

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 NOVEMBER 2018

**PLANNING APPLICATION – FORMER NURSERY SEAVIEW PRIMARY SCHOOL
VICTORIA STREET MONIFIETH**

GRID REF: 349459 : 732490

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with planning application No 18/00672/FULL for the change of use, conversion and alteration of former nursery to five dwellinghouses and two flats, erection of 20 flats (2 blocks of 8 flats and 1 block of 4 flats) all with associated car parking and associated works for GL Residential at Former Nursery, Seaview Primary School, Victoria Street, Monifieth. 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 full planning permission for the change of use, conversion and alteration of a former nursery to five dwellinghouses and two flats, erection of 20 flats (2 blocks of 8 flats and 1 block of 4 flats) all with associated car parking and works. A plan showing the location of the site is provided at Appendix 1.

3.2 The application site, which measures approximately 8850sqm, is located to the west of Victoria Street and is bound to the south by Hill Street and to the west by Queen Street. The site contains a Category B listed building known as Seaview House and an annex building. The listed building is a 2 storey Jacobean style villa that was previously used as a nursery. The annex is a single storey pre-fabricated building to the east of the main villa. The new Seaview Primary School bounds the application site to the north with two new build dwellings to the south east of the main villa (Appn: 15/00159/FULL refers). The area is otherwise predominantly residential in character. Listed walls enclose the site on its east, south and west boundaries. The northern boundary is defined by a pedestrian footpath that links Victoria Street and Queen Street. Within the site there are a number of mature trees including Lime, Maple, Cedar, Sequoia and Holly that contribute to the overall setting of the site and these are protected by a Tree Preservation Order (TPO). Access to the site can be taken via the original gated entrance at Hill Street or via a secondary vehicular access which has been created at Victoria Street.

3.3 The application seeks planning permission for the conversion and alteration of Seaview to accommodate 7 units and the erection of 20 flats within the grounds. The 7 units within the listed building will consist of 1 x 1 bedroom flat; 1 x 2 bedroom flat; 3 x 2 bedroom townhouses and 2 x 3 bedroom townhouses. In order to facilitate the conversion of the building the alterations include the removal of steps and ramps associated with the previous nursery use, the removal of a flat roof over an infill extension at the north elevation, the

conversion of a window opening to a doorway at the ground floor of the north elevation to provide access to the proposed flats, the formation of a new window at the ground floor of the north elevation associated with Townhouse 5, the removal of a section of recessed wall at the north elevation and the construction of a new section of wall with associated pitched roof to allow for the formation of part of the ground floor of Townhouse 2 and the in-filling of a window at the first floor of the north elevation associated with Townhouse 2. Other external works include substantial repairs to the slate roof and associated lead flashings including the removal of 5 dormer windows which are not original features; the repair of stonework as required; the installation of replacement timber sash and case double glazed units and the repair of all rainwater goods as required.

- 3.4 The 20 flats within the grounds would be accommodated within 3 blocks with Block A located to the west of the listed building; Block B located to the south west of the listed building and Block C located to the east of the listed building. Block A would have a footprint of 484sqm and is 2 storeys in height with a ridge height of 8.7m. The block would accommodate 4 x 3 bed flats and 4 x 2 bed flats. Block B would have a footprint of 476sqm and is 2 storeys in height with a ridge height of 8.2m. It would accommodate 2 x 3 bed flats and 6 x 2 bed flats. Block C would have a footprint of 232sqm and is 2 storeys in height with a ridge height of 8.8m. It would accommodate 4 x 2 bed flats. The external materials of the new build blocks would consist of natural stone, white wet dash and dark grey weatherboard external walls and natural slate roofs.
- 3.5 A total of 54 parking spaces would be provided within the site with the vehicular access from Victoria Street serving Seaview, Block A and Block C. Block B would be accessed from Hill Street. Alterations would be undertaken to the Hill Street access consisting of the removal of a gate pier to widen the access (Appn. 18/00155/LBC refers). The driveway from Hill Street would be increased in width with additional areas of hardstanding formed within the site to accommodate the proposed parking provisions. In order to facilitate the new build elements 44 trees would be removed from the site with replacement planting and landscaping incorporated into the proposal.
- 3.6 The application has been subject of variation in respect of the location of the buildings and the configuration of the internal roadway and parking.
- 3.7 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation.

