

AGENDA ITEM NO 6

REPORT NO 102/19

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 09 APRIL 2019

**PLANNING APPLICATION – ADMINISTRATION CENTRE, SUNNYSIDE ROYAL HOSPITAL,
HILLSIDE, MONTROSE**

GRID REF: (E) 370915 (N) 761672

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report relates to planning application No 18/00531/MSCM for the Approval of Matters, 1a -1l of Planning Permission ref 17/00190/PPPM for the Erection of Phase 1a Housing Comprising Erection of 99 New Build Dwellings, the Conversion of the Main Hospital Building to form 34 Dwellings and Community Space, and the Conversion of Water Tower Building to form 9 Dwellings and Associated Landscaping, Access and Drainage Arrangements for Sunnyside Estate Ltd. 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 applicants seek the approval of matters 1a-1l of planning permission ref: 17/00190/PPPM in order to facilitate the erection of a phase of housing development identified as phase 1a. Phase 1a comprises the erection of 99 new build dwellings, the conversion of the main hospital building to form 34 dwellings and community space, and the conversion of water tower building to form 9 dwellings (142 dwellings in total) and associated landscaping, access and drainage arrangements.

3.2 Planning permission ref: 17/00190/PPPM made in- principle provision for the redevelopment of former hospital & grounds consisting of the formation of roads, drainage infrastructure & landscaping, new build development, the change of use & alteration of existing buildings, all to accommodate residential, & non-residential development comprising community uses & uses within class 4 (Business), Use Class 7 (Hotels & Hostels), Use Class 8 (Residential Institutions) & Use Class 11 (Assembly & Leisure). This planning permission was granted on a 'whole site' basis and covers the wider 26ha site.

- 3.3 The current application seeks to bring forward a first phase of housing development on the site. This would involve the conversion of two of the main listed buildings to housing (The Main Block (Category B Listed) and The Water Tower (Category C Listed)), as well as the erection of 90 new build dwellings. The housing mix in the phase would provide for 35 affordable houses (around 25%).
- 3.4 The site measures around 11.85 ha and is divided into sections that describe the existing characteristics of the areas to which each area of development relates. For the purposes of this application the areas are Woodlands which refers to the area to the east of the site to the immediate west of Marykirk Road, Orchard East which refers to the area to the south of the site to the north and east of Downie way and Houghton Drive and Northfield which refers to the area at the north of the site to the immediate south of Dalgarno Park. In addition Main Building and Water Tower stand together as distinct elements of the phase.
- 3.5 Affordable housing would be provided in Northfield and Water Tower. Larger executive type dwellings are proposed in Woodlands and the dwellings in Orchard East would typically consist of terraced and semi-detached dwellings and single storey dwellings. The Main Building would be formed as a mix of townhouses and flats and the existing hall in the building would house a community space. The phase also makes provision for the first elements of the surface water drainage system for the site in the form of a SUDS basin to the south east of Orchard East. The phase also makes provision for the use of Carnegie House (Category B Listed) as a site office by the developer during the construction phase although the developer is examining options for this building which may come forward for redevelopment earlier than expected if a suitable use was established.
- 3.6 The application has been subject of numerous variations; most notably the reduction in the number of dwellings to be included in phase 1a from 248 to 142 dwellings. Other variations relating to site layout adjustments to preserve the integrity of landscaping and woodland elements and neighbouring residential amenity have also taken place. The re-notification of neighbouring properties has taken place as a result of this process. The application was advertised in the Dundee Courier and the time period for representation has expired. Site notices were posted at all entrances to the site and the time periods for representation contained in those notices has also expired.

