

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 18 JUNE 2019

**PLANNING APPLICATION – LAND ADJACENT TO MUNDAMALLA, COUPAR ANGUS ROAD,
NEWTYLE**

GRID REF: 329404 : 741328

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with planning application No. 18/00900/FULL for Proposed Development of 22 Dwellinghouses (Including Affordable Housing) and Associated Infrastructure (Re-Application) for Ogilvie Homes at Land Adjacent to Mundamalla, Coupar Angus Road, Newtyle. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

3.1 The applicant seeks full planning permission for the development of 22 dwellinghouses (including affordable housing) and associated infrastructure (re-application) at land adjacent to Mundamalla, Coupar Angus Road, Newtyle. A plan showing the location of the site is provided at Appendix 1.

3.2 The application site measures 1.842ha or thereby and is located to the north of the C16 Coupar Angus Road in Newtyle. The site is bound to the north by a disused railway embankment. The southern edge of the site is defined by mature trees and hedging. A gas substation is located in the south east corner. A stone wall bounds the site to the east and there are residential properties located beyond this along with a villa known as Mundamalla that has until recently been used as a residential home. There is no defined western boundary and the majority of the site and the area to the west is in agricultural use. The site also incorporates a section of the railway embankment and part of a field to the north beyond the embankment.

3.3 The proposed dwellings would be a mix of detached and semi-detached single and two storey properties. Five of the 22 dwellings would be affordable. An amenity open space would be provided between the housing and trees to the south and a play area would be incorporated within the open space. Vehicular access would be taken from Coupar Angus Road to the south east of the site, adjacent to the substation. A SUDS basin and additional landscaping is proposed in the western section of the site along with a pumping station for foul drainage. An outfall from the SUDS basin would go through the railway embankment and field to the north before discharging into the burn. The majority of the trees along the southern boundary would be retained with the exception of a single Lime tree which requires to be removed to facilitate the site access and sightlines. The plans indicate that a footway link would be provided between the site and the existing footway network to the east.

- 3.4 The application has been amended in respect of the open space and drainage design, further information relating to trees and hedging and the amending the configuration of the internal roadway and parking within the site.
- 3.5 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 An application for planning permission for the development of 25 units including affordable housing and infrastructure was withdrawn in October 2018 prior to determination (Application 18/00502/FULL refers).

5. APPLICANT'S CASE

- 5.1 The following documents have been submitted in support of the application:

- A Design Statement;
- An External Finishes Schedule;
- A Drainage Assessment;
- A Landscape Appraisal;
- A Street Engineering Review November 2018;
- A Tree Survey; (including survey for bats);
- Phase 1- 4 desktop studies;
- Drainage Calculations for surface water (various documents);
- A Flood Risk Assessment.

- 5.2 The supporting information is available to view on the council's [Public Access](#) system and is summarised at Appendix 2 below.

6. CONSULTATIONS

- 6.1 **Angus Council – Roads (Traffic)** – has indicated no objection to the application subject to a number of conditions.
- 6.2 **Angus Council – Roads (Drainage)** – Does not object to the proposal however requires further information on the finalised details of surface water drainage prior to the commencement of development.
- 6.3 **Angus Council – Housing Service** – has advised a 25% affordable housing contribution is required from the proposed development in accordance with current requirements. This equates to the provision of 5.5 units. Whilst the final agreement is still to be reached on the tenure of affordable housing units to be provided it is likely that the 5 on site units will be provided as shared equity housing and this would contribute towards helping to meet targets for the delivery of intermediate tenure housing.
- 6.4 **Angus Council – Parks & Burial Grounds** – has advised the amount of open space within the development exceeds the minimum requirement as required by Policy PV2 of the Angus Local Development Plan. It is noted that the SUDS basin does not feature in the open space requirements. The proposed planting will successfully connect existing green structures. The play area is a welcome addition. Additional information on the specifications for the play area and planting works along with ongoing maintenance are required.
- 6.5 **Angus Council – Education** – has advised that the catchments for the area include Newtyle Primary and Monifieth High School and Webster's High School. Monifieth High School is under significant capacity pressure and it is recommended that a contributions be sought in accordance with the Developer Contributions and Affordable Housing Supplementary Guidance.
- 6.6 **Environmental Health** – has offered no objection to the proposal in relation to contaminated land and is content with the level of information submitted subject to a condition being attached relating to any spoil generated by works affecting the disused railway line to the north of the site.
- 6.7 **Scottish Water** – has not objected to the proposal. Scottish Water is currently carrying out a hydraulic modelling exercise to understand what impact, if any, the proposed development will

have on the existing drainage network. A new hydraulic model for Newtyle was completed in early May for this purpose and a 'Stage 1' Drainage Impact Assessment is currently underway with modelling consultants to assess development impact. This is expected to be completed by the end of July 2019. Should the Stage 1 exercise identify unacceptable impact upon the existing drainage network, a 'Stage 2' assessment will be required to identify mitigation measures (e.g. network upgrades). This is likely to take place in autumn 2019. Notwithstanding this Scottish Water has no objection to the application being progressed at present.

