

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 4 JANUARY 2018

**PLANNING APPLICATION – LAND AT REAR OF FORMER CHANCE INN MAIN ROAD
INVERKEILOR**

GRID REF: 366438 : 749370

REPORT BY HEAD OF REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report deals with planning application No 17/00556/FULL for the Erection of Three Dwellinghouses and Communal Car Parking by Second Chance Housing Association. 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 LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

- 3.1 The applicant seeks planning permission for the erection of three dwellinghouses and the formation of communal car parking.
- 3.2 The application site is located to the rear of the former Chance Inn which is situated on the west side of the Main Street, Inverkeilor. The site is comprised of a 1740sqm area to the rear of the former Chance Inn. The former Chance Inn public house which is located to the east of the site has been closed since 2013 and is in the process of being converted to residential accommodation. The area is primarily residential in nature but is bound by Gordon's Restaurant with rooms to the north-east. Residential properties and development bound the property in all other directions. A location plan is provided at Appendix 1 below.
- 3.3 The proposal involves the erection of 3 dwellinghouses on a triangular shaped site. The plot sizes for the houses proposed vary between 212sqm and 342sqm. Landscaped areas are proposed to the east/front of the site. Two different house types are proposed which are all two storey properties and consist of a mix of materials including an off white render and timber cladding on the walls. The roof material proposed is natural slate and 1.8metre high timber fencing would sub-divide the plots to the sides and rear. Foul water drainage would be connected to the public sewer with surface water proposed to be managed via SUDS.
- 3.4 The layout has been amended to increase the separation distance to an existing house to the north and to reduce overlooking of the garden area associated with accommodation at Gordon's Restaurant.
- 3.5 The application has been subject to neighbour notification and was advertised in the press as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning application 15/00466/FULL for alterations and change of use from public house and holiday flats to seven affordable homes was approved by the Development Standards Committee at its meeting of 3 November 2015 (Report [419/15](#) refers). That planning permission has subsequently been subject of a non-material variation that reduces the number of flats within the development from 7 units to 6 units.

5. APPLICANT'S CASE

- 5.1 A Planning and Design Statement has been submitted in support of the application. This indicates that the site was previously used for car parking but is now redundant. It suggests that the site lends itself to the erection of 3 houses and that this can be done in a manner that avoids significant impacts on neighbouring property. The only upper floor windows face eastwards and are a minimum of 12m from any rear garden boundary. It indicates that each property has a private garden ground of at least 130sqm and states that 14 car parking spaces would be provided to serve the previously approved flats and the proposed houses.
- 5.2 The submitted information can be viewed on the Council's [Public Access](#) website.

6. CONSULTATIONS

- 6.1 **Angus Council Roads (traffic)** – has offered no objections. Notes that the parking spaces shown are in excess of what is required.
- 6.2 **Scottish Water** – there was no response from this consultee at the time of report preparation.
- 6.3 **Community Council** – there was no response from this consultee at the time of report preparation.

7. REPRESENTATIONS

- 7.1 13 letters of representation were received from 6 individual addresses (one is a duplicate). The letters object to the proposal. The letters of representation will be circulated to Members of the Development Standards Committee and are available to view on the council's [Public Access](#) website.

- 7.2 The main points of objection are as follows:

- **Loss of amenities in village;**
- **Impacts on amenity of existing properties in terms of overlooking, loss of privacy and loss of views from adjacent houses and restaurant;**
- **Style of properties incompatible with existing properties in village;**
- **Number of dwellings on the site is excessive;**
- **Impact on road traffic and pedestrian safety;**
- **Impact the placement of bins on street will have in visual terms;**
- **Impacts on boundary treatments;**
- **Works have begun;**
- **Will set a precedent.**

These matters are discussed below in section 8.

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 2017)
 - Angus Local Development Plan (ALDP) (Adopted 2016)

