

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 11 SEPTEMBER 2018

PLANNING APPLICATION – PANMURE CHURCH, 15 PANMURE STREET, MONIFIETH

GRID REF: 350057 : 732843

SERVICE LEADER – PLANNING AND COMMUNITIES

Abstract:

This report deals with planning application No. 18/00594/FULL for Proposed Demolition of Former Monifieth Church and Redevelopment providing Six Flats Including Amenity Space and Parking - Re-Application at Panmure Church, 15 Panmure Street, Monifieth by Mr Haitham Tabra. 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 proposed demolition of the former Monifieth Church and redevelopment providing six flats including amenity space and parking.

3.2 The application site which measures some 1150sqm is located on the northern side of Panmure Street and contains a church building with a hall to the rear. Some existing trees and planting are located to the south along the road frontage. Residential properties bound the site to the north, east and west and beyond the public road to the south. There is an existing vehicular access to the south onto Panmure Street and a pedestrian access from Dick Street to the north east. Existing boundary treatments are provided by a mix of fencing and stone walls. The front of the site onto Panmure Street contains a low stone wall and metal railings as a boundary treatment.

3.3 The application proposes the demolition of the existing church building / hall and the erection of 6no. flats. The flats would be two storey and front onto Panmure Street and would have a similar building line to the adjacent properties. The proposal would have the ridge of the main section of the building running parallel with Panmure Street. The length of frontage of the proposed flats would be 20.3 metres and the gable width of the main section of the building would be approximately 10.7m. A flat roof projection is proposed to the north / north west and this would extend 8.6m from the main section of the building. The height of the ridge of the main section of the building would be 11.9m and the height to the flat roof projection would be 8.4m. The supporting statement indicates that the wall materials would be a mix of off white render, natural stone detailing and natural slate to the roof. Windows and doors would be white or grey. The application form indicates that the proposal would connect to the public drainage network and that sustainable drainage would be provided on site. Bin storage is shown on the site layout adjacent to the proposed parking area which shows space for 8 cars.

- 3.4 The proposal has not been subject of variation.
- 3.5 The application has been subject of statutory publicity and consultation.

4. RELEVANT PLANNING HISTORY

Planning application 17/00871/FULL for 'Proposed Demolition of Former Monifieth Church and Redevelopment Providing Eight Flats Including Amenity Space and Parking' at Panmure Church, 15 Panmure Street, Monifieth, was withdrawn prior to determination.

5. APPLICANT'S CASE

The applicant has submitted information in support of the application and this includes a Planning Design & Access Statement, Structural Survey Report / Letter, a Bat Survey Report, Asbestos Survey Report, letter of support from neighbouring property and photos of the site. These are available to view on the Council's [Public Access](#) website and are summarised at Appendix 2.

6. CONSULTATIONS

- 6.1 **Angus Council Roads** –The Roads Service is satisfied that the location has good links to sustainable transport. As a site within the urban area the proposed level of car parking is considered acceptable in terms of relevant Roads Standards. The Roads Service has reviewed the letters of representation but has confirmed that it has no objection to the proposal in relation to access, traffic or car parking. A planning condition is proposed that would require provision of cycle parking spaces within the site.
- 6.2 **Scottish Water** – No objections.
- 6.3 **Monifieth Community Council** – Objects to the application. Concerned that one and a half parking spaces per two bedroomed apartment is not sufficient in this area. Panmure Street, North Ramsay Street and Dick Street are already extensively used for on street parking as many of the properties at these locations lack off-street parking facilities. It is likely that possible overflow parking from the new apartments would add to existing parking impacts. Due to the Boyack Crescent estate and the associated traffic (both vehicle and pedestrian), Boyack Crescent/ North Ramsay Street is frequently a busy road. The traffic to and from the apartments will only add to this.
- 6.4 **Aberdeenshire Council Archaeology Service** – No objections but requested a level 1 standing buildings survey condition be attached to any permission.

7. REPRESENTATIONS

- 7.1 Five representations have been received (1 no. in support; 1 no. offering neutral comments and 3 no. objections (from two individual households)). The letters of representation will be circulated to Members of the Development Standards Committee and a copy is available to view on the Council's [Public Access](#) website.
- 7.2 The main points of objection are as follows:
- No objections to the 6 flats but concerned regarding suggested access route, increase in vehicle movement and impact on road safety;
 - Concern regarding limited parking, suggestion that parking should be located to front of building, and additional on-street parking would cause a hazard for traffic and pedestrians;
 - Congestion and limited access for vehicles (including emergency vehicles).
- 7.3 The main points of support are as follows:
- Residents' concerns regarding previous application have been addressed by current proposal.

