

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE - 2 JUNE 2015**

**PLANNING APPLICATION - FIELD OPPOSITE CARNOUSTIE HIGH SCHOOL SHANWELL ROAD  
CARNOUSTIE**

**GRID REF: 355546 : 735241**

**REPORT BY HEAD OF PLANNING AND PLACE**

**Abstract:**

This report deals with planning application No. 15/00117/FULM for the creation of two full sized football pitches with associated drainage, including car parking, landscaping, boundary fencing and future provision of changing room containers for Angus Council on a field opposite Carnoustie High School, Shanwell Road, Carnoustie. 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 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 full planning permission for the creation of two full sized football pitches with associated drainage, including car parking, landscaping, boundary fencing and future provision of changing room containers on a field opposite Carnoustie High School, Shanwell Road, Carnoustie.

3.2 The application site, which extends to some 2.8 hectares, is entirely in agricultural use at present. The site is located on the northern periphery of Carnoustie and is bound to the north and west by further agricultural land. The southern boundary is formed by Shanwell Road, with Carnoustie High School and a residential area opposite. The eastern boundary is marked by Balmachie Road and David Moyes Road. Land beyond the eastern boundary is predominantly in residential use. The application site has a modest overall slope from north down to the south at Shanwell Road.

3.3 The proposal is to re-profile the agricultural land to form two 100 metre by 60 metre (m) football pitches orientated across the site from north to south. A new access, parking, drainage infrastructure and landscaping is also proposed. The proposal also identifies the proposed future provision of two changing room containers. The access is proposed to be located off David Moyes Road, which would lead to a hardstanding area (whindust and a small area of tarmac) providing up to 42 car parking spaces. Drainage is proposed through a Sustainable Urban Drainage System (SuDS), with collector drains from the fields draining to an underground

drainage facility. A soft landscaping scheme is proposed adjacent to the access point and around the perimeter of the site, involving the retention of trees and complementary tree and shrub planting. The site is to be demarcated by 2m high chain link boundary fencing - which increases to 3m and 5m behind goal areas for safety fencing.

3.4 This application requires to be determined by the Development Standards Committee because it falls within the category of 'major' development in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

3.5 The application has not been subject of variation.

3.6 The application has been subject of statutory neighbour notification and was advertised in the Dundee Courier.

#### **4. RELEVANT PLANNING HISTORY**

A Proposal of Application Notice (ref: 14/00028/PAN) for Development of Two Full Size Football/Rugby Pitches with Land Over for Car Access/Parking, Suds Detention & Landscaping was "Approved" on 31 January 2014.

#### **5. APPLICANT'S CASE**

As required by legislation, the applicant has submitted a Pre-Application Consultation Report and a Design and Access Statement in support of the application. These documents are summarised below:

- Pre Planning Consultation Report - This report provides specific details of the consultation processes undertaken, including public events at Carnoustie High School and a second event at Carnoustie Access Office, and engagement with consultees. A summary of the comments and consultee responses is provided. Of the 20 attendees 18 participated in a yes/no survey of support - 11 respondents (61%) were in support, citing the need to create high quality facilities, and 7 (39%) were against, citing concerns about parking, traffic issues, drainage and noise. The comment received were considered and the proposal revised with improved mitigation provided. Further engagement with local groups took place and a second public event was held, after which 99 responses to questions were received. On this occasion 81 (80.8%) were in favour and 18 (18.2%) were against the proposal, with the majority (64.4%) indicating that they would use the facilities. Concerns were again expressed that were similar in nature to the first event as well as comment about the need for other facilities, such as changing and toilet provision and the need for a larger car park. These comments have been addressed within the proposal.
- Design and Access Statement - Highlights that the proposal would create a year-round facility for the benefit and use of local clubs and the wider public. The design and specification of the proposed facilities are compliant with SportsScotland guidance. The site will be complemented by soft landscaping treatment and fencing to provide screening and protection to neighbouring houses and land uses.