- 6.8 **Newtyle and Eassie Community Council** – Commented that there has been a significant series of flooding incidents associated with the local topography in recent years. The Community Council indicates that it is not confident that flood water taken through the railway embankment will not adversely affect existing drainage inadequacies relating to the B954 and the frequently full ditch between the road to Meigle and the embankment. Concern is also raised in respect of proposed housing density as the LDP refers to 20 houses and that the privacy and amenity of Mundamalla and two other properties will be compromised. Concerns are raised in respect of pedestrian safety and that the plans do not provide for the reinstatement of the footpath on the north side of Coupar Angus Road running past Mundamalla. Concerns are also raised regarding the type of affordable housing and the desire to see more genuinely affordable housing. Finally, a concern is raised in relation to potential light pollution.
- 6.9 **SEPA** – No objections following submission of additional drainage detail which shows the site connecting to the public sewer for foul effluent disposal. SEPA notes the flood risk identified at the site is from surface water sources only and is indicated to be ponding of surface water from higher ground along the dismantled railway embankment in the north of the site. SEPA indicates that they hold no records of flooding in this area but note that some comments have been received in relation to this application which indicates that properties in this area and the B954 are subject to frequent flooding. In terms of surface water, the information provided indicates that the discharge from the site is to be restricted to 1.3l/s and this is unlikely to result in any increased flood risk. SEPA has highlighted that surface water management is primarily a matter for Angus Council. Given that there is an existing flood risk to properties in this area then it is imperative that development of the site does not increase this. SEPA commented that there should be no direct runoff of surface water from the site to lower lying properties and that surface water should be captured at the site boundary and routed to the site drainage arrangements.

7. REPRESENTATIONS

- 7.1 10 letters of objection have been received. The letters of representation will be circulated to Members of the Development Standards Committee and a copy will be available to view on the Council's [Public Access](#) website.
- 7.2 The following matters have been raised as objections and are discussed under Planning Considerations: -
- **Drainage / flooding impacts;**
 - **Lack of detail for SUDS basin / safety concerns with open aspects and impacts on the embankment;**
 - **Design of housing not in keeping with local vernacular and materials and finishes not appropriate;**
 - **Amenity impacts;**
 - **Road traffic and pedestrian safety;**
 - **Other infrastructure issues;**
 - **Impact on wildlife and trees.**

These matters are addressed in Section 8. In addition the following matters have been raised:

- **No amenities or requirements for new housing in the area-** The Angus Local Development Plan allocates land to meet the housing land requirements to ensure that a 7 year effective land supply is maintained. This is an allocated housing site in the development plan for the provision of around 20 dwellings. Development at the site is anticipated by the Local Development Plan.
- **Set a precedent for further similar applications-** The site is allocated in the Angus Local Development Plan for housing development and the provision of housing on the site forms part of the Development Strategy for the settlement. The development of allocated sites does

not set precedent for further unplanned expansion.

- **Over development of the site as numbers exceed ALDP allocation** – The site is allocated for around 20 dwellings. This is not an absolute restriction.
- **Supporting information poor including Design Statement** – The information submitted with the application is sufficient to make an assessment of the proposal. Further information has been sought from the applicant during the assessment of the application to address the issues which have been raised.
- **Impact on existing utilities in and around the site comprising buried gas lines and soakaway just to the west of the stone wall** - Available information suggests that gas infrastructure runs along the western and northern extents of the allocated site. The developer has indicated that they have been in contact with Scotland Gas Networks (SGN) regarding the diversion of gas infrastructure affecting the development. A planning condition is proposed requiring details of works to the gas network to ensure that steps are taken to avoid impacts on existing infrastructure. With regard to the soakaway, the applicant's agent has indicated that the intrusive site investigations have not identified a soakaway in that area of the site. The developer has indicated that should the soakaway be identified throughout the course of the construction works, it would be connected to the new drainage infrastructure for the site.
- **Concerns regarding method of construction of the proposed houses** – Precise details of the method of construction of the housing proposed would be regulated through the Buildings (Scotland) Act.

8. PLANNING CONSIDERATIONS

8.1 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.

8.2 In this case the development plan comprises:-

- [TAYplan](#) (Approved 2017)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

8.3 The application is not of strategic significance and the policies of TAYplan are not referenced in this report. The relevant policies of the ALDP are provided in Appendix 3 and have been taken into account in the preparation of this report.

8.4 The proposal involves the erection of 22 housing units, open space, drainage provisions and the formation of parking areas and landscaping within the site. Policy DS1 states amongst other things that the focus of development will be sites allocated or otherwise identified for development within the ALDP, which will be safeguarded for the use set out. Amongst other things the policy states that 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 that there is a need for the proposed development that cannot be met within a development boundary. The text supporting the policy indicates that the purpose of development boundaries is to protect the landscape setting of towns and prevent uncontrolled spread of development. Policy PV20 relates to soils and geodiversity and states amongst other things that the use of prime agricultural land will only be supported where it supports the delivery of the development strategy and policies in the local development plan.

