

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 3 NOVEMBER 2015**

**PLANNING APPLICATION – GOLF PRO CENTRE, CARNOUSTIE GOLF COURSE,  
LINKS PARADE, CARNOUSTIE**

**GRID REF: 355994 : 734039**

**REPORT BY HEAD OF PLANNING AND PLACE**

**Abstract:**

This report deals with planning application No 15/00824/FULL for the Extension to Golf Centre and Ancillary Works for Carnoustie Golf Links Management Committee at Golf Pro Centre, Carnoustie Golf Course, Links Parade, Carnoustie. This application is recommended for conditional approval.

**1. RECOMMENDATION**

It is recommended that the application be approved for the reasons 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 Extension to Golf Centre and Ancillary Works.

3.2 The application site which measures 6165sqm accommodates the existing golf pro centre building along with some areas of associated hard and soft landscaping adjacent to the building. The Barry Burn and 1<sup>st</sup> hole of the Championship Course bounds the application site to the north west whilst the Carnoustie Golf Hotel, existing putting green and Black Slab car park bounds the application site to the north east. To the south east and south west the application site is bound by a golf practice area and the Barry Links.

3.3 The proposal would involve the erection of an extension that would be attached to the north east and north west elevations of the existing golf pro centre building. The footprint of the extension would measure approximately 560sqm (gross floor space of 1665sqm) with the highest part of the extension being 14.5m. The extension consists of two rectilinear wings that are linked by a cylindrical tower with a conical roof. The external materials would match the existing building (stone and glazing panels) with the pitched roofs consisting of natural slate. The south east and south west facing pitched roof slopes would accommodate banks of solar PV panels. The ground floor of the extension would accommodate a new entrance and covered waiting area, bag drop area, caddie facilities, general store area, kitchen preparation area, staff training room and staff room. The first floor would accommodate a restaurant, bar, kitchen, heritage area, office space, committee meeting room and external viewing balcony. The existing external service yard located at the north east corner of the building would be relocated to the south west corner of the building and have an area of 105sqm. The walls of the service yard will be formed in stone to match the rest of the building. A new 4m wide access road with associated turning area would be formed adjacent to the south east elevation to provide access to the new service yard.

- 3.4 The application has not been subject of variation.
- 3.5 The application was advertised in the Dundee Courier as required by legislation.
- 3.6 This application requires to be determined by the Development Standards Committee due to the recommendation for approval as Angus Council has a financial interest in the development as land owner whilst being subject to an objection.

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

- 4.1 Planning application (Appn. 10/00116/FULL refers) for the erection of a golf pro centre and changing facilities and associated access and landscaping was submitted on 15 February 2010. The application was approved subject to conditions by the Development Standards Committee at its meeting of 8 June 2010. The planning permission has subsequently been fully implemented.
- 4.2 Planning application (Appn. 11/01168/FULL refers) for the erection of six lamp post lights was submitted on 22 December 2011. The application was approved subject to conditions by the Development Standards Committee at its meeting of 14 February 2012. The planning permission has subsequently been fully implemented.
- 4.3 Planning application (Appn. 13/00047/FULL refers) for the erection of new starters' box at 1<sup>st</sup> tee was submitted on 23 January 2013. The application was approved subject to conditions by the Development Standards Committee at its meeting of 12 March 2013. The planning permission has subsequently been fully implemented.
- 4.4 Planning application (Appn. 14/00859/FULL refers) for landscaping works around the entrance to the golf pro centre building was submitted on 8 October 2014. The application was approved under delegated powers on 19 November 2014. The planning permission has subsequently been fully implemented.

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

- 5.1 The following documents have been submitted in support of the application:
- A Design and Access Statement;
  - A Planning Statement;
  - A Stakeholder Engagement Report.
- 5.2 The applicant's agent has submitted a response to the points of objection.
- 5.3 The supporting information is available to view on the Council's Public Access system and is summarised at Appendix 2 below.