#### **6. CONSULTATIONS**

6.1 **Community Council** - There was no response from this consultee at the time of report preparation.

6.2 **Angus Council - Roads** - No objection is raised to the application but it is recommended that planning conditions be attached to any permission granted covering visibility splays, formation of a crossing, relocation of a bus stop and provision of parking spaces.

6.3 **Scottish Water** - There was no response from this consultee at the time of report preparation.

6.4 **Angus Council - Environmental Health** - Raise no objection to the proposal.

- 6.5 **Angus Council - Flood Prevention** - Have no objection to the principle of the proposed drainage; however, further details on the drainage scheme must be provided prior to the commencement of construction.
- 6.6 **Angus Council - Education** - There was no response from this consultee at the time of report preparation.
- 6.7 **Angus Council - Parks and Burial Grounds** - There was no response from this consultee at the time of report preparation.
- 6.8 **Aberdeenshire Council Archaeology Service** - Advise that the application site occupies an area within proximity of a known archaeology site containing crop marks with evidence of prehistoric and medieval activity. Taking this in to consideration it is requested that a suspensive planning condition be attached to any permission granted to ensure that a programme of archaeological works is in place.
- 6.9 **Angus Council - Transport Section** - Advise that should the existing bus stop require to be relocated necessary arrangements must be made for its relocation.
- 6.10 **Sportscotland** - Confirm that they are not a statutory consultee for this application but do not object. Advice is provided on the technical standards for the pitches and general provisions.

## 7. REPRESENTATIONS

There were no letters of representation.

## 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 As the application is not of strategic importance the policies of TAYplan are not referred to in this report and the policies of the Angus Local Plan Review form the basis for the consideration of the proposal. The relevant local plan policies are reproduced at Appendix 1.
- 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 2014 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 has been published with a formal period for submission of representations. 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 majority of the application site is located within the development boundary for Carnoustie as defined by the Angus Local Plan Review (ALPR). Similarly, much of the site is allocated on the proposals map as Site C12 for the development of a recreational sports ground and associated facilities including a new access road and car parking. As such Policy C12 of the local plan is of primary relevance.
- 8.6 Policy C12 identifies that 2.25 hectares of land at this location is allocated for development as a sports ground and associated facilities. In this case the proposal is for the creation of two full-sized football pitches, associated drainage, car parking, landscaping, boundary fencing and the possible future provision of changing room containers. The proposed use and associated development is entirely consistent with the objectives of this policy and therefore the proposal complies with Policy C12.
- 8.7 A small portion of the application site (approximately 0.55ha) lies outwith but contiguous with the development boundary to the north and west. For this proportion of the application site Policy S1(c) of the ALPR is relevant. This policy advises that development proposals in such areas 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.
- 8.8 The proposal would enhance the sports and recreational offering within Carnoustie and the provision of such improved facilities is considered to be in the public interest. Furthermore, the provision of sports pitches and facilities would provide potential health and wellbeing benefits in terms of increased opportunity to participate in sporting activities. The pre-application consultation undertaken lends some support to this view. The nature of the proposed development would not significantly adversely affect the landscaped setting of the town and the incorporation of a small area of land outwith the development boundary to ensure the successful delivery of the wider development does not conflict with Policy S1(c).
- 8.9 Policy ER30 of the ALPR requires consideration of prime agricultural land. Proposals for development that would result in the loss of prime land and/or have a detrimental effect on that viability of farming units will only normally be permitted where the land is allocated by the local plan or is considered essential for implementing the Local Plan strategy. Land capability for agriculture data identifies the application site comprises entirely of Class 1 land, the best quality of prime agricultural land which would be lost from productive use if the site was developed. There is no evidence that the proposal would result in a farming unit becoming unviable. However, the use of land in this area for provision of sports facilities is identified and allocated within the Carnoustie Proposals Map. The proposed development would contribute towards the plan's development strategy to encourage local development which supports the population and services of the local community. Therefore, the loss prime agricultural land on this occasion is considered to be outweighed by the benefits the development would have to the local community.
- 8.10 As the proposal is for new sports and recreational facilities, Policy SC31 is also relevant. In relation to this policy the site is largely located within a development boundary and proposed facilities would significantly improve the range and quality of sport and recreational opportunity within Carnoustie. In this respect the principle of the development is compatible with Policy SC31. The remaining criteria associated with this policy relate to the appropriateness of the scale and nature of the development, the acceptability of its impact on residential amenity, and to its compatibility with other policies of the local plan and these matters are discussed below.
- 8.11 The principle of the proposed development at this location is considered to be acceptable as the majority of the site is allocated for the proposed use in the local plan and there is a public interest to develop adjacent land to facilitate the proposed pitches and facilities. The scale of the development would be typical of sports pitches and playing fields, such as those found within the grounds of Carnoustie High School. This scale is considered to be appropriate and would create no adverse landscape impacts. The Environmental Health Service has been consulted in relation to amenity impacts that may arise from the sports pitches and has offered no objection on the basis of the submitted proposal. The proposed pitches are a similar distance to residential properties as is typical within urban areas. On the basis of the above, the scale, nature and