8.5 The majority of the site is allocated in the local development plan for a residential development of around 20 units (Site N1). Newtyle is identified in the ALDP as a Rural Service Centre. The Development Strategy of the ALDP in respect of Rural Angus is to focus on supporting Rural Service Centres and the services and facilities that they provide by supporting and maintaining population levels. In order to assist with this aim the ALDP allocates land for the development of around 50 houses in each of the four Rural Service Centres in Angus including Newtyle. Housing land in Newtyle is allocated on two sites – land north of Coupar Angus Road which is allocated for around 20 (allocation N1); and land north of Eassie Road which is allocated for around 30 (allocation N2).

8.6 The provision of 22 houses on allocated site N1 does not conflict with the aspiration of the LDP to deliver around 20 dwellings at the site. The site is larger than the area of the allocation because the drainage infrastructure and some landscaping is located outwith but adjacent to the allocated site and the development boundary on land that is identified as prime agricultural land. The proposed drainage infrastructure consisting of a SUDS basin, a pumping station and underground pipework would have the appearance of an open

landscaped area and would be surrounded by trees. This would provide a landscaped edge to the west of the allocated housing site and would enhance the landscape edge of the town. Taking account of the stated aim of Policy DS1 to protect the landscaped setting of settlements and control the uncontrolled spread of development combined with the wider aspiration of the Development Strategy to see around 20 dwellings delivered at the location, the proposal does not conflict with the aims of Policy DS1. Whilst the requisite drainage infrastructure for the development could theoretically be provided within the development boundary, this would compromise the ability to deliver the aspiration of the Development Strategy and in this respect the use of land outwith but adjacent to the development boundary to facilitate the development is justified. The nature of the development of the land outwith the development boundary is such that it would contribute to the provision of landscaping required by allocation N1 and would help provide a landscaped edge to the town whilst providing enhanced biodiversity. The use of an additional 3500sqm of prime agricultural land to assist with the delivery of the Development Strategy does not result in a conflict with the aims of Policy PV20.

- 8.7 Policy TC2 deals with residential development proposals. It indicates that proposals for new residential developments within development boundaries will be supported where the site is not protected for another use and the proposal is consistent with the character and pattern of development in the surrounding area. It also requires that new residential development is compatible in terms of land use; provides a satisfactory residential environment; does not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and include provision for affordable housing in accordance with Policy TC3 Affordable Housing.
- 8.8 The site slopes away from its southern boundary with the public road (being around 86.6m AOD) to its northern boundary (around 82m AOD). The development provides for a total of 22 residential units accessed from the public road to the south and the pattern of housing attempts to replicate the grid pattern of buildings found in Newtyle. Existing hedging that fronts Coupar Angus Road would largely be retained but a section of this would be lost in order to provide the sightlines required to safely access and egress the site. Existing mature trees on the southern boundary of the site would be retained save for one Lime tree. The main open space would be located to the north of these trees. This layout with housing being set back from a main road is similar to the character and pattern of development in other areas of Newtyle (e.g. Bulb Park).
- 8.9 Siting the housing back from the mature trees ensures that amenity impacts from overshadowing are reduced. The separation of housing from the road by means of an open space also helps to create a welcoming feel to the development. A SUDS basin would be formed to the west but that would be screened by new planting. Whilst the N1 allocation seeks the use of swales for SUDS provision, issues that have arisen in the detailed consideration of the proposal including site topography and impacts on existing landscaping features have rendered any meaningful swale provision for SUDS unviable. Pedestrian routes are incorporated and would generally provide for good connectivity throughout the site and link to existing connections outwith the site. Opportunity for expansion into other areas of land to the west beyond the site is included in the layout as required by the N1 allocation. A new footpath would connect with the existing footpath provisions in order to facilitate safe pedestrian access. The N1 allocation seeks traditional grid pattern layout. This has been achieved as far as is possible on a site of limited size with limited numbers. Whilst a full grid pattern has not been achieved, the form of development has elements of perimeter block detailing with all properties facing the street or overlooking public open spaces.
- 8.10 The development would provide for a reasonable mix of house types in the form of detached and semi-detached properties with single and two storey house types included. The proposed house types would have traditional ridged roofs and gables and would front onto streets and open spaces. The plan form of dwellings would be simple and rectilinear with vertically emphasised openings and traditional accents such as skew tabling and wall head dormers. The proposed palette of external materials are fairly typical of modern housing developments and are broadly acceptable within a development boundary where a variety of housing can be found in close proximity. The design and layout of the housing will give the development a sense of identity and appropriate landscaping along the western boundary will integrate this edge of settlement site adequately. The proposed development would provide a reasonably distinctive layout and design having regard to the site constraints. The development would not conflict with the character or pattern of development considerations of Policy TC2 or the placemaking aspirations of Policy DS3 and its supporting supplementary guidance on Design Quality and Placemaking. The proposal is broadly compatible with the design and layout requirements of allocation N1.