4. RELEVANT PLANNING HISTORY

- 4.1 At its meeting on 4 December 2008 the Corporate Services Committee approved a Development Framework to assist in the marketing of the site and nursery building (Report No 1207/08 refers).
- 4.2 An application for planning permission (ref: 10/01014/FULL) for change of use of Seaview to a house and for the erection of four houses, along with an application for listed building consent (ref: 10/01015/LBC) for alterations to the boundary wall and alterations to Seaview were considered by the Development Standards Committee at its meeting on 7 December 2010 (Report No. 905/10 refers). The listed building consent was approved subject to conditions. Committee also resolved to approve the planning application subject to the conclusion of a planning obligation however the application was withdrawn before a decision notice was issued.
- 4.4 Planning permission (ref: 13/00819/FULL) was granted for the change of use of Seaview to a house and for the erection of four houses within its grounds. That permission was subsequently extended for a further 3 years duration (ref: 16/00999/FULL) and remains extant.
- 4.5 An application for planning permission (ref: 18/00154/FULL) for change of use of Seaview to five houses and two flats along with the erection of 24 Flats within the grounds was withdrawn prior to determination earlier this year.
- 4.6 Listed building consent was granted for the Conversion and Alteration of Former Nursery to Five Dwellinghouses and Two Flats and Alterations to Boundary Wall (ref: 18/00155/LBC). That consent remains extant.

5. APPLICANT'S CASE

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

- Design Statement;
- Development Costings;
- Drainage Strategy;
- Building Condition Report;
- Stone Survey Report;
- Stone Analysis Report;
- Tree Survey and Arboricultural Report;
- Bat Report; and
- Response to Consultations and Public Comments.

5.2 The supporting information is available to view on the Council's [Public Access](#) system and is summarised at Appendix 2 below.

6. CONSULTATIONS

6.1 **Angus Council – Roads** – has indicated no objection to the application subject to a number of conditions. No objection is offered in relation to flooding and drainage.

6.2 **Angus Council – Housing Service** – has advised a 25% affordable housing contribution is required from the proposed development. Due to the condition and cost associated with the conversion of the listed building the units within the building have been removed from the calculation of the contribution. This equates to the provision of 5 units the form of which could be a combination of Social Rented Housing; Affordable Housing for Sale; Mid-Market Rent; Service Plots; Un-serviced Land or Commuted Sum.

6.3 **Angus Council – Parks & Burial Grounds** – has indicated the amount of open space within the development exceeds the minimum requirement identified by Policy PV2 of the Angus Local Development Plan. There is no requirement for any play equipment to be provided within the open space at the site. If the application is approved a condition should be attached seeking exact details of how the communal amenity space is to be treated and requiring provision of semi-mature trees to compensate for loss of existing trees on the site.

6.4 **Aberdeenshire Council Archaeological Service** – has offered no objection to the proposal but has indicated if the application is approved a photographic survey condition should be attached.

6.5 **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.

6.6 **Community Council** – has commented on the application in relation to the access arrangements serving the proposed development. *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 Seven 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 on the council's [Public Access](#) website.

7.2 The following matters have been raised as objections and are discussed under Planning Considerations: -

- **Development would adversely affect the setting of Seaview and is not in keeping with the character of the area.**
- **Adverse impacts on natural habitats, trees and species.**
- **Over development of the site.**

- **Adverse impacts on amenity and risk to human health from increased carbon emissions.**
- **Adverse impacts on existing infrastructure including local healthcare provision.**
- **Insufficient open space within the site.**
- **Road traffic and pedestrian safety impacts.**

In addition the following matters have been raised: -

- **The level of development proposed is not needed in Monifieth - sufficient new housing and affordable housing is available in the town** - The Angus Local Development Plan provides the policy basis for consideration of proposals for residential development within Monifieth. The acceptability of the proposal in terms of relevant development plan policy is discussed below under Planning Considerations.
- **Community contributions from other developments have not been apportioned to the Monifieth Community** - The community contributions secured from approved developments in the Monifieth area are allocated in accordance with criteria specified in the relevant Planning Obligation.
- **Misleading visualisations and information contained in the Design Statement** - The submitted Design Statement was prepared by the applicant's architect. The assessment below under Planning Considerations considers the acceptability of the proposed development against the provisions of the development plan and other relevant material considerations; it does not rely upon the submitted Design Statement.

