

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 16 SEPTEMBER 2014**

**PLANNING APPLICATION – LAND AT MARY COUNTESS WAY, GLAMIS**

**Grid Ref: 338386:746404**

**REPORT BY HEAD OF PLANNING AND PLACE**

**Abstract:**

This report deals with planning application No. 14/00345/FULL for the erection of 21 dwellinghouses and garages/car ports (revised application to amend part of planning permission ref 03/00204/FUL to replace 12 dwellinghouses with 21 dwellinghouses) for FJE Homes on land at Mary Countess Way, Glamis. This application is recommended for conditional approval. ([Plan](#))

**1. RECOMMENDATION**

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

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ COPORATE 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 erection of 21 dwellinghouses and garages/car ports (revised application to amend part of planning permission ref 03/00204/FUL to replace 12 dwellinghouses with 21 dwellinghouses) on land at Mary Countess Way, Glamis.

3.2 The application site, which measures 1.15 hectares in area, is located on the north side of the A94 at Glamis and comprises part of a housing site which is partially complete. The site extends from the cemetery at the west to the rear of the houses which front onto Dundee Road in the east. To the north of the site is Strathmore Terrace which comprises single storey dwellings constructed in the 1960/70s and the remainder of the existing housing site. The site is located in a prominent location adjacent to the A94 and although set back from the edge of the A94 by a wide road verge and at a lower level than the road, the site has a frontage to the road in excess of 200 metres.

3.3 The proposal involves the erection of 21 dwellings comprising 15 single storey, 4 x two storey and 2 x one and a half storey dwellings. The dwellings are arranged around three courtyards with single storey property proposed along the southern and eastern boundaries of the site with the remaining property located in the central and western parts of the site. The existing vehicular and pedestrian access arrangements to the site would be utilised and the application form indicates that the public sewer would be used for foul drainage and sustainable drainage would be utilised for surface water management. The plans identify landscaping and boundary enclosures for the proposed houses, with a beech hedge proposed to surround the site with some peripheral trees planted along the southern and western site boundaries. Between houses, stone walls are generally proposed along the site frontage, with timber fences surrounding rear gardens.

3.4 The application has been varied to reduce the number of houses proposed from 23 to 21 with associated changes to house types (Drawing Number 13-167-004 Revision L dated 17 Oct 13 amends and supersedes Drawing Number 13-167-004 Revision K dated 17 Oct 13).

3.5 The application has been subject of statutory advertisement in the local press.

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

4.1 Erection of 24 Dwellinghouses with Associated Works (ref: 03/00204/FUL) was approved subject to conditions on 23 June 2003.

4.2 Change of House Types at Plots 8,9,13,14,18 and 19 was approved conditionally on 20 June 2007 (ref: 07/00581/FUL). This related to the plots along the A94 (southern boundary of the site).

4.3 Change of House Type at Plot 10 (ref: 10/00238/FULL) was approved conditionally on 11 May 2010.

4.4 Amendment to Second Phase 03/00204/FULL to replace 14 houses with different house types and increase the number of dwellings to 24 Units (ref: 13/01141/FULL) was submitted but withdrawn on 27 January 2014.

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

5.1 The applicant has submitted the following documents to support the application:-

- Design Statement
- Response to representations

These documents are summarised below (this is a summary of comments made by the applicant).

5.2 The design statement explains the approach taken in formulating the proposal and provides a description and analysis of the site location, site history, site analysis and context, planning policy context, the evolution of the layout, the design evolution, landscape and ecology, access and movement and climate change impact.