- 8.3 The proposal is not of strategic significance and therefore the policies of TAYplan are not referenced. The relevant policies of the ALDP are provided in Appendix 2 and have been taken into account in the preparation of this report.
- 8.4 Policy DS1 of the ALDP identifies development boundaries for villages and, amongst other things, states that proposals for 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. 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.
- 8.5 Policy TC2 deals with residential development proposals. It indicates that proposals for new residential developments within Development Boundaries will be supported where the site is not protected for another use and the proposal is consistent with the character and pattern of development in the surrounding area. In addition, it requires all proposals for new residential development to be compatible in terms of land use; to provide a satisfactory residential environment; not to result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and to include provision for affordable housing in accordance with Policy TC3 Affordable Housing.
- 8.6 In this case the site is located within the Inverkeilor Development Boundary as defined by the ALDP. The site is not identified for development or safeguarded for any alternative use by the ALDP. The Chance Inn is in the process of being converted to residential use and the car parking area is no longer required in association with that previous use. The surrounding area is predominantly residential in nature although Gordon's Restaurant and Rooms is located to the northeast. The restaurant and its associated rooms coexist with neighbouring residential uses and there is no reason to consider that the proposed residential development would not be compatible with uses in the area. Housing development on the site would be compatible with the general character of the area and the pattern of development is discussed below.
- 8.7 In terms of the residential environment to be provided, three dwellings are proposed with plots ranging between approximately 212sqm to 342sqm in area. The proposed plots are comparable with the plot sizes in the immediate and wider surrounding area and each allows for at least 100sqm of private garden ground that would be screened by 1.8m high timber fencing. Communal car parking would be provided on land to the south and east of the proposed houses and that would be shared with the properties created through conversion of the Chance Inn. There would be space within each plot to accommodate provision for bin storage and recycling. The proposed houses would not be significantly affected by neighbouring property and would provide a good residential environment.
- 8.8 The redevelopment of the site would have some impact on occupants of neighbouring property and development plan policy seeks to ensure that such impacts are within acceptable tolerances. Guidance on matters such as window to window distances and overlooking from upper floor windows is provided in the Council's Advice Note 14 which deals with small housing developments. The proposed houses would be in the region of 3.5 to 6m from boundaries of neighbouring properties to the south, west and north at their closest points. The layout was amended to increase the separation distance to the property to the north and there is now a distance of around 12m between the existing and proposed buildings. The proposed development is designed such that none of the houses would have upper floor windows facing properties to the south, west or north and separation distances comply with the guidance set out in Advice Note 14. Upper floor windows that face in an easterly direction would be at least 10m from boundaries of neighbouring garden ground that they front. The design of the proposed house closest to Gordon's Restaurant has been amended such that an upper floor window would be angled away from the mutual boundary. A condition is proposed that prevents the formation of any additional openings at upper floor level without the grant of a further planning permission. The proposal is broadly compliant with the guidance provided by the Council's Advice Note 14 and the resultant relationship between existing and proposed dwellings would not be untypical of those otherwise found in the wider area or in established residential areas. The development would not result in any unacceptable impacts on the amenity and privacy of occupants of the existing residential properties and it complies with the amenity considerations of Policies TC2 and DS4.
- 8.9 The site is not designated for any built heritage reasons. There are listed buildings in the wider area but those are some distance from the site and their setting would be unaffected by the proposed development. The pattern of development in the surrounding area is fairly mixed and there are several examples of small infill developments of new housing being constructed throughout the village. The dwellings to the south, west and north are of modern design and

appearance. The proposed dwellings each address the courtyard/parking area to be created which would provide natural surveillance of these areas. The proposal would comprise a detached and a pair of semi-detached three bedroom houses with accommodation provided on two levels. The dwellings would have similar design characteristics to some of the house types in the village and those seen elsewhere in new development in Inverkeilor. The proposed materials include a white wet dash render/ cladding on the walls, with a natural slate roof finish. The layout and form of the proposed houses would be broadly compliant with relevant Council design guidance and would be appropriate for the site having regard to the nature of the surrounding area.

- 8.10 The site is not designated for any natural heritage reasons. The area was previously used as car parking and amenity space in association with the former public house and it offers little ecological interest. There are a number of mature trees and hedges within or adjacent to the site and whilst these are generally of limited townscape or ecological value the submitted plans make provision for retention where possible. A planning condition is proposed requiring a landscaping scheme and the protection of the trees during development works. The proposal does not give rise to any significant or unacceptable impacts in terms of the natural environment or natural heritage interests.
- 8.11 Vehicular and pedestrian access to the site would be taken from Main Road via an existing pend. That pend previously provided access to the parking area associated with the car park serving the former public house. Planning permission has previously been granted that allows for the use of that access to serve a parking area associated with seven dwellings that would be accommodated in the former Chance Inn building. Accordingly the access would currently serve seven parking spaces associated with those seven properties. The proposed development would require the provision of a further six car parking spaces in terms of Council parking requirements. The proposal provides for the provision of a total of 14 parking spaces to serve the seven flats and the three houses subject of this application. The Roads Service has reviewed the proposal in terms of matters related to access, road safety and parking provision and has indicated that it is acceptable.
- 8.12 In relation to impacts on infrastructure in the area, the application form indicates that the proposal would be connected to the public water supply and foul drainage networks. SUDS arrangements would be made for the management of surface water. These arrangements are compatible with policy and Scottish Water has raised no concern. Precise details of the surface water arrangements would be considered through the building warrant process. The Council's approved Supplementary Guidance on Developer Contributions and Affordable Housing does not identify any specific requirement for contributions from a development of this scale in Inverkeilor. This includes consideration of the cumulative impact associated with the conversion of the Chance Inn to six units. The proposed development would not give rise to any other significant issues in terms of infrastructure in the area.
- 8.13 The proposal does not give rise to any other significant policy issues. It is of a scale and nature appropriate to the location and complies with relevant development plan policy.
- 8.14 In relation to material considerations it is relevant to note that a number of objections have been submitted to the proposal. Those representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report. This proposal does not result in the loss of any existing amenities or facilities in the village. Planning permission has previously been granted for the conversion of the former Chance Inn to residential accommodation and that permission is in the process of being implemented. Amenity issues associated with the development have been discussed above. The proposal would have some impact on the amenity of those that live in the area but such impacts would be within limits set in the Council's Advice Note 14 and would not be untypical of those otherwise found in the wider area. Loss of view is not a material planning consideration. The layout and design of the proposal is considered acceptable. On that basis, and as impacts on neighbouring property are within acceptable limits, the number of houses proposed is not considered excessive. The pend serving the site is narrow but that was the case when the site was used as car parking in association with the former public house. The site is vacant and any new use would be likely to generate some traffic. The additional traffic associated with three additional houses is not considered to give rise to any significant safety or amenity impacts and the Roads Service has confirmed it has no objection to the proposal. Each property has adequate space within its private curtilage to accommodate bins. Any impact associated with bins being left on the footway for collection would be short-term and not uncommon in towns and villages. Damage to property such as the dry stone wall during construction is not a material planning consideration. It is noted that fencing has been erected close to existing stone walls in the area. Works are taking place in the vicinity of the site but it