- 8.11 In terms of the residential environment to be created, the proposed plot sizes and associated private garden areas are broadly typical of those found in modern residential developments. Most of the houses would have in excess of 100sqm of private garden and the private garden area provision is appropriate having regard to the ready availability of open space to be provided within the site. The housing units are acceptably spaced throughout the development and their relationship with each other would not give rise to significant issues in terms of the amenity that would be provided for prospective residents. Car parking provision meets with the Council's standard and comprises in-curtilage parking. The use of fencing to the rear of houses is acceptable in terms of providing privacy in areas that are not readily visible to the public. On public elevations and around the site, hedging is proposed as a boundary treatment and this is acceptable in the context of the placemaking aspirations of the ALDP and the boundary treatment requirements of the N1 allocation. A planning condition is proposed requiring precise details of the boundary enclosures throughout the site as descriptions given are fairly generic. The Environmental Health Service has reviewed available information in relation to land contamination, including historic mapping and aerial photography and is satisfied that the site does not pose a significant risk of harm to the proposed use from land contamination. Overall the proposed development would provide a reasonable living environment for the prospective occupants of the site.
- 8.12 The redevelopment of the site would have some impact on occupants of neighbouring property and development plan policy seeks to ensure that such impacts are within acceptable tolerances. Guidance on matters such as window to window distances and overlooking from upper floor windows is provided in the Council's Advice Note 14 which deals with small housing developments. The proposed development is compatible with that guidance. Overlooking from upper floor windows on the houses proposed along the eastern site boundary (plots 15 to 22) would be approximately 12 meters from the mutual boundary with existing housing which complies with Advice Note 14. Properties to the south of Coupar Angus Road would be separated from the proposed development by the existing road and would be partially screened from the development through the retention of the hedge / trees along the site frontage. The proposed housing could be accommodated without any unacceptable impacts on neighbouring residential property when assessed against Council guidance.
- 8.13 In relation to access and accessibility the site is well located in relation to existing public transport provision and is around 170m from the nearest bus stop on the B954. The development proposal incorporates new footpath provision from the site to the B954 public road to the east as well as footpath provision within the site. The site has reasonable accessibility to local shops and services and the new footpaths would enhance existing provision whilst enhancing accessibility for new and existing residents in the area. A new access would be formed from Coupar Angus Road serving the proposed 22 dwellings. The Roads Service has reviewed the submitted information and has indicated that there is capacity in the local road network to accommodate the development. Planning conditions are proposed in relation to some matters of detail but there are no unusual or extraordinary roads or accessibility issues associated with the development of housing on the site.
- 8.14 In respect of matters relating to natural heritage, open space and landscaping, the applicant has submitted a tree survey to assess impacts on existing trees. The application site is not subject of any natural heritage designation and there are no biodiversity related impediments to development. The development proposal would require the removal of some existing trees and part of an established hedge however it also incorporates replacement and additional landscaping and the layout has been amended to ensure that the majority of the existing trees can be retained. Of the six trees proposed to be removed, one Lime tree would be removed to facilitate the formation of the proposed site access and five trees would be removed from within the railway embankment to the north (3 English Oak and 2 Willow) to ensure adequate amenity is provided or for safety reasons. The provision of a SUDS basin and additional landscaping has the potential to enhance biodiversity. Specific details of the proposed landscaping have not been provided in respect of all areas of the site and a condition is proposed that requires provision and approval of that detail. A condition is also proposed requiring measures for the protection of trees to be retained in the construction phase. The trees being felled have been checked and no evidence of roosting bats was observed. Any development would require to be undertaken in accordance with the recommendations contained in the submitted Tree Survey in relation to potential natural heritage interests.
- 8.15 Areas of open space would be provided to the south of the site. Other smaller areas of landscaping and open space would be provided within the overall layout and the proposed level of open space provision is compatible with the requirements of Policy PV2 . The open

space areas within the site are generally overlooked by housing and would contribute to the quality of the environment that would be created. The proposed planting would connect existing green infrastructure and the provision of a play area is a welcome addition. The proposal would not have any significant impacts on natural heritage and the landscaping and open space proposals are generally acceptable. Whilst some trees and hedging would be removed, the remainder would be protected during the course of the development and additional planting would compensate for any which is lost.