#### **6. CONSULTATIONS**

- 6.1 **Angus Council – Roads (traffic)** – has not objected to the proposal in respect of traffic safety.
- 6.2 **Angus Council - Flood Prevention** – has no objections to the proposal providing the finished floor level of the extension is the same as the existing building (4.2m AoD).
- 6.3 **Angus Council Environmental Health** – has no objections to the proposal.
- 6.4 **Angus Council Parks & Burial Grounds** – has offered no objection to the proposal.
- 6.5 **SEPA** – has offered no objections to the proposed development on flood risk grounds.
- 6.6 **Carnoustie Community Council** – has offered no comments on the proposal.

#### **7. REPRESENTATIONS**

- 7.1 Two letters of representation have been received; 1 is in support of the proposal with 1 raising objection. 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.

7.2 The main points of support are as follows:

- Carnoustie Golf Hotel does not consider the proposed extension as unwelcome competition but as an additional facility for customers to visit.
- The proposal would attract additional visitors to Carnoustie and give an additional reason for lingering, thereby contributing additional income to the local economy.
- With world class events being held on the Carnoustie Golf Links such developments can be used to attract visitors, not just for golf, but for the wider benefit of the area as well.
- Significant investment is being made to improve the facilities of the Carnoustie Golf Hotel over the next two years and the investment by the Carnoustie Golf Links Management Committee in the golf pro centre should be welcomed as this would have a positive impact on the visitor experience.

Comment – The substantive issue is whether the proposed development subject of this application is appropriate on the application site. The substantive issues are addressed under Planning Considerations below.

7.3 The main points of concern raised are as follows:

- **The proposal is contrary to the Development Plan** – this matter will be discussed under Section 8, Planning Considerations below.
- **The proposed development has not been fully justified by the applicant** – the application needs to be assessed on its own merits based on the submitted information against the provisions of the Development Plan. This is discussed under Section 8, Planning Considerations below.
- **The incorporation of a restaurant and bar within the extension will threaten the existence of the existing golf clubs** – it is not the purpose of the planning system to restrict commercial competition. The Council's planning policies do not prohibit further restaurants or bars in Carnoustie but seek to ensure that they are directed to appropriate locations.
- **The pre-application stakeholder engagement exercise undertaken was flawed and has not taken on board the concerns that were expressed** – there is no statutory requirement to undertake formal pre-application consultation in relation to an application of this nature. The pre-application engagement undertaken by the applicant was a voluntary exercise involving consultation with local golf clubs, tour operators, local businesses, residents, Council officials and the wider Carnoustie public. The submitted Pre-Application Stakeholder Engagement Report sets out the comments received during this process and how the applicant has responded to them.

## 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 main basis for the consideration of the proposal. The relevant policies of the Angus Local Plan Review are reproduced at Appendix 3.