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 Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 requires that in considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be paid to the desirability of preserving the building or its setting.
- 8.3 In this case the development plan comprises:-
- TAYplan (Approved 2017)
 - Angus Local Development Plan (ALDP) (Adopted 2016)
- 8.4 As the application is not of strategic significance the policies of TAYplan are not referred to in this report and the policies of the ALDP form the main basis for the consideration of the proposal. The relevant policies of the ALDP are reproduced at Appendix 3.
- 8.5 The proposal would involve the conversion of Seaview to 7 units and the erection of 20 flats within the grounds. The formation of parking areas and landscaping would also take place within the curtilage of the site. A separate application for listed building consent (ref: 18/00155/LBC) which dealt with alterations to the listed building to facilitate the proposed development has been granted under delegated powers.
- 8.6 In terms of the ALDP, Policy DS1 states amongst other things that the focus of development will be sites allocated or otherwise identified for development within the ALDP, which will be safeguarded for the use set out.
- 8.7 The site is identified in the ALDP as an existing housing site with a capacity of 5 units. It is safeguarded for housing development under policies DS1 and TC1. The site has been vacant for a number of years and its redevelopment would provide for the reuse of a listed building and make a significant contribution to regeneration and renewal. The use of the site for housing is compatible with the predominantly residential land uses in the area. On this basis the principle of a residential development on the site is compatible with development plan policy. Issues regarding compatibility of the proposal with other relevant policies are discussed below.
- 8.8 Seaview is a Category B listed building and is of regional importance. The building has been unoccupied since its use as a nursery ceased over 10 years ago. The building retains some original features such as the main staircase and its associated enclosure but it has been incrementally vandalised with most of the lead removed from the roof which has led to serious water ingress. The gutters and downpipes are defective which has also led to the stonework being exposed to water ingress and the original windows are mainly beyond repair. Less

robust buildings would not have survived being left in such a condition for such a sustained period. The building is identified in the Buildings at Risk Register for Scotland and its condition is continuing to deteriorate.

- 8.9 The proposal would see the building converted into 7 residential units. The nature of the building is such that it lends itself to being sub-divided vertically and still allows for the retention of key elements such as the general plan form of the building including several of the larger rooms, the main stairway and its associated enclosure. Unsympathetic additions would be removed from the building including steps and ramps at the front elevation as well as 5 dormer windows from the roof. Such works would improve the visual appearance of the listed building and rectify many of the unsympathetic interventions that have gradually eroded the quality of the building over its operational lifetime as a school. Historic Environment Scotland (HES) has been consulted on the proposal as has Aberdeenshire Council Archaeological Service. Neither consultee offers negative comment on the effects of development on the nationally designated heritage asset or on local archaeology. Detailed matters regarding the listed building have been regulated through the associated listed building consent application.
- 8.10 In terms of the proposed new building development, the buildings would occupy locations that have previously been considered acceptable for development. The mass and scale of the buildings proposed is significantly greater than that previously approved. However, the proposed design is sympathetic to the main listed building and ensures that the proposed buildings are subservient. The basic form of the proposed buildings and the material finishes, which include slate roofs and natural stone detailing, are acceptable at this location and would provide a high quality design solution. The scale and pattern of development would change the setting of the listed building but an open aspect would be retained to the frontage of the building from Hill Street. The resultant impact on the setting of the listed building must be balanced against the desirability of securing its future; preserving the setting in aspic would be of limited value if the consequence was that the building was not redeveloped and subsequently lost. The building has been vacant for a number of years and its condition has deteriorated to the extent that an alternative level of development is required to secure restoration. HES has indicated no objection to the application and the extent of development proposed would not have unacceptable impacts on the setting of the listed building. The proposed development is considered to provide a distinctive layout and appropriate design having regard to the site constraints whilst not having an unacceptable impact on the setting of the listed building.
- 8.11 The site lies to the south of Seaview Primary School however as previously stated, the predominant land use in the wider area is residential. The suitability of the site for housing development has also been confirmed through its identification as a housing site in the ALDP and through previous planning permissions for housing development.
- 8.12 In terms of the residential amenity to be created, the buildings are well sited relative to the listed building and the development would not give rise to significant issues in terms of the amenity that would be provided for prospective residents. Car parking is provided in accordance with Council standards. Pedestrian routes are incorporated and would generally provide for good connectivity throughout the site and links to existing connections outwith the site. The proposed landscape design incorporated into the development results in the provision of areas of amenity open space. A central area of open space would be retained in front of the listed building with smaller areas of green space provided around the perimeter of the buildings and in the courtyard of Block B. The additional landscaping would be undertaken in part to compensate for the loss of trees from the site. The proposed level of open space provision is compatible with relevant Council policy requirements. The open and green spaces are overlooked by the residential units and help contribute to the quality of the environment that would be created. Overall the proposed development is considered to provide a reasonably high quality living environment.
- 8.13 The erection of additional residential properties on the site has the potential to impact directly on occupants of existing houses at Victoria Street, Hill Street and Queen Street. The gable of Block C is located 12m from the boundaries of the properties on the east side of Victoria Street with separation distances in excess of 25m between existing and proposed properties. There is a 12m separation distance between Block C and the boundary with new build houses to the southeast with a separation distance of 20m between the buildings. Whilst Block C would sit on a raised area behind the 2 houses the interface between the properties would be restricted to the driveway and parking areas of the dwellings. There would be no direct overlooking of private garden areas. The Hill Street properties are located in excess of 20m from Block B. They would be separated by that road carriageway and would be partially

