

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 3 OCTOBER 2017

**SPECIFIED MATTERS APPLICATION – LAND 500M WEST OF FORFAR ACADEMY
KIRRIEMUIR ROAD FORFAR**

GRID REF: 344608 : 751478

REPORT BY HEAD OF HOUSING, REGULATORY AND PROTECTIVE SERVICES

Abstract:

This report deals with application No 17/00443/MSCM which seeks approval of Matters Specified in Conditions relevant to the matters contained in Condition 1 (a) – (k) of Planning Permission in Principle Ref 13/01001/PPPM. The application provides for the erection of 237 Residential Units, Community Shop (with flat above) and Open Space, including a Community Orchard for Guild Homes (Tayside) Ltd at Land 500M West of Forfar Academy, Kirriemuir Road, Forfar. This application is recommended for conditional approval.

1. RECOMMENDATION

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

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

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

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

3. INTRODUCTION

- 3.1 In April 2015 the Development Standards Committee resolved to grant planning permission in principle (Ref: 13/01001/PPPM : Report 170/15 refers) for the erection of approximately 300 houses with associated roads, landscaping and community facilities at Land 500M West of Forfar Academy, Kirriemuir Road, Forfar (Appendix 1). That permission contained a condition requiring submission of a further application for approval of specified matters (Appendix 2 : Condition 1 (a) – (k)). This application seeks approval of those matters and provides for the erection of 237 residential units (including a flat above the proposed shop), community shop and open space, including community orchard.
- 3.2 The application site is located to the north west of Forfar. The site area measures some 17.6 hectares and is undeveloped; being predominantly agricultural land, with a narrow private track running from north to south, dissecting the middle of the site. The characteristics of the site are its gentle undulating form, leading from the northern boundary at Kirriemuir Road and rising steadily upwards to a modest ridge in the southern end of the site, which is bounded by residential properties on Taylor Street and the existing Turfbeg housing development. To the east the site is bound by the grounds of Forfar Community Campus and to the west by a landscaped buffer, the north portion of which has planning permission for the formation of drainage infrastructure associated with the proposed housing development (appn: 17/00447/FULL refers).
- 3.3 The development consists of a grid pattern layout with three primary roads running on an east to west axis that are interconnected by perimeter roads running north to south. The layout also incorporates three secondary access roads that run on an east to west axis with housing lining the roadways. The primary open space within the development would be located towards the north east corner of the site which is where the proposed shop would be located. A central community green space would occupy the centre of the development; a community

orchard would bisect the development on an east to west axis with a tree lined avenue bisecting the development on a north to south axis. A 2m high landscaped bund would be formed at the north boundary of the site onto Kirriemuir Road for noise attenuation with a landscaping strip planted along the south boundary of the site. Further landscape planting and greenspace is proposed throughout the site. Surface water drainage is proposed to be achieved through Sustainable Urban Drainage System (SUDS) and the SUDS basin would bound the application site to the west and has been granted planning permission (ref: 17/00447/FULL refers). Pathways are shown throughout the site including indication of where shared cycle and pedestrian accesses would connect to the existing path networks. The proposed access arrangements are consistent with those shown at time of the planning permission in principle. Two accesses would be provided at the north boundary onto Kirriemuir Road with the primary access incorporating the existing access onto Kirriemuir Road and the secondary access located towards the north east corner of the site. The other access would be provided at the south boundary linking to Taylor Street to the west of 64 Taylor Street. Separate planning permissions have been granted that provide for the formation of those three accesses.

- 3.4 The dwellings consist of one, two, three and five bed properties within a combination of semi-detached and detached buildings that are a mixture of single and two storeys in height. The 24 dwellings along the common boundary with Taylor Street and Lochbank Gardens would be single storey in height. The affordable housing provision would be located to the north of the site and comprise 12 x one bedroom flats; 12 x two bed semi-detached bungalows; 10 x three bed two storey semi-detached dwellings and two x three bed semi-detached bungalows. The external materials would consist of a slate effect roof tile; buff and cream dry dash renders and Fyfestone base course for the walls. A mixture of boundary enclosures are proposed depending on their location and function; with sections of 1.8m high Fyfestone walls proposed on prominent locations along roads and public areas and 0.9m and 1.8m high timber fences delineating external property boundaries. Hedges would also be provided as boundary enclosures along some of the path routes within the development. The majority of open market dwellings would have either integral or detached garages with other car parking provision within plots.
- 3.5 The application has been varied to alter the access and parking arrangements associated with the proposed shop unit.
- 3.6 The application was advertised in The Courier as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 As indicated above, this site has been granted planning permission in principle for the erection of up to 300 houses with associated roads, landscaping and community facilities (Appn: 13/01001/PPPM and Reports 170/15 and 353/15 refer). That planning permission in principle remains valid.
- 4.2 Planning application (Appn. 17/00447/FULL refers) for Installation of Drainage Infrastructure and Engineering Works Associated with Planning Permission in Principle 13/01001/PPPM for the Erection of Approximately 300 Houses with associated Roads, Landscaping and Community Facilities was approved under delegated powers. That site lies to the west of the current application site.
- 4.3 Planning application (Appn. 17/00555/FULL refers) for the Formation of New Access Road Associated with Planning Permission in Principle 13/01001/PPPM for the Erection of Approximately 300 Houses with associated Roads, Landscaping and Community Facilities was approved under delegated powers. That permission provides for the formation of a new access to the site from Taylor Street/Turfbeg Road.
- 4.4 Planning application (Appn. 17/00595/FULL refers) for Formation of 2 New Accesses from A926 Associated with Planning Permission in Principle 13/01001/PPPM for the Erection of Approximately 300 Houses with associated Roads, Landscaping and Community Facilities was approved under delegated powers. That permission provides for the formation of two new accesses to the site from the Kirriemuir Road.

5. APPLICANT'S CASE

5.1 The following documents have been submitted in support of the application:

- Masterplan (incorporating a Design & Access Statement);
- Noise Report;
- Drainage Strategy;
- Public Access Plan;
- Public Transport Scheme;
- Residents Travel Pack; and
- Commentary on the consultation responses and letters of representation.

5.2 The supporting information is available to view on the Council's [Public Access](#) system and is summarised at Appendix 3 below.

6. CONSULTATIONS

6.1 **Angus Council – Roads** – has indicated no objection to the application subject to a number of conditions. In relation to public transport it is indicated that bust shelters and associated infrastructure should be provided to serve the proposed bus lay-bys to the north and south of Kirriemuir Road.

6.2 **Angus Council – Housing Service** – has advised 35 affordable housing units are required from the proposed development. The form of the 35 units could be a combination of Social Rented Housing; Affordable Housing for Sale; Mid-Market Rent; Service Plots; Un-serviced Land or Commuted Sum. The final arrangements for the affordable housing will be subject of further discussions with the applicant.

6.3 **Angus Council – Environmental Health** – has reviewed the submitted noise report and has confirmed that satisfactory levels of amenity would be afforded to all of the proposed houses within the development.

6.4 **Angus Council – Parks and Burial Grounds** – has raised concern regarding the suitability of the overall design layout and its relationship to the town. It is indicated that the grid like structure is very urban and does not provide a transition between the urban and rural areas. The location of the play area at the eastern side of the site is considered to be appropriate. The planting at the north, south and east of the development should incorporate a wide mixture of native and associated trees and shrubs. It is highlighted that Orchard trees will in all likelihood not provide the appropriate volume for the main planting feature in proportion to the size of the space, and larger growing trees should be planted as well.

6.5 **SEPA** – has offered no objection to the application in respect of flood risk.

6.6 **Scottish Water** – has not objected to the proposal and has advised that there is currently sufficient capacity at the water and waste water treatment works for the proposed development.

