

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 21 APRIL 2015

PLANNING APPLICATION – 7 SUTTIESIDE ROAD, FORFAR, DD8 3EL

GRID REF: 346376 : 751520

REPORT BY THE HEAD OF PLANNING AND PLACE

Abstract:

This report deals with planning application No. 15/00094/FULL for Erection of Dwellinghouse (Retrospective) for Mr D Stewart at 7 Suttieside Road, Forfar. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reasons and subject to the conditions detailed at Section 10 of this report.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

3.1 The applicant seeks retrospective planning permission for the erection of a dwellinghouse at 7 Suttieside Road, Forfar.

3.2 The application site, which measures 515sqm, is located to the east of Suttieside Road in a backland location to the rear of 5A – D Suttieside Road. The site is bound to the north by a depot; to the east by 4, 6, 8 and 10 Ivy Terrace; to the south by 3 Suttieside Road and to the west by 5A – D Suttieside Road. The north boundary of the application site consists of a stonewall that is complemented by wire fencing; the east boundary consists of a stonewall although a section of temporary fencing occupies a breach in the wall; the south boundary consists of a stone/ block work wall and the west boundary consists of a timber fence. Vehicular access to the site is located at the west boundary from Suttieside Road. A dwellinghouse (foundations with associated timber kit) has been erected at the application site.

3.3 The north elevation of the dwellinghouse as erected would be located 1.77m from the north boundary of site with the east elevation located 3.45m from the east boundary of the site. The dwellinghouse would have a footprint of 151sqm with an overall height of 7.6m. The external materials would consist of slate grey concrete roof tiles and champagne coloured dry dash external walls. The ground floor would accommodate a lounge, kitchen, dining room, bedroom, utility room and wc. The first floor would accommodate 3 bedrooms (1 en-suite) and a bathroom. The boundary enclosures would remain as existing with the breach in the east boundary wall in filled with a 2m high block work wall. The existing vehicular access would serve the proposed development. The development would be connected to the public drainage network and surface water drainage would be dealt with by SUDS.

- 3.4 The application has been subject of variation. An amended site plan was submitted on 11 March 2015 which provided for identifying the location of the dwellinghouse as constructed on site. Amended elevations and floor plans of the dwellinghouse were submitted on 1 and 9 April 2015 these provide for the removal of a roof light from the east facing roof slope of the proposed dwellinghouse and the relocation of the roof light serving bedroom 3 from the east facing roof slope to a window in the north facing elevation.
- 3.5 The relevant time period for third party comment has expired.
- 3.6 This application requires to be determined by the Development Standards Committee due to the recommendation for approval whilst being subject to more than four objections.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning permission (ref: 08/01246/FUL) for the erection of a dwellinghouse at the site was approved subject to conditions on 4 February 2009. The proposed dwellinghouse had a footprint of 151sqm with an overall height of 7.6m. The application
- 4.2 An observation was submitted to the Planning Service on 8 September 2010 that works had commenced at the site without the suspensive planning conditions attached to planning permission 08/01246/FUL being discharged. The Planning Enforcement Officer investigated this observation (ref: 10/00166/BREACH) and works ceased on site as the applicant sought to discharge the relevant suspensive planning conditions.
- 4.3 A further observation was submitted to the Planning Service on 25 November 2014 that building works had recommenced on the site. The Planning Enforcement Officer investigated this observation (ref: 14/00198/UNDV) and advised the applicant on 6 January 2015 that one of the suspensive planning conditions had yet to be discharged and on this basis planning permission 08/1246/FUL had expired as it was more than 5 years since the grant of the aforementioned planning permission. The applicant ceased all works at the site and submitted a planning application for the retrospective erection of a dwellinghouse at the site which was validated on 29 January 2015.

5. APPLICANT'S CASE

- 5.1 The applicant has submitted a letter from Scottish Water which confirms the development can connect to the public water supply. It should also be noted that the applicant had previously submitted confirmation to the Planning Service from Scottish Water that the development could connect to the public waste water network.