screened from the development through the retention of the landscaping and boundary wall. Properties on Queen Street would be separated by that road carriageway and would be partially screened by the existing boundary wall. The proposed buildings would be in excess of 20m to the boundary of the properties and in excess of 30m to the windows. The proposal would introduce potential for a degree of overlooking of neighbouring properties including garden areas but the separation distances involved exceed the minimum distances specified in council guidance. The proposed layout does not give rise to any unacceptable impacts on the amenity of those that currently live in the vicinity of the site. Any perceived impacts need to be weighed against the amenity benefits of securing the restoration of a prominent heritage asset that has been a blight on the area since it was taken out of use. Amenity impacts associated with vehicle movement are discussed below.

- 8.14 The site is not within an area that is specifically designated for its wildlife interest. However the substantial listed building on the site is potentially a favourable habitat for bats which are a European Protected Species. A protected species survey was undertaken and submitted in support of the application. The report concluded there was no evidence that bats utilised the existing building or that they would be significantly affected by the development. There is no evidence that the proposal would give rise to unacceptable impacts on species.
- 8.15 The site contains a number of trees and these are protected by a Tree Preservation Order. A Tree Survey and Arboricultural Report have been provided and detail the works required to facilitate the proposed development. The site accommodates 65 individual trees with 7 category A and 12 category B specimen trees. 40 individual trees require to be felled to accommodate the proposed development with a requirement to remove 3 category A and 2 category B trees. The extant permission allows for the removal of 29 trees with a requirement to remove 2 category A and 2 category B trees. The extent of tree works proposed would be greater than the level that has previously been deemed to be acceptable. However in terms of the overall impact on the wider Tree Preservation Order the most important trees would be retained as would the overall woodland character of the site. The development proposal incorporates replacement planting and additional landscaping. Specific details of the landscaping have not been provided in respect of all areas and a condition is proposed that requires provision and further approval of that detail. Some of the proposed trees will require to be semi-mature to compensate for the loss of mature trees. A condition is also proposed for the protection of those trees to be retained during development. Overall, subject to the suggested conditions the development would not result in an unacceptable impact on the local or wider natural environment. It is accepted that locally protected trees would be lost to accommodate development however the result of the development would be that a regionally important built heritage asset would be retained in productive use that would secure its long term future. Loss of trees can be mitigated by the undertaking of compensatory planting.
- 8.16 In terms of impacts of the development on the nearby road network, it is proposed that Blocks A, C and Seaview House would be accessed via the existing site access from Victoria Street. Block B would be accessed from the original private driveway access from Hill Street. The Roads Service has been consulted on this aspect of the proposal and has indicated that the Victoria Street junction is acceptable and that it can safely accommodate the level of traffic that can be reasonably predicted. In relation to the Hill Street access which is the original driveway for Seaview House, the access would serve 8 flats with 16 parking spaces proposed. There would be no vehicular link to the access road at the north of the site. The configuration of the access would be improved through the removal of an existing gate pier to widen the entrance. The driveway access is located in close proximity to the existing staggered crossroads junction of Hill Street, Queen Street and Church Street. The aforementioned roads are constructed to the appropriate standard. Queen Street is a dead end road and is therefore lightly trafficked. There is good visibility afforded at each of the junctions including the driveway access. The Roads Service has reviewed the submitted information, including the relevant third party objections, and has raised no concern regarding the ability of the access to safely accommodate the anticipated level of traffic from the part of the development that it would serve. It is also relevant to consider the lawful use of the building as a nursery. The site could theoretically be brought back into a number of uses within Use Class 10 without a requirement to obtain planning permission. The use class makes provision amongst other things for uses such as education, museum or gallery, or a place of worship. Such uses could generate a significant volume of traffic with no restriction on the use of the original driveway. In addition, the extant planning permission for housing development at the site anticipated that the original driveway would be used by vehicles. The proposal is not considered to give rise to any unacceptable impacts in terms of road traffic or pedestrian safety having regard to potential alternative use of the building and the advice from the Roads Service. Similarly the use of residential streets by traffic associated with 27 new residential properties does not give rise to any significant amenity issues. Such level of traffic