is understood that this relates to conversion of the former Chance Inn building. Any other works are at the applicants own risk. Concerns regarding precedent are noted but there is a presumption in favour of development that complies with development plan policy. This proposal is considered to comply with relevant policy.

- 8.15 In conclusion the proposal provides for the erection of three houses on a previously developed site within a defined development boundary. It would provide a beneficial use for a currently underused area of land in a manner that is compatible with relevant development plan policy. The letters submitted in objection to the proposal are noted and discussed above and the material planning issues raised have been taken into account in preparation of this report. The overall layout and detail of the application has been amended to minimise impacts on the amenity of occupants of neighbouring property. The resultant proposal is considered to comply with the relevant provisions of the development plan, subject to the stated planning conditions. There are no material considerations that justify refusal of planning permission.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

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

EQUALITIES IMPLICATIONS

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

10. CONCLUSION

It is recommended that the application be approved for the following reason and subject to the following conditions:

Reason(s) for Approval:

That the proposal provides for the erection of new houses within a development boundary in a manner that complies with the relevant policies of the development plan subject to conditions. There are no material considerations which justify refusal of the application.

Conditions:

1. That no development in connection with the planning permission hereby approved shall take place unless the following is submitted to and approved in writing by the Planning Authority:-
 - a) a scheme for hard and soft landscaping for each plot and for any communal areas within the development, including boundary treatments for each plot. The scheme shall include details for the subsequent maintenance of any communal areas in perpetuity. Thereafter, the landscaping of any communal areas shall be completed prior to the occupation of the first house and maintained in accordance with the approved scheme. The approved landscaping scheme for each plot shall be implemented prior to the occupation of the dwellinghouse on that plot;
 - b) precise details of existing and proposed ground levels and finished floor levels relative to existing dwellings and a fixed datum. Thereafter, the development shall be undertaken in accordance with the approved finished ground and floor levels.

Reason: To ensure that the landscaping proposals necessary to enhance the amenity of the proposal/development are satisfactory and acceptable to the Council; and in order to minimise impact on the privacy and amenity of occupants of neighbouring property.

2. Notwithstanding the provisions of any Development Order, no windows, doors or other openings (other than those already shown on the approved plans) shall be formed above ground floor level in any of the houses hereby approved unless otherwise first approved through the grant of planning permission on application to the Planning Authority.

Reason: In order that the planning authority may consider the acceptability of any subsequent proposals in terms of their impacts on the privacy and amenity of surrounding housing.

3. That before development commences protective fencing shall enclose the trees to be retained as detailed on Drawing No. 3946/PD/01 Rev A: Proposed Site Plan dated July 2017. This fencing should remain in situ until development is completed and there shall be no passage of vehicles; excavations; storage of soil, plant, vehicles or other materials within the protective fencing.

Reason: In order to prevent unnecessary damage to trees on site.

4. That none of the residential units hereby approved shall be occupied until the parking area identified on Drawing Number 3946/PD/02 Rev F dated July 2017 has been formed with the parking spaces delineated on site in accordance with the approved drawing.

Reason: In order to ensure the timely provision of the necessary car parking in the interests of amenity and road safety.

**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 a material extent in preparing the above report.

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DATE: 18 DECEMBER 2017

Appendix 1 : Location Plan
Appendix 2 : Relevant Development Plan Policies

Appendix 1 : Location Plan



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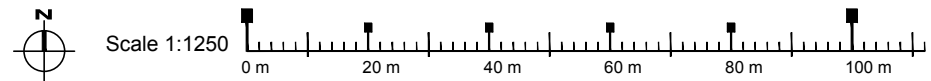
PROJECT

Proposed Development
Main Road
Inverkeilor
for Second Chance Housing Assn.

AMENDMENTS



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DRAWING TITLE

Location Plan

SCALE: 1:1250 @ A4
DATE: July 2017
DRAWN BY: LP

STATUS
3946/LP/01 DWG NO

Appendix 2 : Relevant Development Plan Policies

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.

*includes houses in multiple occupation, non-mainstream housing for people with particular needs, such as specialist housing for the elderly, people with disabilities, supported housing care and nursing homes.

**Rural Settlement Units are defined in the Glossary and their role is further explained on Page 9.

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 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.

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.

*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)