- 8.16 The site is not subject of any designation for built heritage interests. The Near East Kinpurnie Rail Bridge (a category C listed building) is located around 200m to the west which forms part of the dismantled Dundee / Newtyle Railway. Given the separation between the development and that structure, the proposal would not result in any impact on its setting.
- 8.17 In relation to flood risk and drainage, supporting information submitted with the application indicates that foul drainage from the site would be disposed of via the public sewer via a new pumping station. Scottish Water has not offered any objection to this arrangement. Both SEPA and the Council's Roads Service have indicated that they are satisfied that the site is not at an unacceptable risk of flooding. Surface water drainage is to be dealt with by a SUDS. The system would connect to an attenuation basin that is located in the western corner of the site with an over flow which would discharge into a drainage ditch located to the north east of the railway embankment. The Roads Service has advised that the surface water drainage proposal to serve the housing development is generally acceptable but has indicated that additional information regarding the final technical details are required for approval before development commences. This matter is addressed by a proposed planning condition. Overall the proposed drainage arrangements are compatible with policy.
- 8.18 Policy TC3 and the Developer Contributions and Affordable Housing Supplementary Guidance indicates that 25% of the total number of residential units proposed should be affordable. This equates to 5.5 units. The applicant has indicated within the proposed layout plan that a total of 5 houses at the northern section of the site are proposed as on-site affordable housing. The remaining contribution equating to 0.5 units would be provided by a commuted payment to be used towards the provision of affordable housing in the Housing Market Area. The Housing Service has indicated that the proposed provision of shared equity units has the potential to address some of the local demand. A planning condition is proposed that would require a planning obligation to secure the provision of the affordable housing.
- 8.19 Policy DS5 indicates that developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure. The Developer Contributions and Affordable Housing Supplementary Guidance describes the circumstances in which such contributions will be sought. The application site is located within the catchment area of Newtyle Primary School, Monifieth High School and Webster's High School. The Education Service has indicated that there is sufficient capacity at Newtyle Primary School and Webster's High School to accommodate children from the development. However, capacity at Monifieth High School is limited. In accordance with the supplementary guidance, a financial contribution of £6,041 per dwelling (excluding affordable housing) is required in order to mitigate the impact of the development on education infrastructure. A planning condition is proposed to secure that contribution. The proposal otherwise does not give rise to any unacceptable impacts on community infrastructure.
- 8.20 The proposal does not give rise to any other significant policy issues. It is of a scale and nature appropriate to the location and complies with relevant development plan policy.
- 8.21 In relation to material considerations it is relevant to note that a number of objections have been submitted to the proposal. Those representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report. Objection has been received relating to drainage and flooding. Scottish Water has been consulted on the proposal and has offered no objection in terms of water supply or foul drainage. Planning Advice Note 79 indicates 'where the applicant has stated their intention to connect to Scottish Water network, and Scottish Water has not made an objection, there should be no barrier to granting planning permission in relation to water or waste water infrastructure'. The proposed SUDS arrangements are designed to deal with surface water from the development and the overflow proposed from the SUDS basin would discharge to the north of the railway embankment. This would involve directional drilling through the railway embankment to form the relevant connection which would avoid the need for a significant breach in the embankment. Both SEPA and the Roads Service has been

consulted on the proposal and having regard to the proposed arrangements for the management of surface water neither has offered objection. The gradient of the SUDS basin would be shallow and raises no safety issues. Planting would be installed to deter access to the basin.

- 8.22 The design of the proposed houses is broadly in accordance with the Council's Design and Placemaking Supplementary Guidance. The buildings contain design features which pick up on characteristics of rural Angus vernacular and the proposal has been designed to minimise impacts on existing mature planting to ensure that the development settles within the rural landscape. The proposed housing could be accommodated without any unacceptable impacts on neighbouring residential property when assessed against Council guidance. Concern has been raised in representations regarding the impact on road safety associated with the use of Coupar Angus Road as an access point and reference is made to speeding through the village. Other concerns raised relate to cars parking on Coupar Angus Road and the detail of the proposed access. Coupar Angus Road is a C class public road and the Roads Service has indicated that the traffic that is likely to be generated by the development can be accommodated within existing capacity. Whilst concerns regarding driver behaviour outwith the site are noted, these matters cannot be reasonably controlled through the planning process. Adequate parking provision is shown within the site. With regards to visibility splays, these have been shown on the submitted drawings and there is nothing to suggest that they are not achievable. Roads in the development would be adopted with the provision of street lighting but there is no reason to consider that the development proposed would result in excessive light pollution. The development would not give rise to any impacts that would not typically be found in a residential area within a development boundary.
- 8.23 Impacts on infrastructure are raised by third parties including concerns about impacts on broadband speeds. Newtyle is served by broadband infrastructure including fibre broadband. The matter of broadband speed is a contractual matter between service users and providers. The Supplementary Guidance on Developer Contributions and Affordable Housing does not require developer contributions towards improvement of this type of infrastructure. Contributions towards education infrastructure and affordable housing are required and would be secured through the proposed planning conditions. Concern relating to impact on wildlife is also raised in the representations. Amended plans have been submitted to remove additional openings which were proposed in the mature hedge along the southern site boundary. The majority of the site is currently in agricultural use and is of limited wildlife and biodiversity value. The proposed landscaping and SUDS arrangements offer the potential to improve biodiversity at the site and there is no reason to consider the proposal would result in significant or unacceptable impacts on wildlife. All other matters raised in representations have been discussed elsewhere in this report. There are no issues that give rise to significant conflict with development plan or that give rise to unacceptable amenity, environmental, infrastructure or road safety impacts.
- 8.24 The proposal would facilitate the delivery of housing on a site allocated for that purpose. The site is safeguarded for around 20 units and the layout and design of the proposed development responds to the constraints of the site and provides a reasonable level of amenity for the new residents without unacceptable impact on the amenity of occupants of existing residential property. The proposal would increase the number of vehicles on local roads but the Roads Service is satisfied that the levels indicated can be safely accommodated within that network. Education impacts and other impacts on infrastructure associated with the proposal can be mitigated and no objections have been received from consultees. The letters submitted in objection to the proposal by third parties are noted and discussed above and the material planning issues raised have been taken into account in preparation of this report. Amendments have been made to the proposal and conditions are proposed which would deal with some of those concerns. The proposal is considered to comply with the relevant policies of the development plan subject to proposed conditions and there are no material considerations that justify refusal of planning permission.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of