6. CONSULTATIONS

- 6.1 The Roads Service has not objected to the proposal in respect of traffic safety.
- 6.2 Scottish Water has indicated no objections to the proposal.
- 6.3 No comments have been received from the Community Council.

7. LETTERS OF REPRESENTATION

- 7.1 Six letters of representation have been received from six properties in relation to the proposal. All of the submitted letters are objecting to the proposal. The letters of representation will be circulated to Members of the Development Standards Committee and a copy will be available to view in the local library or on the council's Public Access website. The main issues raised relate to:

- **Adverse impact on amenity of neighbouring residential properties** – this matter is discussed under Section 8, Planning Considerations below.
- **Unacceptable visual impact of the dwellinghouse** – this matter is discussed under Section 8, Planning Considerations below.
- **The height of the dwellinghouse is out of character with the rest of the area** – this

matter is discussed under Section 8, Planning Considerations below.

- **The application drawings do not accurately plot the location of the dwellinghouse** – this matter was brought to the attention of the applicant's agent and amended accurate drawings of the exact location of the dwellinghouse have been submitted.
- **What provision is to be made for the reinstatement of the boundary wall to the rear of 6 & 8 Ivy Terrace** – the applicant has confirmed that the wall is to be re-built and has provided a specification in support the application. The proposed specification is considered to be acceptable and a planning condition is proposed requiring the wall to be re-built prior to the occupation of the dwellinghouse.
- **Why were only certain neighbouring properties notified of application 08/01246/FUL but were subsequently notified of the current planning application** – the neighbour notification for planning application 08/01246/FUL was carried out by the applicant's agent under the earlier neighbour notification requirements which only required properties within 4m of the application site to be notified. The neighbour notification process was revised in 2009 and for the current application this has been carried out by Angus Council in accordance with the requirements of Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 which states neighbour notification must be served on premises on neighbouring land which is conterminous with or within 20 metres of the boundary of the application site. In this respect properties that were not notified of the 2008 application were required to be notified of the current application.
- **Why did building works commence on site prior to planning permission being granted for the development** – the applicant has indicated that they had believed that all of the planning conditions associated with planning permission 08/01246/FUL had been discharged and that they were implementing that permission. It subsequently transpired that the one of the suspensive planning conditions had not been discharged and on this basis planning permission 08/1246/FUL had expired as it was more than 5 years since the grant of the aforementioned planning permission. The applicant ceased all works at the site and submitted a planning application for the retrospective erection of a dwellinghouse. It is understood that there have been no further works at the site since the submission of the planning application.
- **Can Scottish Water guarantee the proposed development can be connected to the public sewer with no adverse impact on the existing properties in Suttieside Road** – Scottish Water has been consulted on the application and has offered no objection to the proposed development. The applicant has submitted information in support of the application from Scottish Water confirming that the development can be connected to their infrastructure in respect of public water supply and public waste water network.
- **The proposed development could lead to the loss of the only tree from the application site** – there are no building works in the vicinity of the Cherry tree in the south east corner of the application site, although some building debris has been deposited on the roots of the tree. While it would be desirable to retain the tree, I do not consider it to have sufficient amenity or ecological value to warrant protection. The tree was not afforded protection through the earlier planning permission (08/0246/FUL).
- **Will the development/building works be carried out by registered tradesmen** – the construction of the development would have to be to in accordance with the Building (Scotland) Regulations 2004.
- **Damage to British Telecom infrastructure** – this matter has been brought to the attention of British Telecom who are investigating.
- **Damage to adjacent property during construction** – this is a civil matter and not a material planning consideration.