7.4 The general comments that have been made in relation to the proposal indicate that the design changes are welcomed and provide comment on the potential use of a footpath within the site.

7.5 The relevant planning 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 application is not of strategic significance and the policies of TAYplan are not referenced in this report. The relevant policies of the ALDP are provided in Appendix 3 and have been taken into account in the preparation of this report.

8.4 Policy DS1 of the Angus Local Development Plan (ALDP) indicates that all proposals will be expected to support delivery of the Development Strategy. It indicates that proposals on sites within development boundaries will be supported where they are of an appropriate scale and nature and in all location proposals which make better use of vacant, derelict or under used brownfield land or buildings will be supported where they are in accordance with policies of the local development plan.

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 Monifieth Development Boundary as defined by the ALDP. The site is not identified for development in the ALDP but it was previously used as a church and church hall and as such Policy TC8 is relevant. That policy seeks to safeguard existing community facilities but allows for their loss in specified circumstances. The applicant has provided information to suggest that the former hall and church have been deemed surplus to requirements by the Church of Scotland and sold on the open market. The supporting statement indicates that no other community use has expressed any interest in the purchase of the building and the site is not considered viable for a community use as the necessary demolition of the rear hall (and the subsequent impact on the structural condition of the remaining building) means it is not cost effective to return the building to a community use. It is understood that the building has been sold in order to assist in the construction of a new church within the town centre area. The town is reasonably well served by existing community facilities and the loss of this particular facility, in circumstances where a new church is being provided nearby, would not have an adverse impact on the community.

8.7 The site is located in a predominantly residential area. Residential development on the site would be compatible with surrounding land uses. Flatted residential development on the site would be compatible with the general character of the area and the pattern of development as discussed below.

8.8 In terms of residential environment to be provided, the site measures around 1150sqm. The six flats would be accommodated on the site in a manner that would provide off-street parking and an area of shared/communal amenity space measuring in the region of 425sqm. The off-street parking and amenity space provision is reasonably generous in comparison to other flatted developments in the area. The relationship between the proposed dwellings and existing dwellings in the area is typical of the pattern of development found in the surrounding area and the proposal would provide a reasonable living environment for future occupants.

- 8.9 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 building would be located in a manner that reflects the pattern of development in the area and the resultant relationship between buildings would be typical of that found throughout the town. The basic form of the building and its position on site would not give rise to any unacceptable impacts on neighbouring property and it is relevant to note that the existing substantial building that occupies the site would be removed. There is one window on the gable end of the existing property to the west which would be at a distance of approximately 7.2 metres from the blank gable wall of the proposed flats. However, that relationship is equivalent to the distance between similar windows on other properties in Panmure Street to existing gables, particularly on properties to the west of Laird Street. In circumstances where this type of relationship is part of the character of the area it is considered acceptable. A planning condition is proposed which would remove permitted development rights for the introduction of additional windows at first floor level. This would ensure that amenity impacts associated with the installation of additional windows at upper level are considered through a planning application.
- 8.10 In addition to impacts arising directly from the proposed building it is relevant to have regard to the impact of the proposed access and associated traffic and activity on the amenity of those that live in the vicinity of the site. The provision of on-site parking would likely increase vehicular movement on the section of Dick Street that lies to the west of North Ramsay Street. That section of road currently provides direct access to four residential properties and that would be increased to ten with the addition of the proposed development. The section of Dick Street that lies to the east of North Ramsay Street is constructed to a similar standard and currently serves a larger number of properties. The resultant level of vehicular movement and activity would not be unusual in an urban area. It is relevant to note that the existing building has a lawful use as a church and associated hall. That use of the building would have generated a significant degree of activity (and on-street parking) and such use could recommence without the requirement for planning permission. Overall, the proposal would not give rise to unacceptable impacts on the amenity of residents in the area.
- 8.11 The existing church is of some local interest and townscape value but it is not a listed building and it is not within a conservation area. The structural information submitted indicates that parts of the existing building need to be demolished and also that the proposed works may have impacts on the stability of the remaining structure. The proposal provides for demolition of the existing building and its replacement with a new building that would be located on a similar building line to other properties on Panmure Street. The new building would be of similar height and basic form to those found in the area when viewed from Panmure Street. A reasonably large flat roofed section of building would be constructed on the north elevation of the building but that element would not be readily visible from public areas and its impact on the wider streetscene would not be unacceptable. The massing, scale and form would be appropriate for the site and the design solution responds reasonably well to the character and pattern of development in the surrounding area. The Archaeology Service has offered no objection provided a condition requiring a standing buildings survey is attached to any planning permission. The proposal does not give rise to any significant adverse impact on the built environment and provides a reasonable standard of design quality. A condition is proposed that requires a scheme for the reuse of stone and slate from the demolished building in the new building in order to ensure sustainable use of materials and to incorporate recycled waste into the development in accordance with Policy PV18.
- 8.12 In terms of the natural environment a number of existing street trees would be lost. However, the loss of those trees allows the provision of a building that reflects the pattern of development in the area. The trees are not of particular value and their loss from the streetscene is not unacceptable. A bat survey has been submitted and it identifies the presence of a bat roost in the building. The demolition of the building would destroy the roost and therefore a licence would be required from SNH. On the basis of the available information it is considered likely that a licence would be granted for the destruction of the roost subject to appropriate mitigation measures. A condition is proposed that requires appropriate mitigation in relation to impacts on bats. The proposal does not give rise to any unacceptable impact on natural environment subject to that condition.