6.7 **Forfar Community Council** – has offered comments in relation to a number of matters associated with the development. These matters include roads, traffic and paths; cycle route provision and core path; playpark provision; impacts on existing properties in Taylor Street; impacts on education facilities; flooding and surface water drainage impacts and affordable housing provision. *The full representation from the community council will be circulated to members of the Development Standards Committee and is available to view on the council's [Public Access](#) system.*

7. REPRESENTATIONS

7.1 9 letters of objection have been received. 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 following matters have been raised as objections to the application: -

- **The level of development proposed is not needed in Forfar - sufficient housing is available;**
- **Brownfield sites, of which sites are available in Forfar, should be used before**

- **greenfield sites are developed;**
- **Traffic generated by the development will be high and the existing road network and junctions cannot accommodate the development proposed;**
- **Possible adverse impact on school accommodation in Forfar.**

These matters relate to the principle of the proposed development. As indicated above the principle of this development has been established through the grant of planning permission in principle in 2015. This application relates solely to the matters specified in condition 1 of that planning permission in principle; it is not an opportunity to reconsider the acceptability of the principle of housing development on the site.

- **The site should be accessed from Kirriemuir Road only and not provide through access to Taylor Street/Turbeg Road - which would be detrimental to amenity to and road safety for residents;**

The planning permission in principle identified that two accesses would be formed from Kirriemuir Road and that a third would be formed from Taylor Street. At that time third parties raised concern regarding the potential for a new access/egress to Taylor Street. However, Report 170/15 stated that *'creating a vehicular access from the development site to areas to the south is considered desirable in the interests of integrating the development with the town and detailed issues regarding any such access and the subsequent route through the site could be addressed in a subsequent application for approval of those matters.'* Committee approved the application on that basis. A condition of the planning permission in principle prevents the use of the Taylor Street access by construction traffic. Separate planning permissions have now been granted that provide for the new accesses on Kirriemuir Road and Taylor Street. The current application provides for connections to those new accesses.

- **The application cannot be registered as a Matters Specified in Conditions application as the application site is larger than that of planning application 13/01001/PPPM**

The application site accords with the planning permission in principle site. The accesses and drainage works are subject of separate applications for planning permission which are detailed at Section 4 of this report.

- **The Section 75 Planning Obligation associated with planning application 13/01001/PPPM has not been completed therefore the application is premature**

The planning obligation requires to be recorded before any works begin on site. The applicant is aware of this requirement. The obligation has been signed and submitted for registration.

- **The provision of a footpath to Forfar Community Campus will lead to littering in the area**

There is no consequential relationship between the provision of a footpath and littering. However, littering is an offence and is controlled under separate legislation.

- **Construction works within close proximity to the properties in Taylor Street will potentially damage existing buildings and boundary enclosures**

Damage during construction is a civil matter and is not a material planning consideration. The applicant has indicated that no works would be undertaken within 1 metre of the boundary walls/fences.

In addition the following matters have been raised and are discussed under Planning Considerations: -

- **The application is contrary to the Angus Local Development Plan;**
- **Designs of the proposed houses should be appropriate and of a low scale;**
- **Adverse amenity impacts on existing residential properties;**
- **Single storey properties adjacent to Taylor Street could be changed in the future;**
- **Noise from traffic would result in disturbance for existing properties;**
- **Landscaping planned on the southern boundary would block light to properties on Taylor Street;**
- **The provision of a farm access to the west of the site would lead to potential conflict with agricultural traffic;**

- **The affordable housing is located in one area and is not integrated in the development;**
- **Surface water drainage arrangements could be unacceptable;**
- **The play area is isolated with no supervision from the proposed dwellings.**

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 Development Plan (ALDP) (Adopted 2016)

8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 4 and have been taken into account in preparing this report.

Principle of Development

8.4 As indicated above, planning permission in principle has previously been granted on the site for the erection of up to 300 dwellings and community facilities. In addition, the site is allocated for a residential development of around 300 dwellings in the ALDP. The principle of the development has therefore been established and cannot be revisited through the determination of this application. Objections that raise concern regarding the suitability of the site for housing development are not relevant.

8.5 This application seeks approval of all Matters Specified, detailed in Conditions 1(a) to (k) of permission 13/01001/PPPM. It is only these matters that are relevant and that can be considered in the determination of this application.

8.6 This report deals with each matter in turn, addressing matters collectively where appropriate.

Conditions 1 (a), (c), (d), (g) and (h) – Layout, Design, Roads/Access, Levels, Boundary Enclosures and Open Space

8.7 These conditions deal with layout, including total house numbers, design, ground & floor levels, boundary enclosures and open space.

8.8 A Masterplan and overall site layout drawing have been submitted. These indicate that a total of 237 residential units are to be provided on the site, including a flatted dwelling above a proposed shop unit. The density of development reflects that found in the surrounding area and in that respect the general number of units proposed is acceptable. The layout follows a gridiron pattern which generally provides for houses to front public roads and spaces and for private garden areas to back on to other private garden areas. On the eastern boundary houses back on to the Community Campus whilst on the western boundary the houses would back on to an area of recently planted trees which includes the area of ground where the SUDS basin is to be provided. It is not untypical for housing in the area to back on to the Community Campus, open fields and landscaped areas. Integrated into the layout are areas of open space and landscaping, including a play area to the northeast, a linear 'community orchard' that dissects the site on an east-west axis, and a green footpath corridor that runs on a north-west axis. As detailed above, a number of building types are proposed ranging from 1 bedroom flats contained within 2 storey blocks to 5 bedroom dwellings. The dwellings are a mixture of single, 1½ and 1¾ storeys in height with a combination of detached and semi-detached building types. The proposed house designs and external material finishes are fairly typical of the area and modern housing developments. The development is urban in nature and the concerns raised by Parks Service are noted. However, the overall layout with its grid iron pattern is broadly reflective of the surrounding area and the incorporation of landscaped areas provides a distinctive development. Open space areas are generally well connected and benefit from natural surveillance provided by new houses. A mix of house types are proposed that make the development adaptable to changing community needs. The provision of a small shop unit to meet local community needs and a community orchard are considered acceptable and do not give rise to any issues in terms of relevant policy considerations.

8.9 As indicated above a range of house types and sizes are proposed and this is reflected in the

layout where there is variety in the size of private amenity space provided with properties. The single bedroom flatted dwellings would have at least 50sqm of private garden ground with larger 5-bedroom houses having private garden areas in excess of 100sqm. The houses are well spaced throughout the development and do not give rise to significant issues in terms of the amenity that would be provided for prospective residents. Where private garden areas abut roadways they are generally screened by 1.8 metre high walls. Front gardens that directly abut the green corridor running north-south through the site are proposed to be defined by hedge planting. The use of 1.8 metre high screen fences to the rear of houses is acceptable in terms of providing privacy in areas that are not readily visible to the public and lower timber fences are appropriate to the front of dwellings to delineate boundaries between properties. A noise impact assessment has been submitted in respect of the houses located in the northern area of the site and a landscaped bund would be provided along the site frontage with Kirriemuir Road. The noise impact assessment has been considered by the Council's Environmental Health Service, and it is confirmed that the predicated noise levels from road traffic and the roads depot would not significantly impact on the residential amenity for any properties within the layout. Overall the proposed layout would provide a good standard of amenity for future occupants and the proposed boundary treatments are acceptable.