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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 2012)
 - Angus Local Plan Review (Adopted 2009)
- 8.3 The development plan policies relevant to consideration of this application are provided in Appendix 1 and have been taken into account in the preparation of this report.
- 8.4 Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Draft Proposed Angus Local Development Plan was approved by Angus Council at its meeting on 11 December and has now been published as the Proposed ALDP for a statutory period for representations. The Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP (June 2012) and Scottish Planning Policy (SPP) published in June 2014. The Proposed ALDP is subject to a 9 week period for representation which ends on 30 April 2015. Any unresolved representations received during this statutory consultation period are likely to be considered at an Examination by an independent Reporter appointed by Scottish Ministers. The Council must accept the conclusions and recommendations of the Reporter before proceeding to adopt the plan. Only in exceptional circumstances can the Council choose not to do this. The Proposed ALDP represents Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it is a material consideration in the determination of planning applications. The Proposed ALDP is, however, at a stage in the statutory process of preparation where it may be subject to further modification. Limited weight can therefore currently be attached to its contents. This may change following the period of representation when the level and significance of any objection to policies and proposals of the plan will be known.
- 8.5 The application site is not specifically allocated for development but lies within the Development Boundary of Forfar and as such is assessed under the terms of Policy S1 criterion (a). This policy indicates that proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the local plan.
- 8.6 Retrospective planning permission is sought for the erection of a dwellinghouse at the site. As noted at section 3 of this report planning permission has previously been granted for the erection of a dwellinghouse with a footprint of 151sqm and an overall height of 7.6m at the site. It should be noted that the dwellinghouse as constructed on site is located 1.77m from the north boundary and 3.45m from the east boundary as compared to the originally approved position of 900mm from the north boundary and 5.3m from the east boundary. The dwellinghouse has therefore been located further from the north boundary but closer to the east boundary by 1.85m.
- 8.7 In terms of the type of development proposed, the most relevant local plan policy is SC2 which deals specifically with small housing proposals and requires an acceptable residential environment to be created. A number of criteria are identified against which proposals are assessed. These include compatibility of land use; plot size; provision of private garden ground and the maintenance of residential amenity and privacy of adjoining housing. The site is located in a predominantly residential area and the proposed residential use of the site is acceptable. The site measures 515sqm which is generally compatible with those in the area which range between 276 – 620sqm. The private garden associated with the proposed dwellinghouse measures in the region of 234sqm which exceeds the minimum requirement of 100sqm.

