

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 18 JUNE 2019

PLANNING APPLICATION – FORMER FORFAR ACADEMY SITE, TAYLOR STREET, FORFAR

GRID REF: 345202 : 751440

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with planning application No 19/00329/FULL for the erection of a nursery including the formation of car parking, drainage infrastructure, landscaping, enclosures and other associated works at the former Forfar Academy site, Taylor Street, Forfar. 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 Full planning permission is sought for the erection of a nursery including the formation of car parking, drainage infrastructure, landscaping, enclosures and other associated works at the former Forfar Academy site, Taylor Street, Forfar. A plan showing the location of the site is provided at Appendix 1.

3.2 The application site extends to approximately 5ha and comprises part of the grounds of the former Forfar Academy. This building was demolished upon completion of the Forfar Community Campus in 2017 and the site has since been planted with grass. The main Campus building and its grounds bound the site to the north and west. Residential properties on Hanick Terrace and Taylor Street lie to the east and south. The site is generally flat.

3.3 The application seeks planning permission for the erection of an early learning nursery and other associated works. The proposed single storey building is flat roofed with a footprint of approximately 840sqm. The main building would be of a contemporary design with a maximum height of roughly 3.8m and a number of flexible internal learning spaces. The building would be finished in Scottish Larch and zinc cladding and louvered mono pitched canopies are proposed along the southwest elevation and at the main entrance of the building. The plant associated with the building would be located in a separate building in the northeast corner of the site. The existing electricity substation located in the east of the site would be relocated to the southwest corner, adjacent to a proposed bin store. The building would connect to the public drainage network with surface water directed to a sustainable drainage system (SUDS).

3.4 The external space around the building would include a mixture of hard and soft landscaped areas. A number of trees and mixed shrubs are proposed across the site with an emergency grasscrete access from the car park. A looped vehicular access is proposed, utilising existing junctions from the former Academy onto Taylor Street. Thirty-eight (38) car parking spaces

are proposed and 2 motorcycle parking spaces. A number of new boundary treatments are proposed, including 1.8m high fences and 1.5m high walls.

- 3.5 The application has been amended to remove the proposed access from Hanick Terrace onto the existing footway between the Forfar Community Campus and Taylor Street.
- 3.6 This application requires to be determined by the Development Standards Committee because it is recommended for approval in circumstances where the council has a financial interest and there are third party objections.
- 3.7 The application has been subject of statutory neighbour notification.

4. RELEVANT PLANNING HISTORY

There is no planning history which is relevant to the current application.

5. APPLICANT'S CASE

- 5.1 The following documents have been submitted in support of the application:
- Design Statement (including detailed appendices);
 - Transport Statement;
- 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** – has not objected to the proposal in respect of traffic safety subject to a number of conditions relating to the provision for cycle parking and construction of the footway crossings. No objection is offered in relation to flooding and surface water drainage subject to a condition requiring further surface water drainage details.
- 6.2 **Angus Council – Environmental Health Service** – has not objected to the proposal in terms of impacts upon amenity subject to a number of conditions to regulate external lighting, ventilation equipment, noise emissions from plant and construction and the timing of deliveries. In relation to land contamination the Environmental Health Service offers no objection subject to a condition to regulate land contamination investigations and any potential remediation.
- 6.3 **Scottish Water** – has offered no objection to the proposal.
- 6.4 **Community Council** – provides comment in relation to potential road safety issues from access to unassisted pedestrian crossings at Brechin Road as a result of proposed footpath access onto Hanick Terrace and suggests that the design of the proposed canopies is not in keeping with the surrounding area. The inclusion of a green (sedum) roof was suggested.

7. REPRESENTATIONS

- 7.1 Sixteen (16) letters of representation have been received in objection to the proposal. The letters will be circulated to Members of the Development Standards Committee and a copy will be available to on the council's [Public Access](#) website.
- 7.2 The following matters have been raised and are discussed under Planning Considerations below: -
- Impacts on road and pedestrian safety in the surrounding area as a result of increased vehicular movements to and from the nursery.
 - The formation of a link path and the reopening of the currently locked pedestrian gate from Hanick Terrace to the existing footway between Taylor Street and the Forfar Community Campus, with the resultant potential for increased traffic movements, anti-social behaviour and littering on Hanick Terrace.

