DS5 Developer Contributions.

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 TC8 : Community Facilities and Services

The Council will encourage the retention and improvement of public facilities and rural services.

Proposals resulting in the loss of existing public community facilities will only be supported where it can be demonstrated that:

- o The proposal would result in the provision of alternative facilities of equivalent community benefit and accessibility; or
- o The loss of the facility would not have an adverse impact on the community; or
- o The existing use is surplus to requirements or no longer viable; and
- o No suitable alternative community uses can be found for the buildings and land in question.

The Council will seek to safeguard rural services that serve a valuable local community function such as local convenience shops, hotels, public houses, restaurants and petrol stations. Proposals for alternative uses will only be acceptable where it can be demonstrated that:

- o the existing business is no longer viable and has been actively marketed for sale as a going concern at a reasonable price/rent for a reasonable period of time;
- o the building is incapable of being reused for its existing purpose or redeveloped for an appropriate local community or tourism use; or
- o equivalent alternative facilities exist elsewhere in the local community.

New community facilities should be accessible and of an appropriate scale and nature for the location. In the towns of Angus, and where appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.

Policy TC15 Employment Development

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- there are no suitable or viable sites available within an employment land allocation or existing employment area; or
- the use is considered to be acceptable in that location; and
- there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- the criteria relating to employment development within development boundaries are met;
- the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and
- the proposal constitutes rural diversification where:
 - o the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
 - o the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.

Policy TC17 : Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

Policy TC19 : Retail and Town Centre Uses

Proposals for retail and other town centre uses* over 1000 m² gross floorspace (including extensions) on the edge of or outside of defined town centres (including in out of town locations) will be required to submit relevant assessments (including retail/town centre impact and transport assessments) and demonstrate that the proposal:

- o has followed a sequential approach to site selection, giving priority to sites within the defined town centre before edge of centre, commercial centre or out of centre sites which are, or can be made accessible;
- o does not individually or cumulatively undermine the vibrancy, vitality and viability of any of

- o the town centres identified in Table 2 in Angus;
- o tackles deficiencies in existing provision, in qualitative or quantitative terms; and
- o is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for retail and other town centre uses⁸ under 1000 m² gross floorspace (including extensions) on the edge of or outside of defined town centres may be required to submit relevant assessments (including retail / town centre impact, transport and sequential assessments) where it is considered that the proposal may have a significant impact on the vibrancy, vitality and viability of any of the town centres in Angus.

*Town centre uses include commercial leisure, offices, community and cultural facilities.

Policy PV5 : Protected Species

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.

European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- o there is no satisfactory alternative; and
- o there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- o the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

Policy PV6 : Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- o the site selected is capable of accommodating the proposed development;
- o the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- o potential cumulative effects with any other relevant proposal are considered to be acceptable; and
- o mitigation measures and/or reinstatement are proposed where appropriate.

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation areas in Angus will be set out in a Planning Advice Note.

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 PV9 : Renewable and Low Carbon Energy Development

Proposals for renewable and low carbon energy development* will be supported in principle where they meet the following criteria:

- o the location, siting and appearance of apparatus, and any associated works and infrastructure have been chosen and/or designed to minimise impact on amenity, landscape and environment, while respecting operational efficiency;
- o access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable change to the environment and landscape;
- o the site has been designed to make links to the national grid and/or other users of renewable energy and heat generated on site;
- o there will be no unacceptable impact on existing or proposed aviation, defence, seismological or telecommunications facilities;
- o there will be no unacceptable adverse impact individually or cumulatively with other existing or proposed development on:
 - o landscape character, setting within the immediate and wider landscape (including cross boundary or regional features and landscapes), sensitive viewpoints and public access routes;
 - o sites designated for natural heritage (including birds), scientific, historic, cultural or archaeological reasons;
 - o any populations of protected species; and
 - o the amenity of communities or individual dwellings including visual impact, noise, shadow flicker.
- o during construction, operation and decommissioning of the energy plant there will be no unacceptable impacts on:
 - o groundwater;
 - o surface water resources; or
 - o carbon rich soils, deep peat and priority peatland habitat or geodiversity.

Where appropriate mitigation measures must be supported by commitment to a bond

commensurate with site restoration requirements.

Consideration may be given to additional factors such as contribution to targets for energy generation and emissions, and/or local socio-economic economic impact.

Supplementary guidance will be prepared to set out a spatial framework to guide the location of onshore wind farm developments, consistent with the approach set out in Table 1 of Scottish Planning Policy. It will also provide further detail on the factors which should be taken into account in considering and advising on proposals for all types of renewable energy development.

Prior to the adoption of that supplementary guidance, the Council will apply the principles and considerations set out in Scottish Planning Policy in assessing the acceptability of any planning applications for onshore wind farms.

*infrastructure, activity and materials required for generation, storage or transmission of energy where it is within the remit of the council as local planning authority (or other duty). Includes new sites, extensions and/or repowering of established sites for onshore wind.

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.