- 8.10 The layout has been designed such that houses close to the southern boundary would have rear gardens backing on to rear gardens of existing dwellings at Taylor Street and Lochbank Gardens. The dwellings proposed along the southern boundary of the site would be single storey properties with a separation distance in excess of 15 metres between existing and proposed houses. Information in respect of levels submitted with the application indicates that the proposed houses in this area would be at a lower level than the boundary with the neighbouring properties to the south. They would be separated from existing houses by a 1.8 metre high boundary fence which would be augmented by tree planting. The resultant relationship between existing and proposed properties is not untypical of that found in urban areas and is compatible with relevant Council policy and guidance. The proposal is not considered to raise concern in respect of overlooking issues in respect of neighbouring properties. Similarly there are no concern with impacts on daylight or sunlight of existing properties given the orientations of the dwellings and distances involved. The overall layout would require alteration to ground levels over the site but the proposed works would help reduce the visual impact associated with the development and do not give rise to any unacceptable landscape impacts. The reduction in ground level adjacent to the southern boundary helps reduce impact of the development on occupants of neighbouring property.
- 8.11 The proposed accesses onto Kirriemuir Road and Taylor Street are consistent with the general locations that were identified when the planning permission in principle was approved. The planning permission in principle recognised the desirability of providing direct vehicular access to the site from Taylor Street/Turfbeg Road but indicated that the detail of that access, and those onto Kirriemuir Road would be dealt with by subsequent applicants. In that respect separate planning applications were submitted providing for the construction of the new access onto Kirriemuir Road and Taylor Street. Those applications were consistent with the detail provided in respect of the planning permission in principle, were compatible with relevant development plan policy and have been approved as detailed above. The proposed layout provides for connections to those approved access points. The Roads Service has reviewed the detail of the submitted application and has confirmed that the road layout and parking provision is acceptable. The applicant has indicated that all roads and paths would be constructed to adoptable standard but detailed matters regarding road construction would be addressed through the roads construction consent process. The layout includes provision for traffic calming measures. The submitted layout does not give rise to any significant issues in terms of relevant policy considerations and is consistent with the planning permission in principle.
- 8.12 The proposed landscape design incorporated into the development results in the provision of green corridors dissecting the site on a north to south and east to west axis. These areas are further complemented by a new area of open space at the north east corner of the site which includes play facilities. A 2m high landscaped bund is provided adjacent to the north boundary of the site which not only provides a soft edge to the development but minimises any impact of road noise to the houses at the north of the site. Adjacent to the west boundary of the application site additional landscaping will be undertaken in association with the provision of the SUDS provision to serve the development. Other areas of landscaping and open space are provided within the overall layout and the proposed level of open space provision is compatible with relevant Council policy requirements. The open space areas within the site are generally overlooked by neighbouring houses and help contribute to the quality of the environment that would be created. Specific details of the proposed landscaping have not

been provided in respect of all areas and a condition is proposed that requires provision and approval of that detail. Similarly, information in terms of the layout of the open space area at the east of the site and the specification for the play area has not been provided and that is required by a proposed condition.

- 8.13 Overall the proposed layout is compatible with the terms of the planning permission in principle and with the land allocation and relevant policies of the ALDP. The number of units and associated phasing is considered acceptable in terms of the constraints of the site and the requirements of the land allocation. The proposed shop unit, community orchard and open space provide facilities that will help support the new development and its occupants. The gridiron street pattern and the green corridors provide a distinctive development that accommodates a range of house types and sizes capable of serving different housing needs. The proposed boundary treatments and alterations to ground levels are considered acceptable and help mitigate impact of the development on occupants of neighbouring property. The access arrangements are consistent with those identified in respect of the planning permission in principle and separate planning permissions have been granted that provide for the formation of the site access points themselves.

Phasing – Condition 1(b)

- 8.14 This condition requires a phasing plan for the entire development. The submitted phasing plan indicates that the development would be split into 4 phases, with an approximate build rate of 50 dwellings per year. After the installation of the initial infrastructure across the site development is proposed to commence from the east of the site in a westward direction. Phase 1 would incorporate the provision of the open space, pedestrian footpath links to the Community Campus as well as elements of the soft landscaping. Fourteen affordable housing units would be incorporated into the first phase of the development with this phase developed during years 1 and 2. Subsequent phases would continue to be constructed from the east towards the west with relevant infrastructure provided in association with each phase. The play park equipment and construction of the community shop would be provided prior to the completion of the 122nd house which represents the completion of Phase 2. The east most access from Kirriemuir Road would be constructed from an early stage to allow construction access. The western most access from the Kirriemuir Road would be formed prior to the construction of houses within Phase 2. The bus lay-bys and associated infrastructure would be provided prior to occupation of the 75th house. A condition is proposed that requires the access to Taylor Street to be completed prior to commencement of house building in Phase 3. The overall phasing and direction of build in respect of the dwellinghouses is compatible with relevant development plan policy. Conditions are proposed that deal with specific phasing issues.

Condition 1(f) - Drainage

- 8.15 This condition requires approval for the means of drainage for the development. In terms of the foul drainage, the applicant has indicated that this is to be directed to the public drainage system. Scottish Water has confirmed that it has no objection to the application and that there is currently capacity in the public system to accommodate the development. Surface water drainage is to be dealt with by a Sustainable Urban Drainage System. This system will connect to an attenuation basin that this is located on the land to the west of the application site within an area of recently planted trees. That attenuation basin has been granted planning permission (17/00447/FULL). Both SEPA and the Roads Service have indicated that they have no objection to the proposal. The Roads Service has advised that the surface water drainage proposals to serve the housing development are appropriate. A planning condition regarding the maintenance arrangements of the sustainable urban drainage system is attached to planning permission 17/00447/FULL. A condition is proposed that requires the provision of the SUDS attenuation basin prior to occupation of any house within the development. Overall the proposed drainage arrangements are considered compatible with relevant policy requirements.

Condition 1(i) - Affordable Housing

- 8.16 This condition requires a legal binding scheme for the delivery of 15% of the houses as affordable units. The proposed layout makes provision for 36 affordable units which meets the required 15% provision. The affordable housing units would consist of 1 bedroom flats (four in a two storey block), 2 and 3 bed semi-detached bungalows and 2 and 3 bed two storey semi-detached dwellings. The general form and location of the affordable housing has been discussed with the Housing Service and is to be secured through a Section 75 Planning Obligation. That Obligation deals with the specific delivery of the units and it has been signed and submitted for registration. A condition is proposed that prevents development commencing until the Planning Obligation is registered. A third party has raised concern that the affordable housing is located in one area of the site. However, small groupings of affordable housing are not unusual within larger housing developments. A grouping of 36 affordable houses is not considered unacceptable and in design terms the proposed buildings are similar to others within the wider development. The proposed affordable housing provision and the use of the Section 75 Planning Obligation to secure it is compatible with relevant policy requirements.

Condition 1(j) - Public Access

- 8.17 This condition requires approval of a public access plan that provides full details of all pedestrian and cycle paths within the site as well as for linkages to the wider network. The condition also requires the existing core path that dissects the site to be available, or suitable alternative provision, to remain accessible, including during the construction periods. The proposal makes provision for a pathway running on a north-south axis in the general location of the existing core path. A further pathway crosses the site on an east-west axis. These generally provide traffic free routes although there are vehicle crossing points along their length. They provide good connectivity between green spaces within and around the site. The scheme also makes provision for potential linkages to Community Campus to the east. The applicant has indicated that public access between Turfbeg Road and Kirriemuir Road would be maintained at all times during the construction phase. It is indicated that all paths would be constructed to adoptable standard. As indicated above, a condition is proposed that requires a scheme for the management and maintenance of open spaces, outdoor communal areas and unadopted infrastructure and this would include any paths that are not adopted. The phasing of the development is such that once phase 2 is complete the core path would be available for use thereafter and be unaffected by the development works in phases 3 and 4. A condition is proposed that prevents the closure of the core path until a detailed scheme for its rerouting has been approved and provided on site. The public access arrangements are considered compatible with relevant policy requirements.