impact of the proposal on residential amenity is considered to be acceptable and the proposal is therefore compatible with the relevant elements of policies SC31, ER11 and S6.

- 8.12 Policy S3 of the local plan encourages a high quality design in all developments. In this case, the design and access statement submitted provides reasoning of the proposed approach to the siting, design and layout of the proposed development. The proposed layout comprises the formation of the two football pitches in the central and western areas of the site, with access and parking proposed to the east, off David Moyes Road. The possible future provision of changing rooms has been identified, with these structures located centrally adjacent to the access point and parking area. Whilst this general location is considered acceptable no details of the proposed containers has been provided and these are indicated as forming a future phase of development and are therefore not considered as part of this application. The development is proposed to be complemented with landscaping achieved through the retention of existing trees to the south and provision of tree planting adjacent to the access and parking area and shrub planting along boundaries. Overall the layout and design of the proposal is considered acceptable for this location and will represent a sympathetic solution to the peripheral location on Carnoustie's northern boundary, ensuring it integrates well within the landscape. The details for the proposed landscaping and boundary treatments are recommended to be sought through planning conditions. The proposal would not give rise to any unacceptable visual impacts. Whilst the height of the protective fencing is relatively large in scale, the appearance of such fencing will be verified through a planning condition to ensure it is not visually unacceptable. As such the application would be acceptable in the context of Policy S3 and it would not give rise to any issues in relation to the visual amenity considerations of Policy S6. Similarly, the proposal therefore raises no conflicts with respect to Policy S6 or ER5 in respect of adversely affecting landscape character.
- 8.13 Policy S2 of the local plan deals with the accessibility of development proposals. Criteria within Policy S6 also require consideration of matters relating to roads, parking and access. In terms of accessibility, the Council's Transport Service has identified that the proposed access road serving the development would be adjacent to an existing bus stop. This provides adequate provision for accessibility to public transport. It is advised that should this bus stop require relocation the developer should make the necessary arrangements and a planning condition is recommended to address this matter if this is ultimately necessary. The Roads Service has raised no objection to the proposal, subject to planning conditions requiring the provision of visibility splays, the provision of a footway/verge crossing at the proposed access, the provision of parking spaces and the aforementioned relocation of the bus stop. Subject to the conditions requested by the Roads Service the proposal can be accommodated within the local road network. Overall, the site is well located in terms of accessibility for the uses proposed. On that basis, the proposed development would be acceptable and comply with Policy S2 and the relevant aspects of Policy S6.
- 8.14 Policies ER28 and S6 address the matter of flood risk. It is noted that no part of the site is illustrated on the Scottish Environment Protection Agency's (SEPA's) flood maps as being at risk from flooding. On the basis of the available information the development would be acceptable and compatible with local plan policy in respect of flood risk.
- 8.15 In terms of drainage, Policy ER24 and Policy S6 are relevant. The proposal indicates connection to the public foul drainage system; Scottish Water has raised no objection to this proposal. The applicant is however aware that a Development Impact Assessment will be required by Scottish Water, separate to the planning process. In terms of surface water drainage the applicant proposes a SUDS arrangement for dealing with the discharge of surface water and this involves filter drains running the length of the two pitches, collecting at the south of the site in to a collector drain, which in turn drains to an underground drainage facility (comprising a detention pond partially filled with stone material). The Roads Service has considered this proposal and, subject to verification of further details prior to the commencement of construction, has raised no objection. The submission of these details can be secured through a planning condition.
- 8.16 Aberdeenshire Council Archaeology Service has been consulted and has not raised any concerns, subject to a condition being attached requiring a programme of archaeological works to be submitted. This approach ensures that the objectives of Policy ER19 will be met.