- 8.8 The final criterion of Policy SC2 requires proposals to maintain the residential amenity and privacy of adjoining housing. The proposed house has been constructed 1.85m closer to the eastern boundary resulting in a distance to that boundary of 3.45m. The height of the house remains at 7.6m as was previously granted planning permission. Objections have been received relating to the impact of the proposal on the privacy and amenity of surrounding housing including the houses to the east on Ivy Terrace. Specific concern has been made relating to the height of the proposed dwelling. Positioning the house closer to the eastern boundary has increased the impact on the amenity space of 4, 6 and 8 Ivy Terrace where the presence of a structure higher than the height of the existing boundary wall increases the perception of enclosure. This effect would have been experienced had the house been constructed in the originally approved position, albeit to a lesser extent. Amenity concerns have been discussed with the applicant who has agreed to remove two windows facing that amenity ground, repositioning one to the northern gable in order to offset the impact of building closer to the boundary. One dormer window serving a proposed bathroom would remain at first floor level and a condition is proposed requiring that window to be finished in opaque glass and preventing the formation any additional openings in the east facing roof slope without the benefit of planning permission.
- 8.9 The north elevation contains a bedroom window at first floor level. The proposed window overlooks the neighbouring depot yard and any overlooking towards the gardens of the neighbouring residential properties at 8, 10 and 12 Ivy Terrace to the north east would be at an oblique angle. The remaining windows in the property meet with the recommended window to window distances specified in Advice Note 14 and the windows on the west elevation would be located further from the flats at 5 Suttieside Road than was originally approved as a result of the repositioned house.
- 8.10 The objections received raise concerns regarding the opening created in the east boundary wall as a result of demolition of the garages. This has been discussed with the applicant who has submitted plans showing the formation of a 2m high blockwork boundary wall. This would be a satisfactory boundary between the proposed house and the eastern neighbours at Ivy Terrace and a condition is proposed requiring the completion of that wall prior to the occupation of the proposed dwellinghouse.
- 8.11 I have taken account of the objections from neighbouring property and the modifications the applicant has made to the proposal to address these concerns including a new boundary wall and the deletion of two first floor window in the eastern facing roofspace. On balance, I am satisfied that the development would not have any unacceptable impacts on the amenity of the area or on the amenity of neighbouring residential properties and as a consequence complies with the final criterion of Policy SC2. In complying with this criterion of Policy SC2 the proposal is also considered to comply with criterion (a) of Policy S6.
- 8.12 In respect of the physical characteristics of the proposed development these elements fall to be considered against Policy S3 of the ALPR. The criteria of Policy S3 require development proposals to take account of factors such as site location and how the development fits with the local landscape character and pattern of development; proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings. The application proposes a 1½ storey dwellinghouse. This particular area of Forfar contains semi-detached and detached properties which are single, one and a half and two storeys in height. On this basis the provision of a detached 1½ storey dwellinghouse is consistent with the established scale of development. The basic design of the dwellinghouse reflects that proposed by application 08/01246/FUL with the only difference being the integral garage being replaced by a bedroom at the ground floor and some fenestration changes. On the basis that the dwellinghouse is comparable to that previously proposed at the site the design is considered acceptable. Precise details of the external material finishes have been provided and these materials are considered to be appropriate. The application is accompanied by information relating to site levels and the finished floor level of the dwelling. This information indicates there will be some minor alterations to the site levels which will result in the dwelling being set approximately 1.26m above the road level of Suttieside Road. The ground level within the application site would be raised by approximately 480mm relative to the road level of Suttieside Road. I am satisfied that the alterations to the site levels and the finished floor level of the dwelling would not raise any issues in the context of Policy S3. As such I consider

that the proposal complies with Policy S3 of the ALPR. In complying with the requirements of Policy S3 the proposal is also considered to comply with criterion (b) of Policy S6.

- 8.13 Policy S6: Development Principles identifies a number of factors which are considered relevant in the determination of the proposal. In terms of Schedule 1 the relevant criteria to this proposal are amenity, visual impact, roads/parking/access, drainage and waste management. As indicated above I am satisfied that the proposal would not give rise to unacceptable amenity or visual impacts. The Roads Service has been consulted on the proposals and has offered no objections to the application. As indicated above the applicant has provided confirmation from Scottish Water that the development can connect to the public water supply as well as their public waste water network. Scottish Water has been consulted on the application and has offered no objection to the development. The applicant has indicated that surface water would be directed to a sustainable urban drainage system (SUDS) and the proposed system would be located within the application site 5m from the south elevation of the dwellinghouse and has been approved by the Building Standards Service. A bin storage area can be provided within the curtilage of the dwellinghouse. The proposal does not give rise to any significant issues in terms of the remaining criteria of Schedule 1 and Policy S6. The proposal is therefore considered to comply with Policy S6 of the ALPR.
- 8.14 As the proposal complies with relevant policies of the local plan it is also considered to be compatible with Policy S1 criterion (a).
- 8.15 In terms of other material considerations, as indicated above it is relevant to consider that planning permission has previously been granted at the application site for the erection of a 1½ storey dwellinghouse of an identical footprint and height as proposed by this application. Although the dwellinghouse has been constructed 1.8m closer to the east boundary than previously permitted by 08/01246/FUL, as discussed above, it is not considered that the difference between the proposed and actual location of the dwellinghouse would have an overbearing or unacceptable impact on the amenity of the neighbouring properties. The applicant has sought to reduce the impacts on the neighbouring residential properties to the east by deleting the windows from the east facing roof slope which removes any direct overlooking to these properties. Taking into account these amendments I consider the development to be acceptable.
- 8.16 In conclusion I have had regard to previous determination made in relation to a new house on this site. I am satisfied that notwithstanding the concerns raised in the letters of objection the proposal generally complies with development plan policy and there are no material considerations that justify refusal of the application.
- 8.17 Members should note that, as this application is retrospective application, it would be necessary to initiate enforcement action to secure the removal of the works that have been undertaken to date in the event that planning permission was refused.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The decision to grant permission/consent, 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 decision 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 application be approved for the following reasons and subject to the following conditions:

