

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 14 FEBRUARY 2017

**PROPOSAL OF APPLICATION NOTICE – MUIRFIELD PRIMARY SCHOOL, SCHOOL ROAD,
ARBROATH, DD11 2LU**

GRID REF: 362273 : 740806

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report advises Committee that a Proposal of Application Notice (ref. 17/00005/PAN) has been submitted in respect of the proposal to replace the existing Muirfield Primary School with a replacement educational facility including primary school, early years centre, community facility, energy centre, parking and associated playground areas. Committee is invited to identify issues which it would like to see addressed in the planning application.

1. RECOMMENDATION

It is recommended that Committee notes the key issues identified at this stage and advises of any other issues it considers should be addressed in any planning application that is subsequently submitted.

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

This report contributes to the following local outcomes 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 At its meeting on 19 June 2014, Council approved a guidance note on the role of Councillors in pre-application procedures in respect of national and major planning applications (Report 275/14 refers). A key element of that guidance requires officers to present a report to Committee when a Proposal of Application Notice (PAN) is submitted. Such a report will set out what are considered to be the key considerations in the determination of any subsequent planning application and allow Members opportunity to identify any additional issues that they consider should be addressed when a planning application is submitted.

3.2 A PAN (Ref:17/00005/PAN) has been received. It indicates that an application for planning permission is to be submitted for a development comprising a replacement educational facility including primary school, early years centre, community facility, energy centre, parking and associated playground areas at the site of the existing Muirfield Primary School at School Road, Arbroath. The proposed development site measures 2.23 ha (approx.) and currently consists of the site of the existing primary school. A plan showing the outline of the site on which the development is proposed has been submitted. No further details relating to the proposed application have been provided at this stage.

3.3 The submitted PAN sets out the proposed consultation that the applicant intends to undertake with local communities. In this case and the applicant has indicated that they have sent a copy of the PAN to Arbroath and District Community Council. The prospective developer has indicated that a public exhibition would be undertaken on 22 February 2017 at a venue that remains to be confirmed at this time. Legislation does however require the prospective

developer to advertise any public consultation in the local press once these details have been confirmed.

- 3.4 The results of the community consultation would be submitted in the form of a pre-application consultation report (PAC Report) as required in regulations with any subsequent major application for the development proposed.
- 3.5 It has been suggested to the prospective developer that as well as the consultation activity detailed above, specific invitations to any proposed consultation event should be sent to parties that neighbour the site on School Road, Timmergreens and North Lodge on Arbirlot Road West and The Steading which is located to the west of Westway. At this time confirmation was also given that a planning application could not be submitted prior to 22 March 2017 (the date 12 weeks' from the submission of the PAN).

4. BACKGROUND

- 4.1 The site that is subject of the PAN lies within a well established residential area of Arbroath. Whilst the site is not specifically allocated in the Angus Local Development Plan, the existing school playing field is a protected open space.
- 4.2 The site is bound to the west by existing residential development on School Road, to the north by agricultural land and residential development at Timmergreens, to the east by public open space and to the south by residential development at The Steading.

5. DISCUSSION

- 5.1 In this case the land subject of the Proposal of Application Notice (PAN) is not specifically allocated in the adopted Angus Local Development Plan (ALDP) for education related development however the site is well established and is already in educational use
- 5.2 In relation to the ALDP the site is located within the Development Boundary of Arbroath. In addition, as previously stated, the majority of the site is identified as a protected open space in the ALDP. As such the following policy context is relevant:

Policy DS1 : Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.*

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

**Sharing an edge or boundary, neighbouring or adjacent*

Policy DS2 Accessible Development

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

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

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- *the submission of a Travel Plan and/or a Transport Assessment.*
- *appropriate planning obligations in line with Policy DS5 Developer Contributions.*

Policy DS3: Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- *Distinct in Character and Identity: Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.*
- *Safe and Pleasant: Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.*
- *Well Connected: Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.*
- *Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.*
- *Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.*

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

Policy DS4: Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an

unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- *Air quality;*
- *Noise and vibration levels and times when such disturbances are likely to occur;*
- *Levels of light pollution;*
- *Levels of odours, fumes and dust;*
- *Suitable provision for refuse collection / storage and recycling;*
- *The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and*
- *Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.*

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC8: Community Facilities and Services

The Council will encourage the retention and improvement of public facilities and rural services.

Proposals resulting in the loss of existing public community facilities will only be supported where it can be demonstrated that:

- *the proposal would result in the provision of alternative facilities of equivalent community benefit and accessibility; or*
- *the loss of the facility would not have an adverse impact on the community; or*
- *the existing use is surplus to requirements or no longer viable; and*
- *no suitable alternative community uses can be found for the buildings and land in question.*

The Council will seek to safeguard rural services that serve a valuable local community function such as local convenience shops, hotels, public houses, restaurants and petrol stations. Proposals for alternative uses will only be acceptable where it can be demonstrated that:

- *the existing business is no longer viable and has been actively marketed for sale as a going concern at a reasonable price/rent for a reasonable period of time;*
- *the building is incapable of being reused for its existing purpose or redeveloped for an appropriate local community or tourism use; or*
- *equivalent alternative facilities exist elsewhere in the local community.*

New community facilities should be accessible and of an appropriate scale and nature for the location. In the towns of Angus, and where appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.

Policy PV2 : Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- *the proposed development is ancillary to the principal use of the site as a recreational resource; or*
- *it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or*
- *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 biodiversity value, its contribution to a green network, or compromise its setting; or*
- *replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.*

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.*

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

**In line with the Six Acre Standard (National Playing Fields Association)*

5.3 In these circumstances it is considered that the key issues in relation to the determination of a subsequent planning application will be whether the proposal complies with relevant development plan policies or whether there are other material considerations that justify a departure from relevant policies. In this respect key issues are likely to be: -

- Impact of development on existing infrastructure, in particular impacts on the roads and drainage networks;
- Acceptability of the proposed access arrangements for pedestrians, cyclists, public transport and other motor vehicles and the suitability of access and transportation provision in the area generally;
- Acceptability of the development in terms of its potential impact on existing protected open space provision and landscaping;
- Suitability of the proposed site for a replacement education facility taking account of matters such as layout and design of buildings, and the impact of proposals on nearby residential amenity.

5.4 Whilst other issues may emerge through the publicity and consultation process associated with any planning application, the above matters are considered to represent the main issues that should be considered at the pre-application stage that are likely to be determining factors for any subsequent planning application. However, Committee is invited to identify any additional matters that it would wish to see addressed.

6. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

7. OTHER IMPLICATIONS

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

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 : Location Plan