Condition 1(k) - Public Transport Improvements

- 8.18 This condition requires provision of bus lay-bys on both the north and south sides of Kirriemuir Road and the provision of suitable bus shelters and associated infrastructure. The proposal provides for bus laybys to the north and south of Kirriemuir Road towards the west of the site. The lay-bys would have raised kerbs. The location of the proposed lay-bys is considered acceptable and they are connected to path linkages within the overall development. The bus lay-bys and associated infrastructure are to be provided before completion of the 75th house. The submitted scheme indicates that a bus shelter with associated solar lighting, real time display and bus stop pole would be provided adjacent to the east bound carriageway. A bus stop pole would be provided for the lay-by on the west bound carriageway. The Roads Service has confirmed that the proposed arrangements are generally acceptable although bus shelter provision is required on both sides of Kirriemuir Road. A planning condition is proposed to control the phasing and specification of the lay-bys and the associated infrastructure and to ensure provision of the second bus lay-by serving the west bound carriageway. The public transport improvements are considered compatible with relevant policy requirements.

Other Matters

- 8.19 Third party representations have raised concern regarding the acceptability of the principle of development of this site. However, as indicated above this site is specifically allocated for development in the Angus Local Development Plan and planning permission in principle has been granted for development of the site. The principle of development of the site has been established and cannot be reconsidered through determination of this application which seeks approval of matters of detail.

- 8.20 The basic form and design of the proposed houses is considered acceptable for an extension to the urban area of the town. The house types and proposed external materials are broadly reflective of house styles found in the wider area.
- 8.21 Third parties have raised concern regarding the impact of the development on the amenity of occupants of existing housing in the area. However, the houses with greatest potential to be affected by the development are the existing properties on Taylor Street and at Lochbank Gardens. As indicated above, the proposed properties that would bound those houses are single storey in height and ground levels are such that they would sit below the level of existing dwellings. A 1.8 metre high screen fence would be provided between existing and proposed buildings. In these circumstances the impacts on the amenity of neighbouring property would not be untypical of those found in any residential area. Concern regarding possible future alterations to the proposed houses are noted but any significant alteration to those new houses would require planning permission. Any alteration that could be undertaken using typical permitted development rights available to a householder would not result in a level of impact that would be untypical of a residential area. Some limited tree planting is proposed along the southern boundary of the site neighbouring existing residential properties in order to help integrate the development in the landscape. The level and nature of planting proposed is not such that it would have significant impacts on the amenity of neighbouring property to the south.
- 8.22 Concern has also been raised regarding the impact on amenity and road safety associated with the use of Taylor Street as an access point. However, as indicated in Report 170/15 that dealt with the planning permission in principle, creating a vehicular access from the development site to areas to the south is considered desirable in the interests of integrating the development with the town. The planning permission in principle was approved on that basis and a condition attached to that prevents the use of the Taylor Street access by construction traffic. The Roads Service is satisfied with the proposed access arrangements and a separate planning permission has been granted for the formation of the section of road required to access the site from Taylor Street. The development will lead to additional traffic movement in the Taylor Street/Turfbeg Road area but the impact from use of these roads by residential traffic is not considered to give rise to unacceptable amenity or road safety impacts.
- 8.23 The proposed layout makes provision for a field entrance in its southwest corner and this would replace the existing field entrance that runs along the northern boundary of Lochbank Gardens. As the arrangement effectively replaces an existing situation it is not considered likely to give rise to any significant amenity impacts. Vehicles that use the current access must travel along roads serving the residential area and this would continue to be the case.
- 8.24 The remaining matters regarding the suitability of the layout in respect of affordable housing provision and the natural supervision afforded to the play area have been discussed above. Similarly the suitability of the sustainable urban drainage system has been addressed. There are no issues that give rise to significant conflict with policy of that give rise to unacceptable amenity or environmental impacts.

Conclusion

- 8.25 The principle of housing development on this site has been established through the sites allocation in the Angus Local Development Plan and through the grant of planning permission in principle. The planning permission in principle required the submission of a further application or applications for approval of matters of detail prior to the commencement of any development. In this respect planning permissions have been granted for the formation of new roads to serve the site from Kirriemuir Road and Taylor Street. A planning permission has also been approved that provides for the formation of a SUDS attenuation basin to serve the development. This application seeks approval for all detailed matters specified in order to allow development to commence.
- 8.26 In this respect the overall layout and detail of the application is considered compatible with relevant development plan policy. The proposal provides for a distinctive development that would provide a good residential environment whilst maintaining the amenity of occupants of neighbouring property. It does not give rise to any unacceptable impacts in terms of environment, amenity or road safety. The development would provide a range of house types and sizes to meet the needs of different sections of the community. It incorporates open space and landscaping that will help integrate the development into its environs whilst also allowing opportunities for people to use modes of traffic other than private car.

- 8.27 There are conditions attached to the planning permission in principle that control the development and a number of conditions that remain to be purified. Condition 3 of the planning permission in principle requires a planning obligation to be completed in respect of contributions towards secondary school education facilities prior to the undertaking of a material operation on site. Further condition 4 requires an archaeological assessment at the time of grounds works. These conditions must be adhered to at the appropriate stage but the information available to date do not give rise to any significant concerns in relation to these matters. This will be undertaken alongside monitoring of any conditions attached as part of this permission.
- 8.28 The details submitted in respect of this application and in conjunction with other planning permissions that have been granted for enabling development at the site are compatible with relevant development plan policies subject to the proposed conditions. There are no material considerations that justify refusal of this application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this 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:

That all matters relating to the requirements of Condition 1 (a) to (k) of the planning permission in principle are compatible with relevant development plan policy subject to the stated conditions. The proposal would not have an adverse impact on amenity, environment or road safety and would provide an acceptable housing development that is capable of providing a good residential environment. There are no material considerations that justify refusal of these specified matters.

Conditions:

1. That the construction phasing of the development shall, follow the build routes detailed in the 'Construction Phasing Plan' as specified in the 'Construction Programme' and the associated drawing '2017/TRF/025' except as may otherwise be specified in conditions attached to this permission. The infrastructure works, insofar as they relate to roads, footpaths, open space, landscaping and drainage, shall be complete in each phase prior to the occupation of any dwellinghouse within any subsequent phase.

Reason: To ensure a satisfactory phasing to the development in the interest of road safety and the amenity of the area.

2. That the phasing of all other infrastructure and amenity facilities shall be provided by the following stages of the development:
 - (a) Completion of the east most access onto the A926 Forfar to Kirriemuir Road in accordance with the terms of planning permission reference 17/00595/FULL prior to the occupation of the 1st dwellinghouse;

- (b) Completion of SUDS attenuation basin in accordance with planning permission reference 17/00447/FULL prior to the occupation of the 1st dwellinghouse;
- (c) Completion of the west most access onto the A926 Forfar to Kirriemuir Road in accordance with planning permission reference 17/00595/FULL prior to the commencement of construction of any house within Phase 2 of the development;
- (d) Completion of play area within the East Community Green prior to the construction of the 122nd dwellinghouse;
- (e) Completion of shop prior to the construction of the 122nd dwellinghouse;
- (f) Completion of the access to Taylor Street/Turbeg Road in accordance with planning permission 17/00555/FULL prior to the commencement of construction of any house within Phase 3 of the development.

Reason: In the interest of ensuring adequate access, drainage, provision of play equipment and community facilities at an appropriate stage of the development.

3. The surface water system and a foul drainage connection to the public sewerage system shall be completed for each dwellinghouse prior to its occupation.

Reason: In order to ensure adequate drainage facilities are provided in the interests of the amenity of the area.