increase is commonly experienced and accommodated where opportunity sites come forward for development in Angus towns. The Roads Service offers no objection to the application subject to a number of suggested planning conditions. Those planning conditions would ensure that the scheme complies with relevant requirements for on-site roads, parking and access.

- 8.17 The applicant advises in the supporting information that it is proposed to connect the houses to the public sewer network for foul drainage and to connect to the public water supply. This is appropriate within the development boundary. Scottish Water has not offered any objection to this arrangement. The Roads Service has indicated it is satisfied that the site is not at unacceptable flood risk. Surface water drainage is to be conveyed by drains to an underground cellular storage attenuation system which would discharge via a hydrobrake system to the existing sewers on Hill Street. The Roads Service has advised that the surface water drainage proposals to serve the housing development are acceptable. Overall the proposed drainage arrangements are considered to be compatible with relevant policy requirements.
- 8.18 Policy TC3 and the Developer Contributions and Affordable Housing Supplementary Guidance indicates that 25% of the total number of residential units proposed should be affordable. The applicant has requested that units within the listed building be removed from the affordable housing contribution due to the condition of the building and the cost and extent of the works required to facilitate its conversion to housing. The Housing Service has acknowledged that the condition of the building has deteriorated and the level of new build development proposed is commensurate with the level of development required to make the development viable. For these reasons it is accepted that units formed through the listed building conversion should be excluded from the calculation of the 25% affordable housing contribution. Affordable housing contributions are therefore calculated on the basis of the new build element of the proposal only. The applicant has advised that the contribution is to be provided by a commuted payment. This method of provision is acceptable to the Housing Service and is compatible with the Supplementary Guidance. A planning condition is proposed that requires a Planning Obligation to secure the provision of the affordable housing contribution.
- 8.19 Policy DS5 indicates that 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. The Developer Contributions and Affordable Housing Supplementary Guidance indicates where such contributions will be sought. In this instance the development proposal relates to the conversion of a listed building and incorporates enabling development to facilitate its conversion. The Supplementary Guidance confirms that this type of development will be exempt from education contributions. The council's adopted Supplementary Guidance does not require contributions towards other infrastructure for development of this nature in Monifieth.
- 8.20 The proposal is of a scale and nature appropriate to the location and is in general accordance with relevant development plan policy.
- 8.21 It is also relevant to have regard to the material planning consideration and in this respect the planning matters raised in the letters of objection must be considered. Concern has been raised regarding impacts the development would have on the setting of the listed building and the associated loss of trees from the site to accommodate the development. Seaview House is a Category B listed building; it is of regional importance. The building has been vacant for a number of years and its condition has deteriorated. It is on the Buildings at Risk Register. The Council has a statutory duty to have special regard to the desirability of preserving the building in the determination of this planning application. It is understood that funding is currently available to allow this development to proceed and this proposal would secure the retention of this regionally important building. If this proposal is unsuccessful the recent history of the building, with no beneficial use and limited investment in its fabric, would suggest that it may continue to sit vacant and to further deteriorate. Notwithstanding the historic importance of the building, the continued deterioration of a prominent building would be undesirable. A large vacant building in a highly accessible urban location could in time also give rise to significant issues in terms of public safety. The development would result in the loss of protected trees but those trees are of local importance. A balance has to be struck in this instance between saving a regionally important listed building or locally important trees. The regional significance of the building outweighs the local significance of the trees. A new and beneficial use for a Category B listed building in a prominent location close to a town centre would provide some local benefit and conditions are proposed that would require

replanting. There is no evidence to suggest the development would adversely affect protected species.