These matters are discussed in the Planning Considerations section of this report.

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 As the application is not of strategic significance the policies of TAYplan are not referred to in this report and the policies of the Angus Local Development Plan form the main basis for the consideration of the proposal. The relevant policies of the Angus Local Development Plan are reproduced at Appendix 3.
- 8.4 The application site relates to an area of open ground which until recently accommodated the former Forfar Academy. Policy DS1 in the ALDP states amongst other things that 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.
- 8.5 Policy TC8 indicates that the Council will encourage the retention and improvement of public facilities including schools. It indicates that new community facilities should be accessible and of an appropriate scale and nature for the location.
- 8.6 The proposal is located on the site of the former Forfar Academy, within the curtilage of the approved Forfar Community Campus. The site is an established location for the provision of education and it is safeguarded for community use. Although currently under grass the application site does not form part of the formal play space of the Campus.
- 8.7 The proposed site is accessible by walking, cycling, and public transport. There are a number of bus stops approximately 400m from the site. The site is also easily reached by vehicles from the adjacent road network. The single storey design allows for full accessibility for people with restricted mobility.
- 8.8 A Transport Statement has been submitted in support of the planning application which considers the traffic requirements and impacts of the proposal. The level of vehicle trip generation anticipated from the development would not have an adverse impact on the local road network and would be significantly less than that previously generated from the former Forfar Academy. The proposal would utilise existing junctions onto Taylor Street which once served the Academy, with separate in and out accesses and a loop road through the site. Approximately 40 parking/drop off spaces are proposed within the site. The report concludes the site's location and characteristics meet with both local and national policies on sustainable development, and there are no traffic impacts that require to be mitigated. The Roads Service has reviewed the Transport Statement and accepts that there is capacity in the local road network to accommodate the development. The Roads Service has requested a number of conditions are attached to regulate the provision for cycle parking and the final construction of the footway crossings at the site. The site would benefit from good accessibility and would provide safe and suitable access and parking arrangements.
- 8.9 There are residential properties adjacent to the east and south boundaries of the site on Hanick Terrace and Taylor Street. The closest house would be approximately 20m from the proposed building but there would be a public path and a number of boundary treatments between buildings. The distance between the proposed building and existing dwellings is comparable to the relationship between other schools and neighbouring residential property in Forfar. Having regard to the separation distances involved and the likely hours of operation of the nursery, impacts in relation to loss of privacy and amenity are unlikely to be significant. The separation distance between buildings and the design of the proposal also avoids potential for overlooking of neighbouring property. The building would not result in any significant overshadowing or overbearing impacts in relation to neighbouring property. The Environmental Health Service has considered the proposal and offered no objection subject to planning conditions to regulate any extraction equipment, noise from plant and machinery and the timing of deliveries. Limited details have been provided in relation to external lighting but this matter can also be regulated by condition. Conditions are also proposed to control construction noise and to ensure appropriate investigation of ground conditions and to secure any necessary remediation.