5.3 The response to representations makes additional comments in response to the third party comments received (*these comments were made prior to the amendments to the application to reduce the number of houses from 23 to 21*). It suggests that the total footprint of the development (prior to modification to reduce the number of houses proposed) would only increase by 7% across the site. It suggests that two storey dwellings were already approved on the site and that the ridge heights have been reduced from the previous scheme. Housing quality would be maintained with high quality external finishes incorporating nature stone and slate. The design of the proposed houses attempts to reflect the smaller and simpler detailed dwellings of the core conservation area. In terms of parking, every house meets with the council's parking standards. Fears regarding in infilling of car ports could be addressed through planning controls if this was considered necessary. The issue of drainage capacity could be handled through suspensive planning condition. The soft landscaping proposals include beech hedging along the perimeter of the site with tree and shrub planting in addition. In terms of overshadowing of existing housing to the east, the houses have been designed as single storey and positioned to the west of the plots. Overshadowing would not be increased as a result of this development to a greater extent than the previous permission for the site and overshadowing information has been submitted to demonstrate this.

#### **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 objections

6.3 **Scottish Water** - No objections, however, there may be limited capacity at Glamis Wastewater Treatment Works to serve this new demand. Therefore, the developer should discuss the implications directly with Scottish Water.

- 6.4 **Aberdeenshire Council Archaeology Service** - No objections, on condition that the applicant carries out a programme of archaeological works prior to the development of the site.
- 6.5 **Angus Council - Housing Service** has indicated that a development of 21 houses would require to include appropriate provision for affordable housing in line with Policy SC9 (15% in this area). They indicate that the current housing list for the Forfar landward area includes 28 families seeking 3 bedroom accommodation and 49 families seeking 2 bedroom accommodation. Suitable options for the site may include shared equity accommodation on-site.
- 6.6 **Angus Council Landscape Services** - No objections, on the understanding that £500 per house is provided by the applicant towards the upgrade of existing play equipment in Strathmore Terrace, Glamis.
- 6.7 **Angus Council Education Service** has indicated no objection to the proposal. The school roll for Glamis PS is 53 (capacity of 75) and Webster's High School roll is 741 (capacity of 880) and as such capacity exists to accommodate the proposed development.

## 7. LETTERS OF REPRESENTATION

Ten (10) letters of objection (from 7 properties) have been received in relation to the proposal. The letters will be circulated to Members of the Development Standards Committee and a copy will be available to view in the local library and on the council's Public Access website. In summary, the issues raised relate to:

### Points in objection

- Density & design;
- Inappropriate use of car ports and potential for them to be changed to garages in future;
- Adverse effects on tourism;
- Privacy and amenity (inc. sunlight/daylight/overshadowing);
- Noise from families & air pollution from BBQs;
- Inadequate drainage provision;
- Lack of school capacity;
- Impact on conservation area and setting of village and Glamis Castle (view from A94 cross site);
- poor quality fencing eyesore;
- community views have been ignored by developer;
- no 2 storey houses should be allowed;
- developer profits should not be relevant;
- conflict with local plan;
- inadequate car parking;
- no space for refuse bins; and
- inadequate garden ground.

The above matters are discussed under Section 8, Planning Considerations below.

## 8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 key development plan policies relevant to consideration of this application are provided in the Appendix and have been taken into account in the preparation of this report.

### Principle of the increase in the number of houses on the site

- 8.4 The site was originally allocated for development in the first local plan (Angus Local Plan, 2000) with the following narrative:-

**Proposal G/H1: Dundee Road.**

**1.9 ha of land at Dundee Road is allocated for development of 24 houses with access taken from Dundee Road. The high voltage electricity line which crosses the site must be re-routed. The boundary of the site alongside the A94 should be landscaped to provide a noise buffer and screening.**

*8. This irregularly shaped greenfield site slopes fairly evenly northwards away from the A94 and is bounded by existing housing, the cemetery extension and the Dundee Road. The site is peripheral to the village and adjacent development is single storey housing, the form of development should reflect this context and should be of a high standard in keeping with the high profile tourism role of Glamis. The site capacity is restricted to 24 units reflecting the constraint on the drainage system. At such time as the WWTP is upgraded, the site could accommodate more dwellings provided the overall development is in keeping with the character of the village.*