- 8.22 Third parties have raised concern that the proposal represents overdevelopment of the site and that it would adversely affect the amenity of occupants of existing housing in the. In this respect the proposed development is considered to provide a high quality residential environment for potential occupants. It is capable of providing off-street parking and open space in accordance with relevant council requirements. The separation distances that would be provided between existing and proposed dwellings exceed those required by council guidance and are reflective of those found in the surrounding area. The proposed development is of greater scale than previously approved at this location but it is of a level necessary to facilitate redevelopment of the listed building and there is no basis to suggest that it represents overdevelopment. There is no evidence to suggest that the development would result in adverse impacts on human health due to increased carbon emissions. The site is not located in an air quality management area and this level of development is unlikely to result in air quality limits being exceeded given the predicted background levels of common air pollutants.
- 8.23 The Parks Service has confirmed that the development includes adequate open space and that it does not require provision of an equipped play area given the proximity to other equipped play areas. The council has approved Supplementary Guidance that specifies where contributions will be required to offset the impact of development on infrastructure. The proposed development does not give rise to any requirement for contributions towards infrastructure in the area.
- 8.24 Concern has been raised regarding the impact on amenity and road safety associated with the use of the vehicular accesses within close proximity to an existing primary school. The accesses to serve the development are existing and it is relevant to consider that the lawful use of the site has the potential to generate a reasonably significant volume of traffic. The Roads Service is satisfied that the traffic associated with the level of residential development proposed would not have an adverse impact on road traffic or pedestrian safety. Similarly the use of public roads for the volume of additional traffic associated with a residential development would not give rise to any unacceptable amenity impacts.
- 8.25 This is a brownfield site located with the Monifieth development boundary. The site is safeguarded for a housing development by the ALDP. The proposal would have some adverse impact on the setting of the listed building but the most important area in front of the building which provides its immediate setting would not be developed. This adverse impact must be balanced against the benefit of securing redevelopment and reuse of the building itself. The layout and design of the proposed development responds to the constraints of the site and provides a reasonable level of amenity for the new residents without unacceptable impact on the amenity of occupants of existing nearby residential property. The proposal would increase the number of vehicles on the local road network but there is sufficient capacity to accommodate development traffic. Relevant council Supplementary Guidance does not require contributions to address impacts on infrastructure and consultees have not identified any issues regarding capacity to accommodate the development.
- 8.26 The development of the site in the manner proposed is consistent with relevant development plan policy subject to the proposed conditions. Account has been given to the matters raised by third parties and these have been addressed in the discussion above. However, there are no material considerations that justify refusal of the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

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

EQUALITIES IMPLICATIONS

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

10. CONCLUSION

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

Reason(s) for Approval:

The proposal will secure the appropriate conversion of a listed building and redevelopment of its wider grounds in a manner that complies with the relevant policies of the development plan subject to the stated planning conditions. There would be no unacceptable impacts on the built or natural environment or on local infrastructure arising from the development. The development would result in an acceptable level of amenity for potential occupants of the site in a manner that would not unacceptably affect the residential amenity of the occupants of nearby housing. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to s.75 of the said Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:

- (a) The provision of 25% affordable housing or suitable alternative provision (excluding residential units within Seaview House) in accordance with Angus Council's Developer Contributions and Affordable Housing Supplementary Guidance or any subsequent policy or guidance that replaces it.

Reason: To ensure the provision of an appropriate contribution towards affordable housing.