4. That no development in connection with the consent hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) A scheme for the management and maintenance of all open space or amenity areas, roads or paths, and infrastructure within the site which is not within the curtilage of a dwelling. Thereafter the infrastructure will be managed and maintained in accordance with the approved details in perpetuity.
 - (b) Full details of the location of the construction compounds associated with each phase of the development. Thereafter the construction compounds shall be formed in accordance with the approved details.
 - (c) A revised landscaping plan for the site. The plan shall make provision for a schedule of plants to comprise species, plant sizes, numbers and density for all landscaped areas and areas of hedge planting. The approved planting shall be provided within each respective phase of the development in accordance with the requirements of Condition 1. Any plants or trees that within a period of 5 years from the completion of development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species.
 - (d) The boundary wall enclosures. Thereafter the approved boundary wall enclosures shall be erected prior to the occupation of the respective dwellinghouse to which they relate.
 - (e) A scheme for the provision of conveniently located car parking associated with the shop building. The submitted scheme shall ensure parking spaces are provided at the following minimum rates – cars - 3 spaces; motor cycles - 2 spaces; disabled parking - 3 spaces; and bicycles - 2 spaces. This shall include details of the lighting and signing of the bicycle parking. Thereafter the parking shall be provided in accordance with the approved details prior to the occupation/use of the shop.
 - (f) Full details of the layout and specification of the open space area located in the northeast corner of the site. This shall include precise details of the location of the play area and the specification for all equipment to be located within it along with details of surface materials and boundary treatments. Thereafter the open space shall be provided in accordance with the requirements of Condition 1.
 - (g) Evidence that the planning obligation pursuant to s.75(1)(a) of the said Act relating to the land and providing for the provision of affordable housing has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate.

Reason: In order that the planning authority may verify the acceptability of the maintenance strategy of these areas and facilities; in the interests of the amenity of neighbouring properties and the visual amenity of the area; to ensure the adequacy of the proposed planting and its timely provision; in order that the visual amenity of the area shall not be adversely affected; to maintain the free traffic flow on the adjacent roads and to encourage multi-modal means of travel; to ensure that the layout of the open space and specification of the play equipment is acceptable; and to ensure provision of a legally binding scheme for the delivery of affordable housing.

5. That all landscaping and boundary enclosures, including hedge planting shall be provided in each plot prior to the occupation of the respective dwellinghouse.

Reason: In the interest of the amenity of neighbouring properties and the visual amenity of the area.

6. That the bus lay-bys and associated infrastructure detailed in the 'Public Transport Scheme' on the north and south sides of the A926 Forfar to Kirriemuir Road shall be provided and operational prior to the occupation of the 75th dwellinghouse within the development. Notwithstanding the details contained within the submitted Public Transport Scheme the bus lay-by to be formed on the south side of the public road shall be provided with an enclosed bus shelter equipped with solar lighting, real time display, bus stop pole and raised kerb(s). The bus stops and associated infrastructure shall be provided to the standards of Angus Council.

Reason: To ensure adequate public transport facilities are provided at an appropriate stage of the development in the interests of promoting sustainable modes of transport.

7. That, prior to the occupation of any dwellinghouse within any phase of the development, visibility splays shall be provided at the junction of the proposed accesses with the A926 Forfar to Kirriemuir Road giving a minimum sight distance of 120m in each direction at a point 2.4m from the nearside channel line of the A926 Forfar to Kirriemuir Road. Once formed nothing shall be erected, or planting permitted to grow within the visibility splay to a height in excess of 875mm above the adjacent road channel level.

Reason: In the interests of road safety and pedestrian safety and to ensure a satisfactory standard of visibility at the junction of the proposed accesses with the public roads is maintained.

8. That the existing Core Path that runs through the site shall not be closed to public access until a scheme for its rerouting during construction works has been submitted to and approved in writing by the Planning Authority. Thereafter the approved route shall be delineated and formed in accordance with the approved details before the existing Core Path is closed to public access and the revised route shall be available at all times until the new footpath/cycleway is provided between Taylor Street and Kirriemuir Road.

Reason: In order to ensure the provision of an acceptable alternative footpath connection between Taylor Street and Kirriemuir Road during any construction period that requires closure of the core path.

**STEWART BALL
HEAD OF HOUSING, REGULATORY AND PROTECTIVE SERVICES**

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.

REPORT AUTHOR: STEWART BALL
EMAIL DETAILS: PLANNING@angus.gov.uk

DATE: 26 SEPTEMBER 2017

APPENDIX 1: LOCATION PLAN
APPENDIX 2: PLANNING PERMISSION IN PRINCIPLE DECISION NOTICE
APPENDIX 3: SUMMARY OF APPLICANTS SUPPORTING INFORMATION
APPENDIX 4: DEVELOPMENT PLAN POLICIES

Appendix 1: Location Plan

Appendix 2: Decision Notice for Planning Permission in Principle 13/01001/PPPM

ANGUS COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2013

PLANNING PERMISSION IN PRINCIPLE APPROVAL
REFERENCE : 13/01001/PPPM



To: **Elite Homes (Tayside) Ltd**
Per Mr Mark Guild
Chapelpark House
17 Academy Street
Forfar
DD8 2HA

With reference to your application dated **31 October 2013** for planning permission in principle under the above mentioned Acts and Regulations for the following development viz:-

Planning Permission In Principle For The Erection Of Approximately 300 Houses With Associated Roads, Landscaping And Community Facilities at Land 500M West Of Forfar Academy Kirriemuir Road Forfar for Elite Homes (Tayside) Ltd

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission in Principle (Committee Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as approved on the Public Access portal. The permission is subject to the following conditions, namely:-

1. That, plans and particulars of the matters listed below, shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given for the matters listed below and the development shall be carried out in accordance with that approval. The matters are:
 - a) the layout of the site, including the number of residential units to be provided (which shall not exceed 300 units), the type and location of community facilities, road layout, car parking, turning space, open space, landscaping and facilities for waste/recycle storage and collection. For the avoidance of doubt the indicative layout submitted with the application is not approved;
 - b) a phasing plan for the entire development, including the timing and number of dwelling units to be released in each phase; details of the provision of infrastructure and community facilities; road construction; provision of street lighting; open space areas; landscaping; drainage infrastructure; and the formation of the new pedestrian/cycle connections;
 - c) the siting, design (to include appropriate noise mitigation measures) and external appearance of the dwellings and community facilities as appropriate;
 - d) the existing and proposed ground levels and finished floor levels of houses relative to a fixed ordnance datum;
 - e) the precise details of the means of accesses to the development, including visibility splays; specification of all roads, lighting and road drainage, car parking provision and garage layouts. Any proposed garage shall be set back a minimum of 8 metres from the carriageway of the adjacent public road. Within the visibility splays formed nothing shall be erected or planting permitted to grow to a height in excess of 875 millimetres above the road carriageway;
 - f) the means of drainage for the development. For the avoidance of doubt the foul drainage from the development will be directed to the public sewage system and surface water shall be disposed of by Sustainable Urban Drainage System (SUDS) and should account for high levels of groundwater. No development shall commence until evidence is provided to the planning authority to demonstrate that the public sewer has capacity to accommodate development of the entire site. All water retention/detention features shall be designed to minimise danger to the public and shall be fully landscaped and fenced where necessary to achieve this purpose;