- 8.5 The current local plan (Angus Local Plan Review, 2009) safeguards the site for housing through Policy SC1. The narrative relating to this site contained within the Glamis village statement indicates any future development should be of a high quality which respects the historic character and setting of the village and does not detract from its role as a focus for tourism. It states *'the Waste Water Treatment Plant (WWTP) serving Glamis has capacity issues. The site at Dundee Road West was allocated in the first Angus Local Plan as a housing allocation, but limited to 24 houses. Planning permission has now been granted for this project, and consequently the drainage threshold for Glamis has now been reached. Further development will depend on investment in the WWTP although there is no project in Scottish Water's Investment Plan to resolve this issue. Angus Council will press Scottish Water for resolution of this drainage problem to enable appropriate future development and the attraction of new investment to Glamis.*
- 8.6 The proposal seeks to increase the overall number of houses on the site from 24 to 33. Ten houses have been completed to date in the northern part of the site. Two houses remain undeveloped at the centre of the site, and the remainder of the site forms part for the application for 21 houses. The increase in housing numbers within the site by 9 units would not have any significant implications for the local plan housing strategy for the Forfar, Kirriemuir and the Angus Glens Housing Market Area and, subject to technical considerations, the principle of nine additional housing units raises no tensions with the development plan.
- 8.7 The technical considerations identified above include (1) layout, form, design and density of housing; (2) the availability of drainage to serve the proposed development; (3) the impact of the proposed housing on the privacy and amenity of neighbouring property; (4) other local plan considerations including affordable housing, education provision, road access and pedestrian safety.

**Design, layout, form and density of housing**

- 8.8 The houses proposed in the southern part of the site would be arranged around the existing approved road layout for the site which is effectively formed by three small cul-de-sacs served by an access road from the north. The plans indicate that the houses would be grouped in three courtyards using a shared surface public area, with houses fronting onto the courtyard and arranged in a rectilinear form with ridges parallel to the street. To the north, the houses front onto the access road and are again arranged so that the overall grouping appears rectilinear with the ridges running parallel to the street. Single storey housing is arranged along the southern boundary and at the eastern end of the site which reflects the scale of the houses approved in those areas in the extant planning permission. Four, two-storey houses and two, one-and-a-half storey houses are proposed along the east-west access road to the north of the site. The houses in the centre of the site generally reflect the position and scale of houses previously approved with the introduction of two storey housing at the western boundary of the site adjacent to the cemetery. While the number of two storey houses within the site would increase, I consider that they have been positioned in less sensitive parts of the site, in the centre and at the west where the land level is lower than at the southern end of the

site which should allow these houses to sit down within the site, reducing their prominence from outwith the site.

- 8.9 In terms of design, the houses are laid out using relatively simple plan forms and design details including vertically emphasised windows and a reasonable solid to void ratio. This provides a reference to the traditional buildings found within the historic core of the village. The materials proposed include natural stone, render, timber and slate for the roofs which are appropriate materials for the area. The house types are generally acceptable with houses either rectilinear in form (narrow plan, wide frontage) or arranged in groupings so that the building group collectively appears rectilinear. The Methven House Type (one-and-a-half storey) has been introduced with the intention of mixing the ridge heights in the centre of the site. The design appears top heavy with a large roof in comparison to wall height. A condition is proposed requiring the introduction of dormer windows in place of the proposed rooflights on the principal/street elevations of those buildings in order to improve the design.
- 8.10 In terms of density, the proposed houses would be arranged in a higher density than the first phase of the development to the north. Plot sizes range from 828sqm to 303sqm, with private garden ground areas generally above 100sqm, with the exception of two plots at 72sqm and 76sqm respectively. In judging the acceptability of the proposed density, it is noted that the historic core of the village is higher in density with primarily terraced housing hard on the heel of the road/footpath. Other development around the village is at a lower density than the historic core, with a number of detached houses along Dundee Road and terraced and semi-detached housing to the immediate north of the site in Strathmore Terrace and Strathmore Road. The proposed site layout is closer to the density of existing housing to the north of the site than the currently approved scheme. On balance, I do not consider the increase in density proposed as part of the application to be at odds with the character of the area and consider plot sizes and garden ground levels to be acceptable.
- 8.11 Ground level information has been submitted in support of the application to show that the proposed houses would not be higher than the previously approved houses. However, the number of properties greater than single storey (i.e. one-and-a-half stories and two storey) would increase which would result in a more restricted view across the site than the earlier scheme. The amended plans submitted by the applicant involve the deletion of two, two-storey houses within the development and their replacement with one, single storey dwelling at plot 27. This should help maintain views across the site towards the Conservation Area and the Glamis Castle Designed Landscape.
- 8.12 Connecting walls are proposed in the courtyards to link the houses. Timber fences are generally restricted to private areas to the rear of houses with the exception of some visible areas in the courtyards. Planning conditions are proposed to seek agreement for boundary enclosures to ensure that timber fences are restricted to private parts of the site and higher quality boundaries are used in the public realm.
- 8.13 Overall, I consider that the design of the scheme to be compatible with Policy S3 and the requirements of the Glamis village statement which requires development to be *high quality and respect the historic character and setting of the village and... not detract from its role as a focus for tourism.*