- 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 considered by Angus Council at its meeting on 11 December with a view to it being approved and 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, as approved by Angus Council, will be subject to a 9 week period for representation commencing in February 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 will be 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 lies on the Barry Links and is identified in the Angus Local Plan Review as an area of open space which is safeguarded by Policy SC32. This policy identifies a general presumption against development of open spaces of sporting, recreational, amenity or nature conservation value, for other forms of development. The proposed development is directly related to the use of the golf course. Barry Links is of sporting, recreational and amenity value and the proposed development seeks to improve an existing sporting and recreational facility. Accordingly I do not consider that the proposal gives rise to any conflict with this policy.
- 8.6 Policy SC31 relates to proposals for new and/or enhanced sport and recreational facilities and indicates they should be located within the existing development boundaries. In this instance the application site is located within the Development Boundary for Carnoustie and would improve an existing recreational facility associated with the golf courses on the Barry Links. The applicant's supporting case has indicated that whilst the original golf pro centre development addressed a number of historical deficiencies associated with the facilities that serve the golf courses on the Barry Links further enhancements are necessary in order to compete with other world class golfing venues. The primary facility considered to be lacking is that of a bar and restaurant and it is not unusual to find such facilities in a golf club house. The proposed extension would contribute to an enhancement of the existing facilities that serve the golf courses on the Barry Links. The proposal is located some distance from the neighbouring residential properties and there would be no detrimental impact on the residential amenity enjoyed by occupants of those properties although this matter is discussed further below.
- 8.7 The Tayside Landscape Character Assessment recognises that the golf course represents a significant feature within the local landscape and as such buildings associated with that use are to be expected and could be seen to contribute to that character. The design rationale behind the golf pro centre building was to produce a building that did not attempt to visually compete with the adjacent hotel and this approach was considered to be appropriate in the context of a hierarchy of building types and function.
- 8.8 The proposed extension has a footprint of approximately 560sqm and an overall height of 14.5m which is 7m higher than the highest part of the existing building. As such the extension represents a significant addition to the existing building although it is still smaller than the adjacent hotel which extends to approximately 18m in height. The proposed extension incorporates more traditional design elements than the contemporary pavilion design of the existing building. The extension is effectively 2½ storeys in height with the majority of additional floor space to be utilised by the public located at first floor level. The extension has been located to maximise views over the Championship Golf Course and the coastal scenery whilst allowing the facility to continue to operate during the construction programme if approved. The form of the extension is based on traditional vernacular architecture which

uses simple basic forms, pitched roofs, gable ends, dormer windows and rectilinear openings. The proposed new entrance to the building consists of a cylindrical tower with a conical roof which provides a reasonably striking design feature. The materials would consist of stone, slate and glazing to match the existing building. Solar PV panels are to be installed on the south east and south west facing pitched roof slopes.

- 8.9 The extended building would appear very different in appearance and would be a more obvious feature in the landscape. However, the hotel would remain as the dominant building at this location. The proposed building would be similar in style and appears to take some design inspiration from other club house style buildings that are found at Links locations. Overall, I consider that the proposed alterations would improve the appearance of the existing building albeit making it more prominent.
- 8.10 Policy SC28 indicates that public houses and hot food takeaways, restaurants and cafés will be permitted where they do not conflict with neighbouring land uses and where traffic, parking, pedestrian and cyclist safety is not compromised. The first floor of the proposed extension addressing the 1<sup>st</sup> hole of the Championship Course accommodates a restaurant and bar that has a footprint of 360sqm. As indicated above the location of the proposed facility is within an area of designated open space. The closest residential properties are some distance from the proposed café extension and would not be affected by the use. There are no conflicting land uses that directly adjoin the site. The Roads Service has considered the application and has no objection to the proposed development. No significant traffic, parking or safety issues are anticipated. On that basis, the application complies with Policy SC28. The proposal does not give rise to significant issues in terms of Advice Note 18 in so far as it relates to restaurants and cafés.
- 8.11 Policy ER28 (Flood Risk Assessment) is relevant in the consideration of this proposal as the application site is located within the 1:200 year functional flood plain. The application site is located in an area where flood prevention measures have historically been constructed. In addition to this there are a number of existing buildings located within the 1:200 year functional flood plain. The information contained in the applicant's submitted information indicates that the finished floor level of the extension would be set at the same level as the existing building which is 4.2m AoD. If a finished floor level of 4.2m AoD is adopted the proposed extension would be unlikely to flood. In terms of Policy ER29 the site is located within an area designated as developed coast. The Roads Service has considered the submitted information and the Shoreline Management Plan and has offered no objections to the proposal subject to conditions. As SEPA and the Roads Service have not objected to the application, I am satisfied that flood risk should not justify refusal of this application.
- 8.12 Policy ER22 deals with wastewater and indicates within towns and villages served by public sewers all development proposals requiring drainage must be connected to the public drainage system. The application site is located within the Development Boundary for Carnoustie and it is proposed to connect the proposed development to the mains which is in accordance with Policy ER22. Policy ER24 deals with surface water disposal and indicates proposals should 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. In the context of this proposal the submitted information indicates that the existing soakaway system serving the existing building would be used and extended. A condition is proposed that requires details of altered surface water drainage arrangements to be submitted for approval by the planning authority. This would ensure surface water disposal is acceptable and would minimise the risk of flooding.
- 8.13 Policy SC36 relates to access rights and indicates development proposals should not result in a significant loss to the public of linear access (along paths and tracks). The application site includes a section of the Barry Links that does not form part of the existing golf courses. This land is publicly accessible and contributes to the recreational amenity of the area. The proposed development will result in part of the open space being developed. However, the proposal incorporates additional pathways around the building that would link into the existing path network. Overall I do not consider that public access rights will be significantly affected by the proposal.
- 8.14 Planning Advice Note (PAN) 43: Golf Courses and Associated Developments represents a consideration which is material to the assessment of this application. PAN 43 encourages the