- 8.10 The proposed building is mainly single storey with mono pitched canopies along the southwest elevation and at the main entrance to filter light into the building. It is of reasonably simple modern design and is similar in form to other buildings of this nature that have been approved elsewhere in Angus. The proposed external materials for the main building would include Scottish Larch and zinc cladding resulting in a modern and high quality finish. The building would sit back from more traditional buildings on Hanick Terrace and Taylor Street and would sit comfortably within the streetscene without any significant visual impacts. The design of the building is considered to be acceptable for this location and in accordance with the guidance provided in the council's Design and Placemaking Supplementary Guidance. The proposal would also require the relocation of an existing SSE sub-station from the east to the southwest corner of the site, adjacent to a proposed bin store. A separate plant room would be located in the northeast corner of the site. A proposed planning condition requires precise details regarding the finish of these three structures. A landscaping scheme has been provided which is generally acceptable for the site but precise details regarding the methods of site enclosure and finished ground levels is required by means of a condition.
- 8.11 There are small areas within the application site which are identified by SEPA's indicative mapping system as being at low to medium risk of surface water flooding. The council's Road Service has reviewed the proposal and offers no objection to the development in terms of flood risk. However, it is indicated that the surface water drainage system serving the proposal should accommodate the 1 in 30 year return period rainfall event for the location, plus a 30% allowance for climate change within the underground infrastructure for all roof and impermeable area runoff. A condition is proposed that requires approval of the design of the surface water drainage system. Foul drainage would be directed to the public drainage system.
- 8.12 The proposal does not give rise to any other significant issues in terms of development plan policy and is of a scale and nature appropriate for the location.
- 8.13 In terms of material considerations it is necessary to have regard to the relevant planning matters raised in the letters of representation. The majority of third party comments supported the principle of the proposal but objected to the reopening of the currently locked pedestrian gate and the construction of a pathway from Hanick Terrace to the existing footway between Taylor Street and the Forfar Community Campus. The applicant has amended the proposal to remove the proposed through route.
- 8.14 The Transport Statement submitted in support of the application indicates that the local road network has capacity to accommodate traffic associated with the development. The council's Roads Service has reviewed that document and has confirmed that the proposal does not give rise to any significant issues in terms of road traffic or pedestrian safety. The traffic and other movement/ activity associated with the proposal would not give rise to any unacceptable amenity impacts.
- 8.15 The applicant has advised that a green sedum roof was considered and discounted at an early design stage. It would serve no practical benefit and would not be visible behind the parapet that would surround the flat roof. There is no land use planning reason to require a sedum roof in this case.
- 8.16 In conclusion, the proposal provides for the construction of a new education facility which would provide a modern learning environment in a location safeguarded for the provision of community facilities. Consultees have raised no significant issues regarding the proposal. Matters raised by third parties have been taken into account and the applicant has amended the proposal to take account of those concerns where appropriate. The proposal complies with the development plan subject to appropriate planning conditions and there are no material considerations that justify refusal of the application.

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 will provide for a new education facility in a manner that complies with relevant policies of the development plan subject to the stated planning conditions. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. Prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the Planning Authority:
 - (a) Existing and proposed ground levels across the site and proposed finished floor levels for the building(s). Thereafter the development shall be undertaken in accordance with the approved levels prior to the occupation/use of the buildings hereby approved;
 - (b) Precise details of the means and location of site enclosure, bin storage enclosure, relocated transformer building and plant room design. Thereafter the approved structures shall be formed in accordance with the approved details;
 - (c) Precise details of all external lighting. Those details shall be accompanied by sufficient information to allow consideration of light emission and potential impact on amenity of occupants of neighbouring property. Thereafter only the approved external lighting shall be installed within the site;
 - (d) Precise details of all ventilation equipment. Those details shall be accompanied by sufficient information to allow consideration of potential amenity impacts on occupants of neighbouring property. Thereafter only the approved ventilation system shall be installed;
 - (e) A comprehensive contaminated land investigation report. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The Investigation of Potentially Contaminated Sites – Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Where the Site Investigation Report Review identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, further investigation works and a detailed remediation strategy shall be submitted for the written approval of the planning authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the planning authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the Planning Authority;
 - (f) Evidence of written approval from Scottish Water for a connection to the public water supply. Thereafter the building shall be connected to the public water supply before the commencement of use;
 - (g) Details of the proposed means of surface water management for the site. For the avoidance of doubt the surface water drainage system shall accommodate the 1 in 30 year return period rainfall event for the location plus a 30% allowance for climate change within the underground infrastructure for all roof and impermeable area runoff. This system should provide two levels of treatment for run off from the car park. The development hereby approved shall not be brought into use until the approved means of surface water management has been provided in its entirety.

Reason: In order that the planning authority may verify the acceptability of the matters and ensure timely provision in the interests of the visual and residential amenity of the area; to ensure that the site is suitable for the use proposed; and to ensure provision of an acceptable water supply and surface water drainage system.

2. Prior to the use of the buildings hereby approved the following shall be provided in accordance with Angus Council standards: -
 - (a) Cycle parking racks that are covered, lit and adequately signed.
 - (b) The footway crossing at the proposed access and egress.

Reason: To ensure the provision of appropriate cycle parking and a satisfactory standard of road construction in a timely manner.

3. All plant or equipment associated with the development hereby approved shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason: In the interests of residential amenity.

4. Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.

Reason: In the interests of residential amenity.

5. Noise associated with construction works of the development hereby approved, including the movement of materials, plant and equipment shall not exceed the noise limits shown in table B below. At all other times noise associated with construction or demolition operations shall be inaudible at any sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.