#### **The availability of drainage to serve the proposed development**

- 8.14 Policy ER22 of the local plan indicates that development requiring a drainage connection within areas serviced by a public sewer must be connected to the public drainage system. The application form indicates that the development would connect to the public sewer for foul drainage and sustainable drainage would be used for surface water. It is noted that lack of foul drainage capacity to serve the proposed development is raised in a number of the objections received and is also noted within the local plan village statement for Glamis. In its consultation response to the planning application, Scottish Water has indicated that, while it has no objection to the application, *there may be limited capacity to service this new demand.*
- 8.15 The applicant has acknowledged the likely need for improvements to the public drainage infrastructure, but has requested that any planning condition relating to foul drainage be applied to the additional 9 houses proposed only; rather than the proposal as a whole. They suggest that this would allow completion of houses close to existing neighbours which would improve the amenity of those properties as they would no longer have to look into a building site. A negative suspensive condition can be applied to planning permissions where works

are required which are outside of the applicants control, such as the provision of sewerage facilities by the sewerage authority. In this case, any works required to the waste water treatment plant would not be within the control of the applicant and as such any planning condition attached must be a negatively worded suspensive condition preventing development commencing until the requisite works are undertaken.

- 8.16 The applicant has indicated that they have funding to facilitate the works and as such I am satisfied that foul drainage provision could be made in accordance with Policy ER22 and foul drainage should not be an issue which would justify the refusal of planning permission. The use of sustainable means of surface water drainage would be in accordance with policies S6 and ER24.

#### **Impacts on the privacy and amenity of neighbouring property**

- 8.17 Policy S6 indicates that the amenity of proposed and existing property should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or noise; or by vehicular or pedestrian traffic. Objections have been received from residential property adjacent to the eastern boundary of the site relating to impacts on amenity.
- 8.18 In respect of privacy and amenity, I do not consider that the proposal would give rise to any unacceptable issues. The houses proposed on plots 31 to 33 along the east of the site are further away from the boundary of the site than the originally approved houses, albeit it is noted that three smaller houses are proposed in this location rather than the originally approved larger two. Plot 31 would be approximately 18.5m from 23 Dundee Road; plot 32 would be 19.5 away from 21a Dundee Road; plot 33 would be 16m from 21 Dundee Road; and plot 33 would be approximately 13m away from 19 Dundee Road, albeit at an oblique angle. The houses proposed in this location are all single storey and would not result in the overlooking of the existing houses or their gardens to an unacceptable degree. A boundary hedge is proposed to provide a soft landscaped buffer between existing and proposed plot curtilages.
- 8.19 In respect of sunlight and daylight, I do not consider that the proposed houses would cause an unacceptable level of impact. At the east of the site, the previous planning permission would have allowed a large house close to the boundary which would have likely have had a greater impact in terms of overshadowing on 21 and 21a Dundee Road. I do not consider the distances proposed between the existing properties on Dundee Road and the proposed houses at the east of the site would cause an impact on sunlight and daylight that would be so great as to justify the refusal of planning permission.
- 8.20 Two storey housing is proposed at the north of the site which has the potential to introduce overlooking of existing dwellings. In this case, the two storey houses proposed on plots 7, 8, 13, and 14 would meet with the council's guideline distances for overlooking of garden areas and the distances between the properties would be in excess of 20m.
- 8.21 The application, as originally submitted, proposed 23 dwellinghouses on the site but has been revised to reduce that number to 21, with three single storey houses rather than four now proposed along the eastern site boundary; and all property proposed within 50 metres of the eastern site boundary reduced to single storey. These amendments were proposed by the applicant to take account of the objections received and while they may not have overcome those objections, they have reduced the impacts of the proposal on existing property to the east. The introduction of housing on any site which is adjacent to existing housing will generally lead to some change in the amenity of existing households where previously those houses backed onto undeveloped land. I note the concerns raised in the objections and I also note the changes to the scheme the applicant has proposed in an attempt to address those concerns, particularly the reduction in the number of houses at the east of the site. On balance, I am satisfied that the proposal should not result in any unacceptable adverse effects on existing residential amenity and as such the proposal would be in accordance with Policy S6.