- g) all boundary enclosures;
 - h) the provision of open space, at a minimum of 2.43 hectares per 1000 head of population, including play equipment, and a scheme for its provision and ongoing maintenance in perpetuity;
 - i) a legally binding scheme for the provision of 15% affordable housing or suitable alternative provision in accordance with Angus Council's Affordable Housing Implementation Guide or any subsequent policy or guidance that replaces it;
 - j) a public access plan that provides full details of all proposed pedestrian and cycle paths within the site, linkages to the existing wider network and details of their long term maintenance. The plan shall have regard to the existing core path that dissects the site ensuring that it, or suitable alternative provision, remains accessible to the public, including during the construction period(s); and
 - k) a public transport scheme that details provision on both the north and south sides of the A926 Kirriemuir Road - for bus layby(s) (suitable for accommodating buses up to 12 metres in length), enclosed bus shelter(s) to Angus Council's specifications (equipped with solar lighting, real time display, bus stop pole and raised kerb(s)).
2. That any application for approval of Matters Specified in Condition 1 above shall be accompanied by the following:
- a) A Masterplan for the entire application site which shall include: -
 - i) a Design and Access Statement in accordance with the requirements of Part 3 Regulation 13 (5) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013;
 - ii) an overall design concept for the layout of the site and dwellings within the site taking account of relationship to neighbouring land uses, building orientation, building height, use of materials, and a palate of colours and textures to be used in the construction of dwellings;
 - iii) road access and construction of roads to the standards set by the Roads Authority having regard to Designing Streets;
 - iv) provision of access by pedestrian, cycle and public transport;
 - v) a strategy for the drainage of foul and surface water;
 - vi) details of structure planting and landscaping within and around the site, including details of those trees to be retained and measures for their protection during development.
 - b) A noise impact assessment; and
 - c) A scheme for the provision of a Residential Travel Plan and Pack. Once approved the document shall be provided to the first occupants of each dwelling.

Upon the planning authority giving written approval that all of the foregoing supporting information is acceptable, the development shall thereafter be undertaken to incorporate any identified necessary mitigation or measures identified within the approved studies.

- 3. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide that the sum of £5,100 per dwelling unit (excluding affordable housing and single-bedroom units) will be paid to the local planning authority for the purpose of the provision of secondary school educational facilities.
- 4. No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Aberdeenshire Council Archaeology Service or such other party as may be appropriate.
- 5. Noise associated with construction works including the movement of materials, plant and equipment shall not exceed the noise limits shown in table B below unless agreed in writing by the Planning Authority. At all other times noise associated with construction or demolition

operations shall be inaudible at any sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.

Table A: Construction Noise limits

Day	Time	Average Period (t)	Noise limit
Monday-Friday	0700-1900	12 hour	70 dBA Leq t
Saturday	0700-1300	6 hour	70 dBA Leq t

6. That no access or egress shall be permitted from Turfbeg Road/Taylor Street for construction traffic vehicles.
7. That from the date on which this planning permission is granted none of the existing trees and shrubs on the site shall be lopped, topped, felled, removed or disturbed in any way without the prior written approval of the Planning Authority.

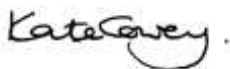
The foregoing conditions are imposed by the Council for the following reasons:-

1. To ensure that the matters referred to are given full consideration and are acceptable to the planning authority.
2. In order to ensure that development within the site takes place in accordance with an overall design concept and to enable the planning authority to consider the matters detailed in Condition 1.
3. To ensure that the proposed development does not put undue pressure on the existing education facilities.
4. To safeguard and record the archaeological potential of the area.
5. In the interest of protecting residential amenity.
6. In the interest of road safety and residential amenity.
7. To ensure the retention of important landscape features and existing amenities of the site.

The reason(s) for the foregoing decision by the Council are as follows:-

That the development would address an identified shortfall in the 5-year effective housing land supply in the West Angus Housing Market Area in a manner that is broadly compliant with development plan policy. Potential impacts associated with the development can be appropriately mitigated and there are no material planning considerations that justify refusal of the application.

Dated this **23 September 2015**



Kate Cowey
Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

Appendix 3: Summary of Applicant Supporting Information

Masterplan (incorporating a Design & Access Statement) – Assesses the character of the site and surrounding area and aims to identify the design principles and concept for the development of the site to achieve the aspirations for good design and sense of place as set out in national and local guidance. The proposal seeks to create a considered plan for the site, developing a layout which responds to the advice of the Scottish Government and Angus Council, comments received from the local community at the time of the planning application in principle and all detailed technical reports. The overall concept is for a phased residential development within a connected hierarchy of streets with the required open space, access and SUDs. At the core of the design is the desire to provide an accessible development creating pedestrian and cycle linkages from the development to the existing settlement and the community facilities' ensuring the scheme becomes a coherent extension to Forfar. In terms of houses the development will accommodate 20 house types ranging from 1 bed cottages to 5 bed detached homes.

Noise Report – This assesses the noise of the plant and equipment used at the road maintenance depot located to the north of the A926; road traffic and activity from the Forfar Community Campus to determine their impact on future occupants of the site. The northern perimeter bund reduces the received levels from traffic on the A926 such that a criterion of 55 dB LAeq,16h is not exceeded. The night-time traffic noise is also considered to be acceptable. The impact of operations at the roads depot makes the noise levels received on the site, apart from when the crusher is in use, as negligible.

Drainage Strategy – This indicates a Flood Risk Assessment was previously undertaken for 13/01001/PPPM which confirmed the proposed housing site is not at risk of flooding. There are no known formal drainage systems within the site however any field drains encountered during the works will be re-routed to protect existing subsoil drainage patterns. Scottish Water sewers exist to the south of the development in Taylor Street however site levels do not permit gravity connection. An existing Scottish Water rising main serving Padanaram crosses through the site and discussions are ongoing with Scottish Water to reroute the main. A site investigation was carried out on behalf of the Client by Terrier Soil Surveys on 1st March 2017. Topsoil was generally 0.3-0.4m thick overlying compact glaciofluvial gravelly sands. In a number of locations, the granular beds were underlain by a glacial clay. Capacity for foul water drainage has been confirmed by Scottish Water and all properties will be connected to new foul sewers within the development and fall by gravity to a new pumping station at the north west of the development. Surface water drainage will be dealt with through a dry detention basin to treat and attenuate run-off. Surface water runoff from roads, footways and property roofs will be conveyed by new surface water sewers to the dry detention basin, prior to discharging into the existing watercourse to the north-west of the development. The detention basin has been sized to attenuate the surface water runoff generated from a M30 storm event (including an additional allowance of 30% for climate change). In relation to maintenance arrangements road gullies and gully tails will be offered to Angus Council for adoption. Surface water sewer infrastructure including manholes, detention basin and associated inlet/outlet headwalls, up to plot disconnection chambers, will be offered to Scottish Water for adoption. Internal plot drainage upstream of plot disconnection chambers will remain the responsibility of the plot owner.

Public Access Plan – Details that pedestrian linkages will be provided throughout the site with a green corridor running north/south and east/west. The north/south link will follow the line of the existing farm track which currently forms part of the existing core paths network. The pedestrian linkage will link to Kirriemuir Road to the north and Turfbeg Road to the south. There are three proposed links from the development to the recently completed Community Campus to the east providing easy pedestrian and cycle access to the school and community facilities. In addition public access along the southern boundary of the site will be replaced with a new improved pedestrian/cycle link running west providing public access and farm access to the land to the west. It also advises that during the construction period a link from Turfbeg Road to Kirriemuir Road will be maintained.

Public Transport Scheme – Highlights that the development is seeking to become a coherent extension to Forfar through the desire to provide an accessible development creating pedestrian and cycle linkages from the development to existing settlement and the existing and proposed community facilities. It confirms existing public transport networks are available within the area which allows those travelling to and from the development to use alternative modes of transport than the car. The existing and proposed pedestrian infrastructure provides safe and convenient linkages to the public transport network. In addition the development includes a new bus stop on the A926, Kirriemuir Road increasing the number of buses directly accessible to the development. Bus laybys will be provided on each side of the A926 which will comply with the requirements of Angus Council.

Residents Travel Pack – Is an information pack that would be provided to the first residents of each house within the development and provides information on walking and cycling routes, car sharing, public transport services, the benefits of sustainable travel and links to other sources of travel information.