improvement of golfing facilities in Scotland. The need for Carnoustie to have adequate facilities to be included on the British Open circuit is also identified. Although Carnoustie has returned as an Open venue, I consider that continued investment to improve its facilities is desirable. This proposal is considered to assist in securing Carnoustie's capability to host the Open in the future and this has been confirmed in writing by the R&A as part of the applicant's supporting case.

- 8.15 In conclusion, the proposed development will result in the provision of improved facilities that serve the golf courses on the Barry Links. The development will contribute positively to the Angus economy by ensuring that Carnoustie has the high quality facilities that are required to host major golf tournaments, including the British Open. Although an objection has been received regarding the need for the proposed extension and the provision of a restaurant and bar, I consider that the provision of such a facility at this location is acceptable. I also consider the design of the extension to be appropriate for the location. Development plan policy generally supports proposals that enhance existing sport and recreation facilities. In this case I consider that the proposal complies with development plan policy and I do not consider that there are any material considerations of sufficient weight to justify refusal of the application contrary to the provisions of the development plan.
- 8.16 The application involves land in which the council has a financial interest as land owner. However, the application is not significantly contrary to the development plan and there is therefore no requirement to notify Scottish Ministers in the event that the committee determines to approve the application.

## **9. OTHER MATTERS**

### **HUMAN RIGHTS IMPLICATIONS**

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

### **EQUALITIES IMPLICATIONS**

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

## **10. CONCLUSION**

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

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

The proposed development complies with relevant policies of the development plan as the design and scale of the extension is acceptable for the location and the development will bring economic and tourism benefits to Angus as it will further assist in securing Carnoustie as a venue for major golf tournaments as well as improving the range and quality of facilities for tourists and local residents by providing improved facilities for the adjacent golf courses. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

### **Conditions:**

1. That the finished floor level of the extension shall be set at 4.2m AoD unless otherwise approved in writing by the planning authority.

*Reason: In order to ensure that the finished levels are adequate in terms of reducing flood risk.*

2. That no development in connection with the planning permission hereby approved shall take place unless the following has been submitted to and approved in writing by the planning authority:
  - (i) Sample panels of all external wall and roof materials. Thereafter the development shall be finished with the external materials as approved.
  - (ii) Precise details of existing and proposed ground levels and floor levels across the entire site. For the avoidance of doubt the submitted information shall include contour plans and cross section drawings, relative to a fixed ordnance datum. Thereafter the development shall be carried out in accordance with the approved details.
  - (iii) Full details of the proposed means of surface water disposal from the development. Unless otherwise agreed in writing by the Planning Authority, surface water shall be disposed of via the use of Sustainable Urban Drainage Systems and the development shall not be occupied unless the agreed drainage scheme has been provided in its entirety.
  - (iv) Full details of all ground works and surface finishes. Thereafter the development shall be carried out in accordance with the approved details.