- 8.13 This is a brownfield site and the previous use of the building would have generated a degree of activity, vehicular movement and on-street car parking. The existing building could be reused for any purpose within Use Class 10 (non-residential institution) without the requirement for planning permission. Such uses could give rise to fairly significant traffic movements and on-street parking requirements. The Roads Service has indicated that it has no objection to the application in relation to access, traffic movement or parking provision. This is an accessible location within the development boundary and on that basis the proposed level of car parking is considered acceptable and compatible with the council's Roads Standards.
- 8.14 The proposed development would connect to the public water supply and foul drainage would be directed to the public drainage system. It is indicated that surface water would be directed to a Sustainable Urban Drainage System. No detail of that system has been provided and a condition is proposed that would require those details to be approved. The proposal does not give rise to any significant impacts on other infrastructure and the Developer Contribution and Affordable Housing Supplementary Guidance does not require any contributions from a development of this scale.
- 8.15 The proposal is of a scale and nature appropriate to the location and is compatible with relevant development plan policy subject to the proposed planning conditions.
- 8.16 In terms of material considerations account must be taken of the relevant planning matters that have been raised in letters of representation. Those letters generally support the principle of redevelopment of the site but raise concerns regarding the proposed access and parking arrangements, and the potential impact of those arrangements on safety of other road users in the area. Those matters are largely addressed above and as indicated elsewhere in this report the Roads Service has reviewed those objections and has confirmed it finds the proposed development to be acceptable. In this respect account must be taken of the existing lawful use of the building and the potential for it to be reused for a purpose within the same use class without the requirement for planning permission. Such use could give rise to potentially significant levels of vehicular movement and on-street parking. Access to the site for emergency vehicles would be similar to existing arrangements. The provision of the proposed footpath within the site that would provide an external link between the front and rear of the building does not give rise to unacceptable amenity impacts and control of access to paths within the site would be a matter for the owners of the relevant properties.
- 8.17 The proposal provides for the demolition of the existing building and its replacement with a flatted development. That development would provide a good residential environment whilst maintaining the amenity of occupants of neighbouring property. The design of the proposal is acceptable and impacts on the built and natural environment, access and infrastructure are not unacceptable. The concerns identified in the objections relating to road safety and parking impacts have been considered but there is no reason to consider that the development would result in unacceptable road safety or parking impacts, particularly given the lawful use of the building. The proposal complies with the relevant provisions of the development plan, subject to the proposed 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:

The application would provide a new residential development within a development boundary in a manner that complies with relevant provisions of the development plan subject to the stated planning conditions. There are no material planning considerations that justify refusal of planning permission.

Conditions:

1. That prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the planning authority:
 - a. full details of the proposed means of surface water disposal. Unless otherwise approved in writing, surface water shall be disposed of via the use of a Sustainable Urban Drainage Systems and the development shall not be brought into use unless the approved drainage scheme has been provided in its entirety.
 - b. a hard and soft landscaping scheme for the development including boundary treatments (and the retention of the existing walls and railings along Panmure Street). The submitted scheme shall include detailed proposals for the future management and maintenance of the communal landscaped areas within the development hereby approved. Thereafter the landscaped areas shall be managed and maintained in accordance with the approved details.
 - c. a scheme for the reuse and/or recycling of stone and slate from the buildings to be demolished. Thereafter, the development shall be carried out in accordance with the approved scheme.