the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

10. CONCLUSION

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

The proposal provides housing on an allocated housing site in a manner that complies with the relevant policies of the development plan subject to the stated planning conditions. The proposal would not give rise to amenity impacts beyond those typically found in modern housing developments within development boundaries and there would be no unacceptable impacts on the built or natural environment or on infrastructure. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to Section 75 of the same Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:
 - (a) 25% of all housing provided within the development shall be affordable housing or suitable alternative provision shall be made in accordance with Angus Council's Developer Contribution and Affordable Housing Supplementary Guidance.
 - (b) That a financial contribution of £6,041 (index linked) is made per dwellinghouse (excluding affordable housing) towards the necessary cost of improving secondary school infrastructure in Monifieth.

Reason: To ensure the provision of affordable housing and to ensure that and pressure placed on education infrastructure by the development can be mitigated in accordance with the requirements of the Developer Contribution and Affordable Housing Supplementary Guidance.

2. No development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) A scheme for the phasing of the development which shall include details of the timing and delivery of housing, the provision of drainage infrastructure, the timing of road construction and the provision of open space and landscaping. Thereafter the development shall be carried out in accordance with the approved phasing plan.
 - (b) A scheme for the management and maintenance of all proposed open space or amenity areas, roads or paths, and infrastructure within the site which is not within the curtilage of a dwelling or adopted by a public authority. Thereafter the open spaces, outdoor communal areas and unadopted infrastructure shall be managed and maintained in accordance with the approved details in perpetuity.
 - (c) A landscaping plan for the site (including boundary enclosures). The approved planting and boundary treatments shall be provided within each respective phase of the development in accordance with the requirements of the approved phasing plan. Any plants or trees that within a period of 5 years from the completion of

- development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species.
- (d) Details of the layout and specification of the open space areas within the development. This shall include precise details of surface materials, existing and proposed landscaping, boundary treatments (including proposals for enclosure of the SUDS basin) and ancillary infrastructure (including play equipment). Thereafter the open spaces shall be provided in accordance with the approved details and approved phasing plan and maintained in accordance with the details provided in relation to (b) above.
 - (e) Plans and particulars of all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage. Thereafter the infrastructure shall be formed and constructed in accordance with the approved details and to the standards of Angus Council in accordance with the approved phasing plan.
 - (f) Specific details of all works to the disused railway embankment to facilitate the surface water infrastructure. Thereafter the development shall be carried out in accordance with the approved details.
 - (g) Precise details of the proposed means of surface water management including a scheme for the management and maintenance of all surface water infrastructure in a manner that is designed to provide an attractive amenity feature and an enhanced biodiversity opportunity. The development shall not be brought into use unless the approved drainage scheme has been provided in its entirety and thereafter the system shall be managed and maintained in accordance with any approved management and maintenance details in perpetuity.
 - (h) Precise details of the proposed foul water pumping station.
 - (i) A soil management plan for any materials to be removed from the railway embankment during the course of the development (including temporary placement during development). If railway embankment materials are to be permanently placed elsewhere within the application site, a full risk assessment (including soil testing) shall be included within the soil management plan. Thereafter the development shall be undertaken in accordance with the approved soil management plan.

Reason: In order that the planning authority may control the specified details in the interests of the amenity, environmental quality, road safety of the area and related infrastructure and to ensure the development is undertaken and maintained in accordance with the approved details in the interests of the amenity of the area.