Commentary on the consultation responses and letters of representation – In relation to landscaping and open space the landscape framework aims to ensure that the new housing development integrates well with the character of Forfar and its broader landscape setting. In order to do this, avenues and groups of trees are being introduced, to create green framework, linking the new housing and open spaces, and improving the biodiversity of the new development and the town as a whole. Open space has been provided in a variety of forms including large area of open space, play park, green walkways, community green and community orchard as well as structural landscaping throughout the development screening and softening the edges of the scheme. The maintenance scheme requires the householders to pay an annual rate; the monies are then used to provide regular maintenance of the communal landscaped areas. Guild Homes will manage and undertake the maintenance of the communal areas on behalf of the residents. The mix and tenure of the affordable houses will be agreed with the Housing Service. Environmental Health has offered no objections to the application. SEPA and Scottish Water have offered no objections to the application in respect of drainage and flood risk. The response to the letters of representation indicates a detailed Transport Assessment was lodged in support of 13/01001/PPPM which confirmed that the existing roads network has capacity to accommodate the development. In terms of the detail of the design included within application 17/00443/MSCM, the road layout of the development has been informed by the guidance contained in Designing for Streets and has been the subject of discussion between Millard's Consulting Engineers and Angus Council Roads Service. In terms of impacts on education facilities a significant financial developer contribution towards education facilities has been agreed to be paid on completion of the proposed houses. The S75 planning obligation has been agreed with Angus Council and will be signed imminently. The applicant is aware that no material operations can be undertaken on site until the planning obligation is registered. The proposed houses to the south of the site have 12 metre deep gardens which fully complies with the design standards of Angus Council. Further the plots to the south of the development site will be at a slightly lower level ensuring the long views to the Angus Glens are protected. Single storey houses are proposed adjacent to the properties in Taylor Street and if they are to be altered in the future they will require to go through the statutory planning process. An alternative field access is being provided to the west of the site in order to remove the existing access track however any farm vehicle movement through the proposed development will be minimal as Turfbeg Farm retains various alternative accesses into this section of the farm holding. The proposal is considered to accord with the relevant policies of the Local Development Plan. The roads and pavements within the development have been designed to comply with the requirements of the Roads Construction Consent. In relation to impacts on existing boundary walls at Taylor Street all works within the site will be undertaken at least 1m away from the boundary walls/fences and with the health and safety and amenity of the existing residents a priority at all times. Linkages to the Community Campus have been incorporated to ensure the development connects with the existing settlement. The red line application site accords with that of the planning permission in principle site with applications for planning permission submitted to deal with the formation of the access points to serve the development.

Appendix 4: Development Plan Policies

TAYplan Strategis Development Plan

Policy 2: Shaping better quality places

To deliver better quality development and places which respond to climate change, Local Development Plans, masterplans and development proposals should:

- A.** Ensure that climate change resilience is built into the natural and built environments through:
- i. a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; including the undeveloped coast. To ensure flood risk is not exacerbated, mitigation and management measures; such as those envisaged by Scottish Planning Policy, should be promoted;
 - ii. reducing surface runoff including through use of sustainable drainage systems;
 - iii. protecting and utilising the water and carbon storage capacity of soils, such as peatlands, and woodland/other vegetation; and,
 - iv. Identifying, retaining and enhancing existing green infrastructure and spaces whilst making the best use of their multiple roles.
- B.** Integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure to optimise its coverage and capability.
- C.** Ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/appraisals and travel plans where appropriate, including necessary on and offsite infrastructure.
- D.** Ensure that waste management solutions are incorporated into development to allow users/occupants to contribute to the aims of the Scottish Government's Zero Waste Plan.
- E.** Ensure that high resource efficiency is incorporated within development through the orientation and design of buildings, the choice of materials and the use of low/zero carbon energy generation technologies to reduce carbon emissions and energy consumption to meet or exceed Scottish Government's standards.
- F.** Ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets*, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets, and provide additional green infrastructure where necessary.
- **Outside – In:** *Understanding the environmental context of a site, how a site works in its wider location and how that shapes what happens within is essential to integrating new development.*
 - **Inside – Out:** *Conversely, considering how the site connects from the inside-out and builds on existing features, networks and infrastructure, enhancing these through new development.*
 - **Integrate Networks:** *Making it easy, safe and desirable to walk and cycle within and between neighbourhoods utilising existing green space and water networks and enhance these areas to deliver a better quality of place and life.*
 - **Work with the grain of the place:** *Respecting and working with the grain of a place. This approach will help determine the size, shape and form of development and how it can respond to adaptation to help achieve future-proofing our new communities and facilities.*

*Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).

Policy 3: Managing TAYplan's Assets

Land should be identified through Local Development Plans to ensure responsible management of TAYplan's assets by: -

Employment Land:

- Identifying and safeguarding at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements;
- Safeguarding areas identified for class 4 office type uses in principal settlements; and
- Further assisting in growing the year-round role of the tourism sector.

Greenbelts:

- Continuing to designate green belt boundaries at both St. Andrews and Perth to preserve their settings, views and special character including their historic cores; assist in safeguarding the countryside from encroachment; to manage long term planned growth including infrastructure in this Plan's Proposals Map and Strategic Development Areas in Policy 4; and define appropriate forms of development within the green belt based on Scottish Planning Policy;
- Using Perth green belt to sustain the identity of Scone, and provide sufficient land for planned development around key villages and settlements.

Finite resources:

Using the location priorities set out in Policy 1 of this Plan to:-

- safeguard minerals deposits of economic importance and land for a minimum of 10 years supply of construction aggregates at all times in all market areas; and,
- protect prime agricultural land, new and existing forestry areas, and carbon rich soils (where identified) where the advantages of development do not outweigh the loss of productive land.

Natural and Historic Assets*:

Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:

- ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy;
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and,
- identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate.

Transport:

- Safeguarding land at Dundee and Montrose Ports, and other harbours, as appropriate, for port related uses to support freight, economic growth and tourism; and,
- Safeguarding land for future infrastructure provision (including routes), identified in the Proposal Map of this Plan or other locations or routes, as appropriate, or which is integral to a Strategic Development Area in Policy 4 of this Plan, or which is essential to support a shift from reliance on the car and road-based freight and support resource management objectives.

**Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic buildings, townscapes, parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).*

Policy 5: Housing

Local Development Plans shall:-

A. Allocate land which is effective or capable of becoming effective to meet the housing land requirement up to year 10 from the predicted date of adoption, ensuring a minimum of 5 years effective land supply at all times, and work towards the provision of a 7 years supply of effective housing land by 2015, to support economic growth. Land should be allocated within each Housing Market Area (Proposal 2) through Local Development Plans to provide an effective and generous supply of land to assist in the delivery of in the order of 26,000 units up to year 2024 across TAYplan.

Average annual build rates are illustrated*. In the period 2024 to 2032 in the order of 17,400 units may be required. To assist the delivery of these build rates, Local Development Plans shall allocate sufficient land to ensure a generous supply of effective housing sites and to provide for flexibility and choice.

- In serious cases of appropriately evidenced environmental or infrastructure capacity constraints, provide for up to 10% of the housing provision for one market area to be shared between one or more neighbouring housing market areas within the same authority taking account of meeting needs in that housing market area.
- Ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. Local Development Plans (where applicable) will need to set affordable housing requirements for or within each housing market area.

B. Have the flexibility to plan for house building rates in Dundee City to exceed the level of annual provision in Proposal 2.

C. Ensure there is a presumption against land releases in areas surrounding the Dundee and Perth Core Areas, including the Carse of Gowrie, where it would prejudice the delivery of Strategic Development Areas or regeneration within the core areas or conflict with other parts of this Plan.