#### **Other local plan considerations (Education, Affordable Housing, Roads etc).**

- 8.22 Capacity within the local school has been raised within the representations received. The school census information indicates that there would be capacity within both the primary school at Glamis and the secondary school in Kirriemuir to accommodate the proposed development and the Education Service has confirmed it has no objection.

- 8.23 The scale of development proposed triggers the requirement for affordable housing under Policy SC9 and there is demand for family housing within this area on the Council's housing list. The Housing Service has confirmed that affordable housing should be provided at 15% of the proposed development which equates to three units. A planning condition is proposed which requires a scheme for the provision of affordable housing and this could take the form of onsite provision or potentially a financial contribution towards offsite provision. This would be negotiated between the developer, the Planning Service and the Housing Service but Housing has indicated a preference for shared ownership housing on site.
- 8.24 Policy SC33 deals with open space provision and no open space is proposed on-site. Landscape Services has indicated that the play area at Glamis would benefit from improvements to the equipment within it and a financial contribution of £500 per house over and above those previously granted permission (£4,500) has been requested towards offsite improvements to existing open space. This contribution could be secured by an appropriate legal agreement or planning obligation.
- 8.25 Parking has been raised in the representations received as a source of concern. The applicant has indicated that parking would be provided in accordance with the Council's parking standards and the Roads Service is satisfied that this could be achieved subject to some minor alterations to plot boundaries to ensure two spaces per dwelling within each plot. Access to the public road would be taken through the first phase of development utilising the existing access to Dundee Road and this is satisfactory in road safety terms.
- 8.26 Planning legislation requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. Subject to the planning conditions and planning obligation (or equivalent) proposed, I am satisfied that the development would meet the relevant policy tests. While the applicant has not overcome all of the concerns raised by third parties, I consider that the amendments made to the application, particularly in relation to the impact on housing to the east where the number and scale of housing units proposed has been reduced, to be sufficient to make the proposal compatible with relevant development plan policy. There are no material considerations that justify the refusal of planning permission contrary to the provisions of the development plan.

## **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 subject to the following conditions and planning obligation.

### **Planning obligation (or equivalent)**

That a financial contribution of £500 per house for each of the nine house over and above those previously approved on the site is provided to allow for offsite improvements to existing open space.