Reason: To ensure adequate drainage provision; in the interests of the amenity of the area; and to ensure sustainable use of materials and to incorporate recycled material into the development.

2. No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.

3. That prior to the occupation or use of any of the flats hereby approved, a minimum of 6 secure, covered cycle parking spaces shall be provided within the site curtilage.

Reason: To provide adequate space for bicycles in order to encourage multi-modal means of travel.

4. That the mitigation recommendations proposed in the 'Survey for Bats, Bat Roosts and Assessment of Bat Potential' at 'Monifeth Church, Monifeth' by Jean Oudney (issued on 07 September 2017) shall be implemented in accordance with the details in this report unless otherwise modified by the conditions of a Protected Species Licence.

Reason: In order to ensure any impact on bats using the site is mitigated.

5. Notwithstanding the provisions of any development order, no windows or other openings shall be formed above ground floor level of the property (other than those shown on the approved plans) without the approval of the Planning Authority through the grant of planning permission following the submission of an application.

Reason: In order to control the formation of additional window openings in the first floor of the property in order to safeguard the amenity of adjacent residential property.

**KATE COWEY
SERVICE LEADER – PLANNING AND COMMUNITIES**

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: 30 AUGUST 2018

Appendix 1 : Location Plan

Appendix 2 : Applicants Supporting Information

Appendix 3 : Relevant Development Plan Policies

Appendix 1 : Location Plan

Appendix 2 : Applicants Supporting Information

Planning Design and Access Statement:

- Provides a site analysis that identifies the 2 storey form of surrounding buildings, the close proximity of Monifieth centre / amenities and identifies that the former church has been declared surplus to requirements;
- Notes the site extends to 1136sqm and considers that the church is not of any architectural merit, not listed or within a conservation area;
- Highlights the generally flat nature of the site and detailed the findings of the structural report;
- Refers to the site history with the previous application being withdrawn (17/00871/FULL). Highlights that the demolition of the hall would not require planning permission and identifies the various issues with conversion of the building including amenity impacts, overlooking and technical matters;
- Identifies that the scale and massing of the current proposal has been developed to mirror the houses on the street;
- Discusses in detail the pre application discussions and identifies that the development would comply with the policies of the development plan.

Structural report / letter by Consulting Civil and Structural Engineers:

- Concluded that the main rear hall leans out over the head by 0.15m. Joints on the trusses have opened up and there is cracking around where truss ends are built in. The structure is in a dangerous condition and the recommendations are to stop use, prevent access and take steps to make safe. Recommended that as the extent of movement is severe, that best action is to completely remove the defective structure;
- Concluded that the integrity and stability of the later adjoining church building would be compromised by removal of the older hall structure;
- Expects that restructuring of remaining building would likely be cost prohibitive and that consideration should be given to removal of both hall and church buildings.

Asbestos Survey Report (dated 10 August 2017):

- Assessed the site for asbestos containing materials and recommended actions required to manage these materials;
- Noted that the ground floor meter cupboard, flash guard, contained chrysolite (asbestos material) and it is recommended to dispose of this carefully under controlled conditions.

Letter of Support from 5 Laird Street, Monifieth (dated 04/07/18):

- Occupiers have been kept informed by the applicant through the process and consider that the flatted development is an ideal way of making best use of the land / building available;
- Proposal would enhance the location;
- No objections and consider the church is beginning to fall into a state of disrepair and will eventually be a target of vandalism / fire-raising etc. if left.

Bat Survey Report:

- A bat survey was conducted in August-September 2017;
- A non-breeding roost of two common pipistrelles (*Pipistrellus pipistrellus*) is on the hall and upper roof of the connecting building between the hall and church, which will be lost when the buildings are demolished.
- The foraging habitat locally is poor for bats and will not be adversely affected by the proposed works.
- Mitigation for bats (compensation roost and short terms compensation roost) will have to be implemented with the destruction of the roost sites. A licence in respect of bats will be needed before demolition and renovation of the buildings.

Appendix 3 : Relevant Development Plan Policies

Angus Local Development Plan 2016

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 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 TC8 : Community Facilities and Services

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

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

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

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

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

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

Policy PV5 : Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- there is no satisfactory alternative; and
- there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

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>)

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.