**Average build rates are illustrated annually to assist the understanding of what the scale of housing is for communities. These are only averages and the period in which these build rates should be achieved is over the first 12 years of the Plan, not annually. It is anticipated that within the first 12 year period build rates will be lower than the average in the early period and greater in the later period. These figures include Strategic Development Areas and affordable housing.*

Policy 8: Delivering the Strategic Development Plan

To ensure that quality is designed-in to development and places developer contributions shall be sought for new development:-

To mitigate any adverse impact on infrastructure, services and amenities brought about by development including contributions towards schools, affordable housing, transport infrastructure and facilities (including for road, rail, walking, cycling and public transport), and other community facilities in accordance with the Scottish Government Circular 1/2010.

Angus Local Development Plan

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 DS5: Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- Education;
- Community Facilities;
- Waste Management Infrastructure; and
- Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

Policy TC1: Housing Land Supply / Release

The Angus Local Development Plan allocates land to meet the housing land requirements set out in the TAYplan Strategic Development Plan for the period to 2026. Where appropriate, sites are released over two phases of the plan: 2016-21 and 2021-26. However, land allocated in the latter phase of this plan (2021-2026) may be released for earlier development, unless a delay is justified.

The scale and distribution of housing land release across the four Angus Housing Market Areas is set out in Table 1 (below). A schedule of all sites identified by the Angus Local Development Plan which contribute to meeting the housing requirements set out in TAYplan Strategic Development Plan is included in Appendix 3.

To support delivery of a generous supply of effective housing sites and introduce additional flexibility Angus Council will support proposed residential development on appropriate sites as set out in Policy TC2 Residential Development Principles.

To ensure that a 7 year effective land supply is maintained at all times, land identified for residential development will be safeguarded from development for other uses. The continued effectiveness of sites will be monitored through the annual Housing Land Audit process.

Where the annual housing land audit identifies a shortfall in either the five years' or the seven years' effective housing land supply, the council will work with landowners, developers and infrastructure providers to bring forward additional housing land. The early release of sites planned for later phases of the plan, as well as sites identified as constrained or noneffective in the audit, will be considered first. If the shortfall is not met from existing sites, proposals for housing development on other housing sites may be supported where they are consistent with the policies of the plan.

Policy TC2: Residential Development

All proposals for new residential development*, including the conversion of non-residential buildings must:

- be compatible with current and proposed land uses in the surrounding area;
- provide a satisfactory residential environment for the proposed dwelling(s);
- not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
- include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.

Within development boundaries Angus Council will support proposals for new residential development where:

- the site is not allocated or protected for another use; and
- the proposal is consistent with the character and pattern of development in the surrounding area.

In countryside locations Angus Council will support proposals for the development of houses which fall into at least one of the following categories:

- retention, renovation or acceptable replacement of existing houses;
- conversion of non-residential buildings;
- regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination
- or an incompatible land use;
- single new houses where development would:
- round off an established building group of 3 or more existing dwellings; or
- meet an essential worker requirement for the management of land or other rural business.
- in Rural Settlement Units (RSUs)**, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites
- (as defined in the Glossary) may be developed for up to two houses.

Further information and guidance on the detailed application of the policy on new residential development in countryside locations will be provided in supplementary planning guidance, and will address:

- the types of other buildings which could be considered suitable in identifying appropriate gap sites for the development of single houses in Category 1 Rural Settlement Units, or for the development of up to two houses in Category 2 Rural Settlement Units.
- the restoration or replacement of traditional buildings.
- the development of new large country houses.

Policy TC3: Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- local housing needs (set out in the current Housing Needs and Demand Assessment);
- physical characteristics of the site;
- development viability; and
- availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

Policy TC20: Local Convenience Shops and Small Scale Retail

Within development boundaries, proposals for the development and improvement of local convenience shops* will not be subject to the sequential approach. Such proposals will be supported where they are not detrimental to the surrounding amenity and are in keeping with the townscape and pattern of development. Preference will be given to development proposals which effectively reuse or redevelop vacant or derelict land.

Outwith development boundaries, proposals for small scale retail development (around 500 m²) will only be supported where the proposal constitutes rural diversification and is ancillary to tourism, agricultural, equestrian, horticultural or forestry operations and where the proposal:

- does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus;
- is of a scale and nature in keeping with the character of the local landscape and pattern of development; and
- is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, traffic levels, access or infrastructure.

Where planning permission is granted, conditions may be attached limiting the range of goods which can be sold.

**A local convenience shop is broadly defined as retailing drinks, tobacco, newspapers, magazines, food and confectionary which are purchased regularly for relative immediate consumption and measure 500 m² gross floorspace or less and are located outwith defined town centre boundaries as identified within the Proposals Maps.*

Policy PV1: Green Networks and Green Infrastructure

Angus Council will seek to protect, enhance and extend the wildlife, recreational, amenity, landscape, access and flood management value of the Green Network. Development proposals that are likely to erode or have a damaging effect on the connectivity and functionality of the Green Network will not be permitted unless appropriate mitigation or replacement can be secured. In some cases a developer contribution towards enhancement of the wider Green Network may be appropriate.

Green infrastructure (including open space) will require to be provided as part of new development. Proposals should identify the location and nature of the green network in the area and seek to enhance linkages wherever possible.

The location and function of green networks in Angus will be mapped in a Planning Advice Note.

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)

Policy PV3: Access and Informal Recreation

New development should not compromise the integrity or amenity of existing recreational access opportunities including access rights, core paths and rights of way. Existing access routes should be retained, and where this is not possible alternative provision should be made.

New development should incorporate provision for public access including, where possible, links to green space, path networks, green networks and the wider countryside.

Where adequate provision cannot be made on site, and where the development results in a loss of existing access opportunities or an increased need for recreational access, a financial contribution may be sought for alternative provision.

Policy PV6: Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- the site selected is capable of accommodating the proposed development;
- the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- potential cumulative effects with any other relevant proposal are considered to be acceptable; and

- mitigation measures and/or reinstatement are proposed where appropriate.

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation areas in Angus will be set out in a Planning Advice Note.

Policy PV7: Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

Policy PV12: Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- that flood risk can be adequately managed both within and outwith the site;
- that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- access and egress to the site can be provided that is free of flood risk; and
- where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

Policy PV15: Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

Policy PV18: Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.

Policy PV20: Soils and Geodiversity

Development proposals on prime agricultural land will only be supported where they:

- support delivery of the development strategy and policies in this local plan;
- are small scale and directly related to a rural business or mineral extraction; or
- constitute renewable energy development and are supported by a commitment to a bond commensurate with site restoration requirements.

Design and layout should minimise land required for development proposals on agricultural land and should not render any farm unit unviable.

Development proposals affecting deep peat or carbon rich soils will not be allowed unless there is an overwhelming social or economic need that cannot be met elsewhere. Where peat and carbon rich soils are present, applicants should assess the likely effects of development proposals on carbon dioxide emissions.

All development proposals will incorporate measures to manage, protect and reinstate valuable soils, groundwater and soil biodiversity during construction.

F3 Housing: Turfbeg

17.6 Ha of land north of Turfbeg is allocated for residential development of around 300 dwellings. A first phase of around 175 dwellings will be permitted in the period to 2021, with the remaining phase of around 125 dwellings permitted in the period to 2026.

Development proposals should include:

- design and site layout which integrates with the existing landscape character, pattern of development and character of neighbouring uses and buildings;

- structural planting and landscaping within and around the site to enhance biodiversity and to create an appropriate town edge, particularly along the western and northern boundaries of the site;
- the provision of open space and SuDS as necessary;
- appropriate developer contributions towards education, future primary school provision to be identified within the burgh as required;
- opportunity for active travel through improved linkages with the existing path network; and
- supporting information including a Flood Risk Assessment, Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan and Transport Assessment.