2. That, no development in connection with the planning permission 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 phasing of the development which shall include details of the timing and delivery of housing, the undertaking of listed building works which for the avoidance of doubt shall be in the first phase of development, provision of drainage infrastructure, road construction, open space and landscaping. Thereafter the development shall be carried out in accordance with the approved phasing.
- (b) A detailed levels survey of the site. The detailed drawings shall show finished ground and floor levels of the proposed development relative to existing ground levels; neighbouring land/properties and a fixed ordnance datum point. Thereafter the development shall be carried out in accordance with the approved details.
- (c) A scheme for the management and maintenance of all proposed open space or amenity areas, roads or paths, and infrastructure within the site which is not within the curtilage of a dwelling or adopted by a public authority. Thereafter the open spaces, outdoor communal areas and unadopted infrastructure shall be managed and maintained in accordance with the approved details in perpetuity.
- (d) Details of all external material finishes including retaining walls. For the avoidance of doubt the roofs shall be finished in natural salt and natural stone shall be used for the feature wall panels shown on the approved drawings. Thereafter the development will be undertaken in accordance with the approved details.

- (e) Details of the hard surface materials (including roads surfaces, parking areas, driveways, pathways and existing pathways to be upgraded). Thereafter the development will be undertaken in accordance with the approved details.
- (f) Detailed plans and elevations of the bin stores. Thereafter the bin stores shall be provided in accordance with the approved details and approved phasing for the development.
- (g) A landscaping plan for the site. The approved landscaping shall be provided within each respective phase of the development in accordance with the requirements of the approved phasing for the development. The scheme shall include details of compensatory tree planting to be undertaken within the site. Any plants or trees that within a period of 5 years from the completion of development within any phase 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 any suitable approved alternative.
- (h) Details of the layout and specification of the open space areas within the development. This shall include precise details of surface materials, existing and proposed landscaping, boundary treatments and ancillary infrastructure (seating, litter bins etc.). Thereafter the open spaces shall be provided in accordance with the approved details and phasing for the development.
- (i) Plans and particulars of all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage. Thereafter the infrastructure shall be formed and constructed in accordance with the approved details and to the standards of Angus Council in accordance with the approved phasing for the development.
- (j) A scheme for the provision of enclosed conveniently located cycle parking spaces which shall be provided at a minimum of one cycle parking space per unit. This shall include details of the lighting and signing of the bicycle parking. Thereafter the bicycle parking within any phase of development shall be provided in accordance with the approved details prior to the occupation/use of any dwelling unit within that phase.
- (k) A scheme of improvements to the existing private driveway between Hill Street and Block B. The scheme shall include:
 - (i) A construction specification which as a minimum standard, accords with Angus Council's Planning Advice Note PAN 17 – Miscellaneous Planning Policies; and
 - (ii) Proposed drainage arrangements to manage surface water from the driveway.

Thereafter the private driveway shall be improved in accordance with the approved details and approved phasing for the development.
- (l) The route of any public utilities or other excavations or ground works necessary for provision of infrastructure. Thereafter works shall be undertaken in accordance with the approved details.

Reason: In order that the planning authority may control the specified details in the interests of the amenity, environmental quality and road safety of the area, and to ensure the development is undertaken and maintained in accordance with the approved details.

3. That before development commences protective fencing in accordance with BS 5837: 2012, shall be erected around all trees to be retained. The protective fencing shall enclose the protected root zones as detailed in the Tree Survey & Arboricultural Report for Trees at Former Nursery Seaview Primary School, Victoria Street, Monifieth by Langton Tree Specialists; April 2017, updated September 2018. The fencing shall remain in situ until development is completed and there shall be no passage of vehicles; excavations; storage of soil, plant, vehicles or other materials or changes in ground levels or construction activity within the protective fencing. Furthermore, no fires shall be lit in any position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: In order to ensure adequate protection for protected trees within the site during the construction of the development in the interests of the visual amenity of the area.

4. No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan 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 Monuments Record for Scotland and in the local Sites and Monuments Record.

5. That notwithstanding the provision of any Development Order no fences, walls, or other means of enclosure, hardstandings, buildings or other structures shall be erected or formed unless otherwise first approved through the grant of planning permission following submission of an application for planning permission.

Reason: In order that the planning authority may verify the acceptability of development of the nature specified in the interests of minimising impact on trees and on the setting of the listed building.

**KATE COWEY
SERVICE LEADER - PLANNING & 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 any material extent in preparing the above Report.