3. No development in connection with the planning permission hereby approved shall take place until the following has been provided:
- (a) a footway on the north side of Coupar Angus Road between B954 Dundee Road and the south-west corner of the site. The footway shall be formed and constructed in accordance with the standards of Angus Council.
 - (b) tactile pedestrian crossing points on Coupar Angus Road at locations to be agreed in advance with the Planning Authority in consultation with the Angus Council roads Service.
 - (c) visibility splays at the junction of the proposed access with Coupar Angus Road giving a minimum sight distance of 43 metres in each direction at a point 2.4 metres from the nearside channel line of Coupar Angus Road. Within the above visibility splays nothing shall be erected, or planting permitted to grow to a height in excess of 1050 millimetres above the adjacent road channel level.
 - (d) protective fencing has been installed in accordance with the standards set out in BS 5837: 2012 around all trees to be retained. The protective fencing shall enclose the protected rooting zones as detailed in the Tree Survey & Arboricultural Constraints Report BS 5837: 2012 Trees in relation to Design, Demolition & Construction – Recommendations at Coupar Angus Road, Newtyle, Blairgowrie, PH12 8TB, Perthshire, Scotland by TD Tree and Land Services LTD; dated 30/04/2019 (version 2a NCA). This fencing should remain in situ until development is completed and there shall be no passage of vehicles; excavations; storage of soil, plant, vehicles or other materials within the protective fencing.

Reason: In order to provide adequate infrastructure in the interests of pedestrian safety and to encourage sustainable means of travel, in order to provide adequate infrastructure in the interests of pedestrian safety and to encourage sustainable means of travel for the visually impaired and to provide and maintain adequate sightlines in the interests of road safety; and in order to prevent unnecessary damage to trees on site.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

REPORT AUTHOR: KATE COWEY

EMAIL DETAILS: PLANNING@angus.gov.uk

DATE: 11 JUNE 2018

APPENDIX 1: LOCATION PLAN

APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION

APPENDIX 3: DEVELOPMENT PLAN POLICIES

Appendix 2 – Summary of Applicant Supporting Information

Design Statement: - this details the design approach taken in relation to the formulation of proposals for the site. There are some errors in this statement including reference to the erection of 25 units. It highlights the site context and the allocation in the local plan. The statement details the existing built environment and housing designs in Newtyle and highlights how design features are proposed to create a successful community. The statement highlights that the site poses a number of challenges not least sloping topography and engineering requirements. The statement asserts that sustainability is key in the proposed designs and it refers to materials and landscaping. The statement highlights that more extensive areas within the landscape framework, such as the park, pedestrian paths and woodland shelterbelt and planting, have been integrated to create visual and social interest and strong circulation links to the adjacent areas. The statement describes drainage arrangements and refers to a gravity foul sewer network that would drain to the new Pumping Station. It is highlighted that the surface water discharge rate will be restricted to the pre development Greenfield run off rate of 3.40L/s. Attenuation will be provided by the construction of a New SUDS Detention Basin which has adequate capacity to attenuate the run off for the 1 in 200 year storm event plus an allowance for 10% Climate Change. As the surface water point of connection is an existing drainage ditch running along the western verge of the B954 towards Meigle, the statement explains that it is SEPA's policy to insist on the provision of SUDS for treatment which is provided by end of line SUDS Basin and conveyancing Swale.

External Finishes Schedule – The schedule describes a mix of dry dash render including Render Type A - Plots 1, 4, 5, 8, 21 & 22 (All elevations) of Decarock Forest on Scotrend Buff dash base layer and Render Type B - Plots 2, 3, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20 of Decarock Jura on Scotrend White dash base layer. On the roof Marley Rivendale fibre cement slate or equal (Colour - Blue Black (MA93707S) is proposed and the windows and doors are to be timber. It also provides details of hard standing areas and drystone dyke construction.

Landscape Appraisal – The appraisal notes existing established boundaries and trees and provides details of core path network linkages and describes the character of the surrounding area. The appraisal notes that whilst a section of existing agricultural field boundary hedging is to be lost at the frontage, new hedging is proposed. The appraisal recommends that approval of the site plan be conditioned with the completion of a comprehensive Landscape Plan, providing detailed layout, schedule, planting specification, and maintenance specifications/requirements for the further approval of Angus Council.

Street Engineering Review - this study assessed the following: Widths, Purpose and Function of the Streets; Geometry of the Streets.; Vehicle tracking; Visibility Splays; Speed Control; Turning Facilities; Drainage and SUDS; Materials; Utilities Strategy.

Tree Survey Report – Identifies trees along the southern boundary with the road and within the embankment that are to be retained and that are to be removed (or works required to them). Also assesses the works in terms of impact on bats. In terms of bats, no evidence of roosting bats was observed in the eight trees that were climbed.

Phase 1 Desk Study (Parts 1-4) - The Phase 1 desk study has indicated that there is generally a low risk that the site is impacted by contamination. However, there is a potential moderate risk that the site is impacted by localised contamination relating to the construction of a railway line to the north of the site. This would require further evaluation through Phase II investigations, including the testing of soil/water samples, and examining the characterisation of the soils and groundwater bodies beneath the site. The study recommends that Phase II investigations be undertaken.

Drainage Calculations – Various drainage calculations have been submitted to support other drainage information.