Table B: Construction Noise limits

Day	Time	Average Period (t)	Noise limit
Monday-Friday	0700-1900	12 hour	70 dBA Leq t
Saturday	0700-1300	6 hour	70 dBA Leq t

Reason: In the interests of residential amenity.

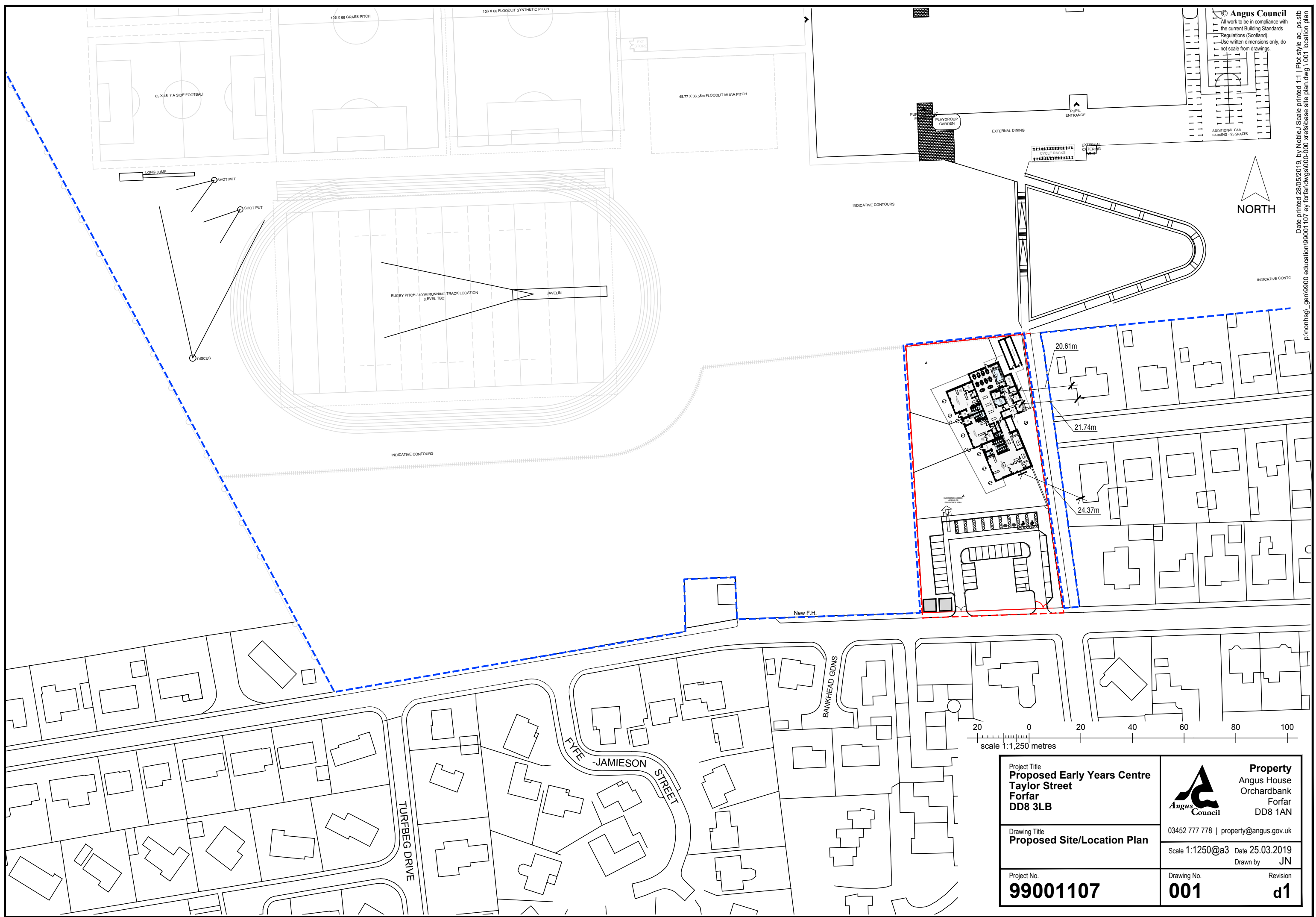
NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