*Reason: In order to ensure the appropriateness of the proposed external materials to ensure the high quality of finish the location deserves; that the ground levels are acceptable in the context of the landscape character and visual amenity of the area; in order that the planning authority may verify the acceptability of the drainage arrangements in order to avoid increased flood risk; that appropriate ground works are provided in the interests of the amenity of the area.*

3. That the building shall be restricted to the uses identified on the ground and first floor layout plans as indicated on Drawing No. 306 Proposed Ground Floor Plan dated 12.08.2015 by David Wren Architect and Drawing No. 307 Rev. A Proposed First Floor Plan dated 19.08.2015 by David Wren Architect unless otherwise agreed in writing with the Planning Authority.

*Reason: In order to ensure that the building is used for the purposes that are seen to justify development at this location and to ensure that any change to the use of the building may be subject to the approval of this authority.*

**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: 22 OCTOBER 2015**

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

Appendix 1: Location Plan





## **Appendix 2 – Summary of Applicants Supporting Information**

The Design and Access Statement is an overarching document which describes the site and its context. The factors of design are detailed covering site layout and landscaping; design; sustainable development and access and connectivity. The statement concludes by providing a reasoning why the design of the extension is considered to be appropriate.

The Planning Statement considers the proposed development against the relevant National and Local Planning policy context and other material planning considerations are discussed. It concludes by indicating that the proposed extension has been designed and situated to respect and enhance its location and that of the surrounding landscape and built environment. The extension would contribute to the Council's local plan objective of improving golfing facilities in Carnoustie. It demonstrates the applicant's commitment to help bring Carnoustie's golfing offer up to the same high quality and range of facilities offered by other world class competing golf venues in Scotland and the UK. The extended building with bar and restaurant facilities will also be of benefit to the local community and tourists and help safeguard Carnoustie's status as one of the premier golf courses in the world. It considers that the application should be granted subject to reasonable and appropriate conditions.

The Stakeholder Engagement Report provides a detailed account of the pre-application engagement exercise undertaken in advance of the submission of the planning application. It sets out the main issues raised during the consultation process and any changes made to the proposals as a consequence. As the development constitutes a 'Local Development' by The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 there is no statutory requirement to undertake formal pre-application consultation in accordance with the aforementioned legislation. Accordingly the pre-application consultation has been undertaken on a voluntary basis. The document indicates that where appropriate the applicant has responded directly to comments or directed parties to the relevant information provided during the consultation or independent sources. The applicant has listened to the all the comments received but many of these were not planning matters or directly related to the planning application proposals. The consultation exercise has allowed the applicant to provide specific reassurances in relation to certain aspects of the proposal for the extension and is in the process of undertaking a business analysis to fully appraise the financial viability of the proposed bar/restaurant facilities. In general terms, the response to the proposals has been very positive, with the majority of those consulted pleased to see proposals for the improvement to the golf facilities at Carnoustie come forward.

## APPENDIX 3

### ANGUS LOCAL PLAN REVIEW

#### DEVELOPMENT PLAN POLICIES AGAINST WHICH THE PROPOSAL HAS BEEN ASSESSED

##### 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.

<b>Schedule 1 : Development Principles</b>	
<b>Amenity</b>	<ol style="list-style-type: none"><li>(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.</li><li>(b) Proposals should not result in unacceptable visual impact.</li><li>(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).</li></ol>
<b>Roads/Parking/Access</b>	<ol style="list-style-type: none"><li>(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.</li><li>(e) Access to housing in rural areas should not go through a farm court.</li><li>(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.</li><li>(g) Development should not result in the loss of public access rights. (Policy SC36)</li></ol>
<b>Landscaping / Open Space / Biodiversity</b>	<ol style="list-style-type: none"><li>(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)</li><li>(i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout</li></ol>

- 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 SC20: Tourism Development**

Development proposals to provide new or improved tourist related facilities/attractions and accommodation will be permitted and encouraged where they:

- improve the range and quality of visitor attractions and tourist facilities and/or extend the tourist season;
- have no unacceptable detrimental effect on the local landscape or rural environment;
- are in keeping with the scale and character of adjacent buildings or surrounding countryside;
- are generally compatible with surrounding land uses; and
- accord with other relevant policies of the Local Plan.