- 8.17 In conclusion, the application will provide new sports and recreation facilities within the town in a manner that complies with the development plan. The application, subject to the planning conditions recommended, complies with relevant development plan policy and there are no material considerations that justify refusal of the application contrary to the provisions of the development plan.
- 8.18 The Council has a financial interest in the application. However, the proposal is not significantly contrary to the development plan and there is therefore no requirement to notify Scottish Ministers in the event that committee determines to approve the application.

## **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 the application be Approved subject to conditions for the following reasons, and subject to the following condition(s):

### **Reason(s) for Approval:**

That the proposal will provide new and enhanced sports provision in a manner that complies with relevant policies of the development plan. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

### **Conditions:**

1. That prior to the commencement of development a scheme for precise details of the landscaping associated with the proposal shall be submitted to and approved in writing by the Planning Authority. Once agreed, the landscape plan shall be implemented in full accordance with the approved details and all planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of use of the new building hereby approved or at earlier stages. Any plants or trees which, within a period of 5 years from the commencement of use die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

*Reason: In the interests of meeting the landscaping requirements of the Planning Authority, to assist the integrating the development within the wider landscape and to ensure subsequent maintenance.*

2. That prior to the commencement of development hereby approved, the following details shall be submitted to and approved in writing by the Planning Authority: -

(a) Specifications of all fencing;

- (b) Full details of the proposed Sustainable Urban Drainage System (SUDS);
- (c) A scheme for the provision of a minimum of 10 'Sheffield' style cycle racks. These shall be conveniently located for the main public entrance to the development and shall be covered, lit and adequately signed.

Thereafter the development will be carried out in complete accordance with approved details. The fences and SUDS system must be installed and the cycle racks provided prior to the use of the football pitches.

*Reason: In the interests of the appearance of the development, to ensure safety measures are in place; to ensure the provision of a satisfactory surface water drainage scheme and to ensure adequate provision for cyclists.*

- 3. That no works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Aberdeenshire Council Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Aberdeenshire Council Archaeology Service.

*Reason: To safeguard and record the archaeological potential of the area.*

- 4. That, prior to the commencement of development, visibility splays shall be provided at the junction of the proposed access with David Moyes Road giving a minimum sight distance of 43 metres in each direction at a point 2.4 metres from the nearside channel line of David Moyes Road.

*Reason: To ensure a safe and suitable access, in the interests of road safety.*

- 5. That, within the above visibility splays stated in Condition 4, nothing shall be erected, or planting permitted to grow to a height in excess of 1050mm above the adjacent road channel level.

*Reason: To provide and maintain adequate sightlines, in the interests of road safety.*

- 6. That, prior to the use of the football pitches, the footway/verge crossing at the proposed access shall be formed and constructed in accordance with the National Roads Development Guide (SCOTS).