## Conditions:

1. No works in connection with the planning permission hereby approved shall commence until the following has been submitted to and approved in writing by the Planning Authority:-
  - (i) Evidence that the public drainage system has capacity to accommodate foul drainage from the entire development. This shall include written confirmation from Scottish Water that any required upgrade to infrastructure has been completed or that no such upgrade is required. Thereafter, foul drainage from all houses shall be connected to the public drainage system prior to occupation of any house.
  - (ii) Amended elevations for the proposed Methven house type which include dormer windows on the principal/street elevation. Thereafter, the Methven house type shall be built in accordance with the revised details approved by this condition.
  - (iii) Amended site layout so that all parking is contained within plot boundaries. For clarification, no parking shall be positioned on the proposed service strips and all houses shall have a minimum of two parking spaces. Thereafter, the parking arrangements shall be provided in accordance with the approved details prior to the occupation of the respective dwelling.
  - (iv) Amended boundary enclosures for the courtyard areas so that no 1.8m timber fences front onto the shared courtyard areas including the boundaries for plots 8, 12, 14, 15, 25 and 27. The submitted information shall include details of the timing for the provision of those boundary enclosures.
  - (v) A legally binding scheme for the provision of 15% affordable housing or suitable alternative provision in accordance with Policy SC9 of the Angus Local Plan Review and Angus Council Affordable Housing Implementation Guide or any subsequent policy or guidance that replaces it.
  - (vi) The implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Aberdeenshire Council Archaeology Service, and 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.
  - (vii) Drawings showing site levels, including finished floor levels relative to finished ground levels and current site levels. Thereafter the houses shall be completed in accordance with the approved levels prior to the occupation of any house.

*Reason:* (i) in order to ensure that capacity exists within the public drainage network to serve the proposed development; (ii) to ensure design improvements to the proposal in accordance with Policy S3 Design Quality of the Angus Local Plan Review (2009); (iii) in order to ensure the appropriate provision of car parking within the site; (iv) in order to ensure that high quality boundary enclosures are provided in the public areas of the site; (v) in order to ensure that affordable housing is provided in accordance with Policy SC9 of the Angus Local Plan Review (2009); (vi) in order to safeguard and record the archaeological potential of the area; (vii) in order to protect the visual amenity of the area.

## 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.

P&P/IM/ET/IAL

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Date: 3 September 2014



## APPENDIX 1 – RELEVANT DEVELOPMENT PLAN POLICIES

### Angus Local Plan Review 2009

#### **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 SC9 : Affordable Housing**

Angus Council will seek to secure the provision of affordable housing from housing developments on allocated sites, opportunity and windfall sites which will contribute towards meeting identified needs in each Housing Market Area as follows:-

- Arbroath – 20% LCHO housing;
- Brechin/ Montrose – 25% LCHO housing;
- Forfar, Kirriemuir and Glens – 15% LCHO housing;
- South Angus – 40% social rented and/or LCHO housing.

The requirement for affordable housing in each Housing Market Area will be applied to the overall capacity of sites of 10 or more units, or a site size equal to or exceeding 0.5 hectares. Where a site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will still be applied.

Affordable housing developments may be permitted on sites outwith but adjacent to development boundaries provided it can be demonstrated that:-

- there is an identified local need that cannot be met on a suitable site within defined development boundaries;
- the proposal takes account of the provisions of Policy S6: Development Principles; and
- proposals are in accord with other relevant policies of the Local Plan.

In all circumstances, Section 75 or other legal agreements may be used to secure the delivery of affordable housing.

### **Policy SC33 : Open Space Provision**

Development proposals will require to provide open space and make provision for its long term maintenance. Angus Council will seek to ensure that as a minimum the NPFA standard of 2.43 hectares of open space/recreational space per 1000 head of population is met. The specific requirements of any development will be assessed on a site by site basis and this standard exceeded or relaxed as appropriate taking account of the level, quality and location of existing provision.

### **Policy SC1 : Housing Land Supply**

Adequate land has been allocated in the Local Plan to meet the allowances of the Dundee and Angus Structure Plan up to 2011 as illustrated in Table 2.1. Land identified for residential development will be safeguarded from alternative uses, and its effectiveness will be monitored through the annual audit of housing land. Where sites allocated in the Plan are phased to extend beyond 2011 they will contribute towards meeting the indicative allowances for the 2011-2016 period.

### **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 Imp1 : Developer Contributions**

Developer contributions will be required in appropriate circumstances towards the cost of public services, community facilities and infrastructure and the mitigation of adverse environmental impacts that would not have been necessary but for the development. Such contributions will be consistent with the scale and effect of the development and may relate to both on-site and off-site items that are required to produce an acceptable development in the public interest.

### **TAYplan Strategic Development plan**

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.