Reason(s) for Approval:

The proposed development provides for a new house within a development boundary in a manner that complies with relevant policies of the development plan subject to conditions as specified in the decision notice. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. That notwithstanding the provisions of any Development Order no windows or other openings shall be formed in the east facing roof slope except as shown on the approved drawings unless otherwise first approved through the grant of planning permission on application to the planning authority.
Reason: In order to minimise overlooking of and associated loss of privacy to neighbouring property and in order that the planning authority may consider any subsequent proposals in the interests of residential amenity.
2. That prior to the occupation of the dwellinghouse the bathroom dormer window in the east facing roof slope shall be finished with opaque glazing and thereafter maintained in an opaque finish unless otherwise approved in writing by the planning authority.
Reason: In order to minimise overlooking of and associated loss of privacy to neighbouring property and in order that the planning authority may consider any subsequent proposals in the interests of residential amenity.
3. That prior to the occupation of the dwellinghouse the section of east boundary wall adjacent to 6 & 8 Ivy Terrace shall be reconstructed in accordance with the details shown on Drawing No. 2008/SRF/07 Site Section & Site Plan by A. B. Roger & Young, March 2015 unless otherwise approved in writing by the planning authority.
Reason: In order to safeguard the residential amenity of the occupiers of adjacent dwellings.

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.

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Date: 09.04.2015

Appendix 1: Relevant Development Plan Policies

APPENDIX 1 – RELEVANT DEVELOPMENT PLAN POLICIES

Angus Local Plan Review 2009

Policy S1: Development Boundaries

- (a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.
- (b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.
- (c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Policy S3: Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:

- site location and how the development fits with the local landscape character and pattern of development;
- proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;
- use of materials, textures and colours that are sensitive to the surrounding area; and
- the incorporation of key views into and out of the development.

Innovative and experimental designs will be encouraged in appropriate locations.

Policy S6: Development Principles

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

- (a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- (b) Proposals should not result in unacceptable visual impact.
- (c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.
- (g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- (o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- (p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).
- (q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)
- (r) Development should minimise waste by design and during construction.

Supporting Information

- (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Angus Council will impose conditions on any planning permission to prevent the use of holiday chalets for permanent residential occupation.

Policy SC2: Small Sites

Proposals for residential development on small sites of less than 5 dwellings within development boundaries should provide a satisfactory residential environment taking account of the following:

- compatibility with established and proposed land uses in the surrounding area;
- plot sizes compatible with those in the area;
- provision of at least 100m² private garden ground ; and
- maintenance of residential amenity and privacy of adjoining housing.

Proposals will also be required to take account of the provisions of Policy S6 : Development Principles.

Policy ER22: Public Drainage Systems

Within towns and villages served by public sewers all development proposals requiring drainage must be connected to the public drainage system. Private drainage solutions will not be permitted within areas served by public sewers, even where they are subject to constraint.

Policy ER24: Surface Water Disposal

Sustainable Urban Drainage Systems are preferred in dealing with surface water drainage from all new development. In considering development proposals Angus Council will consult and liaise closely with SEPA, Scottish Water and developers in order to ensure that appropriate methods of surface water run-off collection, treatment, decontamination and disposal are implemented to minimise the risk of flooding and the pollution of water courses, lochs and ground water.