REPORT AUTHOR: KATE COWEY
EMAIL DETAILS: PLANNING@angus.gov.uk

DATE: 5 NOVEMBER 2018

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

Appendix 1: Location Plan

Appendix 2 – Summary of Applicant Supporting Information

Building Condition Report - this assesses the condition of the listed building and advises that it has not been occupied since 2004 and has not had any maintenance in the intervening period. The property has been extensively vandalised with most of the lead removed from the roof and is now on the Buildings at Risk Register. The internal walls have rot and damp problems and it is anticipated that the internal floors will also contain rot and/or damp. The windows will have to be replaced with timber sash and case windows to match the existing and a report on the stone work will be undertaken due to concerns that the stone is porous. All gutters will be inspected, repaired or replaced and the roof will be totally stripped and the structure and sarking reassessed, then re-slatted all flashings and lead work will have to be renewed. It is concluded that if the building is left to further deteriorate it will soon be beyond viable rehabilitation.

Design Statement - this details the approach taken to the proposal for the site. It indicates an initial planning application was withdrawn due to concerns being raised regarding scale, massing, setting, neighbouring amenity and streetscape of the new build elements. The design solution would create 3 new build 2 storey blocks all of which sit significantly lower in height than the existing 3 storey building. This would let the listed building retain prominence on site. The new blocks have been carefully designed to sit 'lower' than the dominant eaves and ridge lines of the existing building. The palette of external materials will complement the listed building and consist of grey natural stone (Denfind or equal) to tie in with the grey stone in the site (boundary walls etc.) as a base course and some of the gables, white render to the lower level, upper level sections of dark grey weatherboard cladding (Marley or equal). The layout of the site is such that the majority of the existing mature trees on site will be retained.

The proposed design concept for the conversion of the listed building splits it into 7 units comprising 2 apartments and 5 townhouses. The building footprint lends itself to the creation of vertical units retaining the larger separating walls vertically. This utilises the main thicker walls as separating walls between the apartments. This retains the structure of the existing building vertically and minimises any large slappings and disruption. The proposal retains and reuses all of the window openings of the existing building and retains the main internal staircase. The proposal will result in the repair of the stone walls; the slate roof; rainwater goods and new timber sash and case windows will be installed.

Development Costings - this information was submitted to demonstrate the costs associated with the conversion of the listed building and the impacts developer contributions would have on the viability of the development.

Drainage Strategy - this details the drainage arrangements proposed to serve the proposed development. This indicates foul drainage will discharge to the existing Scottish Water combined sewer located at Hill Street. Surface Water will be directed to an underground cellular storage attenuation system before discharging via a hydrobrake to the existing Scottish Water combined sewer located at Hill Street.

Stone Survey Report - this details the findings of an assessment of the exterior fabric of the building. It recommends the roof of the building should be made secure and weather tight; Remove and replace defective cast iron rainwater goods, possibly with larger gauge gutters and downpipes to cope better with higher rainfall levels; consolidate any high level open vertically jointed masonry; clean stone of algal growth; remove any embedded metalwork from masonry, making good voids, finishing any disrupted exposed stone surfaces with colour matched Lithomex; dress back soft and friable surface of stone and tool to original finish and working from the top down, remove defective or perished mortar from walling and repoint to match existing mortar joint profile, keeping existing mortar where it is sound and causing no damage to stone.

Stone Analysis Report - this details the examination and testing a sample of stone collected from Seaview to permit a comparison between the sample received and the properties of stone from any visually similar stone, to confirm if these would be suitable matches in the repair works to be carried out to the building.

Tree Survey and Arboricultural Report - this report details the assessment of arboricultural features found on site. The report outlines the impacts to be expected from development of the site; and provides general mitigation, including tree protection, and enhancement measures to be included or considered at the design stage. The assessment indicates 65 individual trees were identified on site with 40 individual trees removed to facilitate the development proposal; 3 category A trees, 8 category B trees, 27 category C trees and 2 category U trees. Additional trees and landscaping will be introduced as part of a landscape scheme for the development.

Bat Report - this identified Seaview as having roosting value to bats. Historical and recent bat records for the site and surrounding area suggest a low level of bat activity with only common species. No evidence was found of the past or current presence of bats in the attic areas inspected. A dusk bat activity survey found no evidence of the use of Seaview House by bats. There were low levels of bat commuting and foraging within the grounds of Seaview House, by common bat species.

Response to Representations – this document reviews the responses from consultees and representations from third parties. Where required further information has been provided to satisfy consultee requirements.

Appendix 3 – 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 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 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 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 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 PV8: Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully in order to preserve or enhance the character and setting of the listed building.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage 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.

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.