Flood Risk Assessment (and Drainage Assessment Report appended) - The report considers flooding from coastal, fluvial, groundwater, pluvial, and infrastructural sources, and assesses the capacity of an unnamed ditch to the north-east of the site, which is to be utilised as the discharge point for surface flows from the proposed development. The assessment confirmed that there was 'Little to no' risk of flooding from coastal and infrastructural sources, and 'Low' risk of flooding from fluvial, pluvial and groundwater sources. The report concludes that the receiving ditch has sufficient capacity to convey all flows during normal conditions. Assuming that an appropriate maintenance strategy is implemented to ensure the onsite drainage infrastructure operates as intended and the current capacity afforded within the watercourse and associated culverts is maintained, flood risk from this source is considered to be 'Low'. The report recommends that a drainage inspection and maintenance strategy is developed and followed to ensure regular maintenance of the proposed onsite drainage infrastructure and unnamed watercourse is undertaken. The topographical survey of

the site indicates the site falls from a level of approximately 88.00m AOD from the Southern Boundary of the site to 81.5m AOD at the Northern boundary. The SUDS basin will provide treatment for the surface water run-off from roads & footways. Driveway permeable block paving will provide at source treatment for the surface water run-off from roofs & driveways.

Appendix 3 – Development Plan Policies

Angus Local Development Plan

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:

- 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 minimise 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; and
- 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.

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 'Designing 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 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 DS5: Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- Education;

- Community Facilities;
- Waste Management Infrastructure; and
- Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

Policy TC2: Residential Development

All proposals for new residential development*, including the conversion of non-residential buildings must:

- be compatible with current and proposed land uses in the surrounding area;
- provide a satisfactory residential environment for the proposed dwelling(s);
- not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
- include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.

Within development boundaries Angus Council will support proposals for new residential development where:

- the site is not allocated or protected for another use; and
- the proposal is consistent with the character and pattern of development in the surrounding area.

In countryside locations Angus Council will support proposals for the development of houses which fall into at least one of the following categories:

- retention, renovation or acceptable replacement of existing houses;
- conversion of non-residential buildings;
- regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use;
- single new houses where development would:
- round off an established building group of 3 or more existing dwellings; or
- meet an essential worker requirement for the management of land or other rural business.
- in Rural Settlement Units (RSUs)**, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites (as defined in the Glossary) may be developed for up to two houses.

Further information and guidance on the detailed application of the policy on new residential development in countryside locations will be provided in supplementary planning guidance, and will address:

- the types of other buildings which could be considered suitable in identifying appropriate gap sites for the development of single houses in Category 1 Rural Settlement Units, or for the development of up to two houses in Category 2 Rural Settlement Units.
- the restoration or replacement of traditional buildings.
- the development of new large country houses.

Policy TC3: Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- local housing needs (set out in the current Housing Needs and Demand Assessment);
- physical characteristics of the site;
- development viability; and
- availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

Policy PV1: Green Networks and Green Infrastructure

Angus Council will seek to protect, enhance and extend the wildlife, recreational, amenity, landscape, access and flood management value of the Green Network. Development proposals that are likely to erode or have a damaging effect on the connectivity and functionality of the Green Network will not be permitted unless appropriate mitigation or replacement can be secured. In some cases a developer contribution towards enhancement of the wider Green Network may be appropriate.

Green infrastructure (including open space) will require to be provided as part of new development. Proposals should identify the location and nature of the green network in the area and seek to enhance linkages wherever possible.

The location and function of green networks in Angus will be mapped in a Planning Advice Note.

Policy PV2: Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- the proposed development is ancillary to the principal use of the site as a recreational resource; or
- it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided*. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

*In line with the Six Acre Standard (National Playing Fields Association)

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:

- 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.

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:

- 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; and
- 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 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.

Policy PV18: Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.

N1 Housing - Land North of Coupar Angus Road

1 ha of land north of Coupar Angus Road is allocated for residential development of around 20 dwellings.

Proposals should be in accordance with the development brief which will be prepared for this site and should include:

- design and site layout which reflects the traditional grid pattern and integrates with the rural landscape character and the layout and character of neighbouring buildings with frontages onto Coupar Angus Road. The design and site layout must not prejudice future expansion and connection to adjacent areas of land;
- the preservation and enhancement of landscape features such as the existing green railway embankment, hedgerows, trees and the mature tree lined avenue adjacent to Coupar Angus Road;
- new defined, permanent and appropriate boundaries which will be consistent with traditional landscape patterns and will create an appropriate urban edge and transition to the rural landscape;
- provision of vehicular, cycle and pedestrian access arrangements to the satisfaction of the Council;
- provision of SUDS in the shape of traditional roadside and field edge ditches (swales) which would create an appropriate transition, planted boundary and form of green infrastructure and help integrate the development and its access roads with the rural landscape context; and
- supporting information including a Drainage Impact Assessment, Landscape Assessment and a Tree Survey as necessary.