REPORT AUTHOR: KATE COWEY
EMAIL DETAILS: PLANNING@angus.gov.uk


DATE: 7 June 2019

APPENDIX 1: LOCATION PLAN
APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION
APPENDIX 3: DEVELOPMENT PLAN POLICIES

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 All work to be in compliance with the current Building Standards Regulations (Scotland).
 Use written dimensions only, do not scale from drawings.
 ADDITIONAL CAR PARKING - 95 SPACES



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Project Title Proposed Early Years Centre Taylor Street Forfar DD8 3LB	 Property Angus House Orchardbank Forfar DD8 1AN
Drawing Title Proposed Site/Location Plan	03452 777 778 property@angus.gov.uk Scale 1:1250@a3 Date 25.03.2019 Drawn by JN
Project No. 99001107	Drawing No. Revision 001 d1

Appendix 2 – Summary of Applicant Supporting Information

Design Statement (and appendix 1 and 2)

This document provides an assessment of the site's context and characteristics that informed the identification of the design solution. The statement indicates that:

Angus Council is committed to ensuring that 1140 hours per annum of early learning and childcare (ELCC) is available for all 3 to 5 year olds, and eligible 2 year olds, within Angus by August 2020 through a planned programme of building adaptations, extensions and improvements. Due to local demand, a date of May 2020 has been set for the construction of a new, purpose-built early learning and childcare centre within Forfar. The new facility will provide a comprehensive range of facilities for children and their families, with up to 155 places for 2 to 5 year olds.

A number of sites have been considered and discounted, with details included in the report attached at Appendix 1. The former Forfar Academy site was the first choice site. Forfar Academy was relocated to the site in the 1960's but was later demolished following the completion of the Forfar Community Campus in 2017. The land currently lies vacant and unused and the proposal maintains the educational use of the land, while bring a much needed service to the community.

A detailed brief has been developed for the full early years programme which is based on Scottish Executive research and documentation including 'Space to Grow'. A copy of the brief is attached at Appendix 2.

In terms of design, natural finish materials are proposed for the building including, Scottish Larch & zinc cladding. These materials will weather to further settle the structure into its environment. The Buildings Plant Room will be a separate element removed from the nursery housed in a shipping container style unit, this separation will aid in reducing construction costs, reduce acoustic requirements and will be screened through a series of landscape element. All bins are to be stored within enclosure area within the site. An enclosure and hard standing provision will be made to accommodate all waste containers as provided by Angus Council, this hard standing will be located adjacent to Taylor Street for ease of pick up.

The landscaping of the site proposes native tree planting to create a visual link towards the entrance. Large open green spaces will be landscaped to provide play and educational opportunities and an open SUDS filtrations system for rain water incorporating, rain chains, a wet garden would be included. The existing low level brick wall along the eastern boundary will be removed opening the site to the pedestrian footpath. A new boundary fence at a height of 1.8m is to be provided to the perimeter of the Nursery development. A secondary internal 0.9m high fence is to be provided to the perimeter of the Services area to ensure children are not entering unsupervised.

Short stay parking for drop off is proposed along with the reintroduction of a looped access road, removed as part of the demolition works to the Academy, from Taylor Street. The existing gates and pavement/road junctions have been retained and will be reused as required. A full traffic assessment has been carried out for the site, confirming that the existing measures taken while the Academy was still present are more than satisfactory to address the proposed new nursery.

Prior to planning submission a public engagement event was carried out to give the public the opportunity to view the proposals and ask any questions of the design team.

Appendix 1: Early Years Site Selection Report Forfar – 2018

It identifies 6 different sites which were considered for the proposed development. They include:-

- Old Academy Site, Taylor Street – could accommodate an Early Years centre to meet the full local requirement. Land was previously used for education. Within walking distance and adjacent to an existing access to Forfar Community Campus;
- The Yard, Queenswell Road – would only accommodate a building capable of providing partial provision. No parking on site or nearby and poor access. Potential land use and contamination issues. Would also require a secondary location to meet demand;
- Lochside – could accommodate a building capable of providing full provision. Contaminated land issues and soil testing required. Good location and access with easing play space in close proximity but an existing building is located on the site;
- Orchardbank – not a central location;
- Grounds of Langlands Primary School - could only accommodate a building capable of providing

partial provision. Would result in reduction of parking and play space serving the existing Primary School;

- Ground of Whitehills Primary School - could only accommodate a building capable of providing partial provision. Excavation required. Impacts on parking and play space serving the existing Primary School.