*Reason: To provide a safe and satisfactory access in a timely manner.*

- 7. That prior to the commencement of development a scheme for the relocation of the existing bus stops on David Moyes Road (if deemed necessary by the Roads Authority) shall be submitted to and approved in writing by the Planning Authority. Thereafter the bus tops shall be relocated in accordance with the approved scheme before any access to the site is formed.

*Reason: To provide a safe and satisfactory public access to the bus stop.*

**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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**Appendix 1: Development Plan Policies**

## 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 S2 : Accessible Development**

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

- are or can be made accessible to the existing or proposed public transport networks and make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances and allow easy access for the mobility impaired.
- provide and/or enhance paths for walking and cycling which are safe, provide pleasant routes, are suitable for use by the mobility impaired, and link existing and proposed path networks;
- are located where there is adequate local road network capacity or where capacity can be made available.

#### **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 (Schedule 1)**

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.

### **Policy SC31 : Sports and Recreation Facilities**

Development proposals for new and/or enhanced sport and recreational facilities should be located within the existing development boundaries, unless requiring a countryside location. Proposals will be supported where they:

- would significantly improve the range and/or quality of sport and recreational opportunity; or
- would meet an identified community need; and

- are of an appropriate scale and nature, and in a location which would not have a significant detrimental impact on residential amenity;
- would accord with other relevant policies of this Local Plan.

### **Policy SC41 : Bus Transport**

Angus Council will:

- promote the improvement of passenger waiting infrastructure including the provision of bus lay-bys, bus stops, shelters and interchange facilities conveniently located for access to and from housing, employment, shopping and other main destinations;
- promote the improvement of passenger information facilities by extending Real Time Information facilities across Angus;
- make provision for bus transport as part of the upgrading of the A92 between Arbroath and Dundee including bus laybys, bus stops and shelters at locations which are well related to existing facilities and path networks and allow safe and easy access by the communities along this route.

### **Policy ER4 : Wider Natural Heritage and Biodiversity**

The Council will not normally grant planning permission for development that would have a significant adverse impact on species or habitats protected under British or European Law, identified as a priority in UK or Local Biodiversity Action Plans or on other valuable habitats or species.

Development proposals that affect such species or habitats will be required to include evidence that an assessment of nature conservation interest has been taken into account. Where development is permitted, the retention and enhancement of natural heritage and biodiversity will be secured through appropriate planning conditions or the use of Section 75 Agreements as necessary.

### **Policy ER5 : Conservation of Landscape Character**

Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.

### **Policy ER11 : Noise Pollution**

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere.

Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise-sensitive land uses. Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.

### **Policy ER19 : Archaeological Sites of Local Importance**

Where development proposals affect unscheduled sites of known or suspected archaeological interest, Angus Council will require the prospective developer to arrange for an archaeological evaluation to

determine the importance of the site, its sensitivity to development and the most appropriate means for preserving or recording any archaeological information. The evaluation will be taken into account when determining whether planning permission should be granted with or without conditions or refused.

Where development is generally acceptable and preservation of archaeological features in situ is not feasible Angus Council will require through appropriate conditions attached to planning consents or through a Section 75 Agreement, that provision is made at the developer's expense for the excavation and recording of threatened features prior to development commencing.

#### **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.

Proposals that adopt ecological solutions to surface water management which promote local biodiversity by the formation of ponds and/or wetlands for example, and create or improve habitats will also be encouraged.

#### **Policy ER30 : Agricultural Land**

Proposals for development that would result in the permanent loss of prime quality agricultural land and/or have a detrimental effect on the viability of farming units will only normally be permitted where the land is allocated by this Local Plan or considered essential for implementation of the Local Plan strategy.

#### **C12 : Sports Ground, Shanwell Road**

2.25 ha of land north of Shanwell Road and west of Balmachie Road is allocated for the development of a recreational sports ground and associated facilities, including new access road and car parking.