### **Policy SC28: Public Houses and Hot Food Takeaways, Restaurants and Cafes**

Development proposals for public houses, hot food takeaways, restaurants and cafes will be assessed against the criteria in Angus Council's Advice Note 18: Hot Food Takeaways. They will only be permitted where:-

- they do not conflict with neighbouring land uses in terms of noise, disturbance, cooking odours, fumes and vapours, and
- traffic, parking, pedestrian and cyclist safety is not compromised.

### **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 SC32: Open Space Protection**

There is a general presumption against development of open spaces of sporting, recreational, amenity or nature conservation value including those shown on the Proposals Maps, for other forms of development. The loss of open space will only be considered acceptable where:

- the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or nature conservation value or compromise its setting; or
- replacement open space of the same type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area; or
- it is demonstrated through an open space audit that there is an identified excess of open space provision in the local area to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site.

### **Policy SC36: Access Rights**

Development proposals, which will result in a significant loss to the public of linear access, area access or access to inland water will be resisted.

### **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 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.

### **Policy ER28: Flood Risk Assessment**

Proposals for development on land at risk from flooding, including any functional flood plain, will only be permitted where the proposal is supported by a satisfactory flood risk assessment. This must demonstrate to the satisfaction of Angus Council that any risk from flooding can be mitigated in an environmentally sensitive way without increasing flood risk elsewhere. In addition, limitations will be placed on development according to the degree of risk from coastal, tidal and watercourse flooding.

The following standards of protection, taking account of climate change, will be applied:-

- In Little or No Risk Areas where the annual probability of flooding is less than 0.1% (1:1000 years) there will be no general constraint to development.

- Low to Medium Risk Areas where the annual probability of flooding is in the range 0.1% - 0.5% (1:1000 – 1:200 years) are suitable for most development. Subject to operational requirements these areas are generally not suitable for essential civil infrastructure. Where such infrastructure has to be located in these areas, it must be capable of remaining operational during extreme flood events.
- Medium to High Risk Areas (see 2 sub areas below) where the probability of flooding is greater than 0.5% (1:200 years) are generally not suitable for essential civil infrastructure, schools, ground based electrical and telecommunications equipment.
  - (a) Within areas already built up sites may be suitable for residential, institutional, commercial and industrial development where an appropriate standard of flood prevention measures exist, are under construction or are planned.
  - (b) Undeveloped or sparsely developed areas are generally not suitable for additional development.

### **Policy ER29: Coastal Development**

New development requiring a coastal location will generally be directed toward the developed coast. Development proposals for the undeveloped coast will generally only be considered acceptable where it can be demonstrated that:

- the proposal requires a coastal location; and
- no other suitable alternative site exists within the developed coast; and
- the social and economic benefits of the proposal outweigh the potential detrimental impact on the Angus coastal environment.

In addition, all development proposals affecting either the developed or undeveloped coast will be assessed against the Angus Shoreline Management Plan and other relevant policies of this Local Plan.

### **Policy ER33: Energy Efficiency**

Angus Council will encourage energy efficiency through the promotion of:

- siting, form, orientation and layout of buildings to maximise the benefits of solar energy, passive solar gain, natural ventilation and natural light;
- the use of landscaping and boundary treatment to modify temperature extremes, minimise heat loss due to exposure and create shelter on inner faces and entrances to buildings;
- optimum provision of insulation and the use of energy efficient heating/cooling systems;
- the re-use of building materials;
- local sourcing of materials;
- the use of a flexible design to facilitate possible future adaptation for other uses;
- renewable energy generation and energy efficient systems in domestic and commercial buildings where appropriate, which reduce demand for power from non-renewable sources.

### **Policy ER34: Renewable Energy Developments**

Proposals for all forms of renewable energy developments will be supported in principle and will be assessed against the following criteria:

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent change to the environment and landscape, and
- (f) that there will be no unacceptable impacts on the quantity or quality of groundwater or surface water resources during construction, operation and decommissioning of the energy plant.