None of the sites considered are located within the defined town centre boundary.

Appendix 2: Early Years Expansion Programme Guiding Principles – June 2018

This document discusses Scottish Government funding criteria, education and place space requirements and non-educational place space requirements. Provides details on all facilities required for the nursery (toilets etc).

Some of the key design considerations also included in the guidance can be detailed as follows:

- The provision of suitable, high quality outdoor space, acknowledging the importance of outdoor experiences in a child's development
- The use of different landscapes, textures and areas in outdoor space to maximise play, adventure and stimulation
- Maximisation of natural lighting wherever possible
- The consideration of noise levels and acoustics in both the design of the space and the materials to be used
- The consideration of sensory impairments and learning difficulties within the design and layout of the setting, removing barriers to learning and participation wherever possible
- The availability of wash hand basins within, or close to, the educational and play space to promote good hand hygiene
- Where possible, separate space for children to be able to rest or sleep

Angus Council Early Years Service has also expressed a number of preferences for local ELC provision, applicable where appropriate:

- The provision of a separate room for Nurture, with a closing door
- The provision of separate internal space for sensory stimulation
- The inclusion of wet play areas
- The ability for ELC staff to use the educational and play space flexibly, e.g. with a minimum of set fixtures and furnishings in the main classroom area
- The ability in larger rooms to temporarily close off sections of the room, e.g. using closing screens / partitions from floor to ceiling to create smaller areas
- The use of glazed doors to outdoor play areas, to maximise the connection between indoor and outdoor areas and to allow staff to see outside easily
- The use of neutral colours throughout ELC settings

Transport Statement (April 2019)

This document provides an overview of the site location, the planning policy context and the scope and methodology of the statement.

- The ELC centre is expected to open to staff at 7:45am (with up to 25 staff members), with a steady flow of children arriving between 8am and the latest drop-off time of 9am (roughly 155 children). A further hour of pick-up and drop-off will take place between 12pm and 1pm with pick-up occurring mainly between 4pm and 6pm when the ELC centre will close. These times are staggered so there would be no single time where all children are arriving at once.
- Short stay parking for drop off and child collection is to be provided within the grounds through the reintroduction of a looped access road, removed as part of the demolition works to the former Forfar Academy. The existing gates and pavement/road junctions have been retained and will be amended, repaired and resurfaced as required.
- It is considered that the parking proposed is in accordance with Angus Council and the National Roads Development Guide (NRDG) car parking standards and is sufficient for staff, visitors and drop off / pick-up provision.
- Pedestrian access will be provided from the car park linking to the new shared use foot/cycleway located to the east of the site.
- No formal delivery drop off area is provided, these would be occasional, generally outwith the main drop-off and pick-up times, and therefore the drop-off bays would be available.

- The accessibility of the site for pedestrians and cyclists is good, given the provision of footways, footpaths and core paths that provide direct access to the site from all directions. The new shared use foot / cycleway is DDA compliant and has been constructed as part of the Forfar Community Campus development.
- No direct vehicle access to the building will be provided, however a grasscrete route to the south of the building taken from the car park would allow Emergency Vehicle access.
- The accessibility of the site for public transport is good, given the location of bus services within 400m of the site. Travel to and from the site via public transport, particularly by staff, is considered to be a realistic alternative to the car.
- The site is considered to be well connected to the local and strategic road network.
- It is considered that as the former Forfar Academy site the existing links to/from the site already provide for safe routes to school. The existing network of footways and footpaths close to the site are well lit and connect with the wider Forfar networks.
- It is considered that this level of vehicle trip generation will not have an adverse impact on the local road network and will be significantly less than what was previously generated from the former Forfar Academy.

The report concludes the site is highly accessible by walking, cycling and public transport, as well as for vehicles to/from the adjacent local and strategic road network. The site's location and characteristics meet with both local and national policies on sustainable development, and there are no traffic impacts that require to be mitigated.

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 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; or
- the loss of the facility would not have an adverse impact on the community; or
- the existing use is surplus to requirements or no longer viable; and
- 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; or
- 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 PV12 : Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- that flood risk can be adequately managed both within and outwith the site;
- that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- access and egress to the site can be provided that is free of flood risk; and
- where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

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.