4. RELEVANT PLANNING HISTORY

- 4.1 The wider Sunnyside estate has been subject of a number of minor planning applications relevant to its former use as a hospital however that history is not particularly relevant to the consideration of this application. The following is considered to be the most relevant planning history:
- 4.2 15/00741/LBC for listed building consent to demolish the Chapel Building, Angus House and Outbuilding, Laurel Cottage and brick shed attached to Stable Block was approved subject to conditions on 15 March 2016. This consent has been implemented and remains effective.
- 4.3 16/00718/PAN- Proposal of Application Notice in relation to mixed use redevelopment of former hospital & grounds consisting of the formation of roads, drainage infrastructure & landscaping, new build development, the change of use & alteration of existing buildings, all to accommodate residential & non-residential development comprising community uses & uses within Class 4 (Business), Use Class 7 (Hotels & Hostels), Use Class 8 (Residential Institutions) & Use Class 11 (Assembly & Leisure). The PAN was noted by the Development Standards Committee at the meeting of 04 October 2016 ([Report No 366/16](#)). At the meeting Committee noted the key issues set out in the report and requested that the developer consider the inclusion of single storey dwellings as part of the housing mix on the site.
- 4.4 17/00190/PPPM for mixed use redevelopment of former hospital & grounds consisting of the formation of roads, drainage infrastructure & landscaping, new build development, the change of

use & alteration of existing buildings, all to accommodate residential, & non-residential development comprising community uses & uses within class 4 (business), use class 7 (hotels & hostels), use class 8 (residential institutions) & use class 11 (assembly & leisure) was considered by the Development Standards Committee at the meeting of 31 October 2017 ([Report No 365/17](#)) when planning permission in principle was granted subject to conditions.

- 4.5 17/00331/LBC for listed building consent for the demolition of boiler house, service block, garage & fire station, nurses' home garage, booth house and relocation of west gate lodge surrounding walls & gate piers, and relocation of home lodge surrounding walls & gate piers was validated on 16 June 2017. The application remains under consideration at this time as it was until relatively recently subject of unresolved objection from Historic Environment Scotland (HES). That objection has however now been rescinded and it is expected that LBC will be granted imminently.
- 4.6 18/00522/LBC for conversion of former main hospital building to 34 residential units and community space was validated on 05 September 2018. This application accompanies the main building element of the proposal of the application under consideration and the consent is expected to be issued imminently.
- 4.7 18/00611/LBC for demolition of courtyard buildings and internal and external alterations and extension to form nine flats was validated on 27 August 2018. This application accompanies the water tower element of the proposal of the application under consideration and the consent is expected to be issued imminently.
- 4.8 In addition to these applications it is relevant to note that Angus Council approved a development brief to guide the regeneration of the Sunnyside Hospital Estate in October 2002. The development brief was updated in January 2017 to reflect changes in planning policy and guidance and changes to the listed status of some of the buildings on the site. The [updated development brief](#) was approved by the Development Standards Committee at their meeting on 05 January 2017 ([Report No 16/17](#)) and Committee agreed to note that the brief would be used as a material consideration in the determination of planning applications for the site.

5. APPLICANT'S CASE

- 5.1 The application is for the approval of specified matters contained within Condition 1 of planning permission ref: 17/00190/PPPM. The planning permission also requires that any application for approval of matters specified in Condition 1 shall be accompanied by the following for further approval:
- a. *A Masterplan for the entire application site which shall fully accord with the requirements of Angus Council Sunnyside Hospital, Hillside Site Development Brief (Updated January 2017);*
 - b. *a Design and Access Statement in accordance with the requirements of Part 3 Regulation 13 (5) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013;*
 - c. *An overall design concept for the layout of the site and dwellings within the site taking account of the setting of listed buildings, building orientation, building height, use of materials, and a palate of colours and textures to be used in the construction of dwellings;*
 - d. *A Traffic Management Plan that shall consider arrangements for the following:*
 - (i) *agreement with the Planning Authority on the routing for construction traffic;*
 - (ii) *any proposed accommodation works/mitigating measures affecting the public roads in order to allow for delivery loads, including carriageway widening, junction alterations, associated drainage works, protection to public utilities, temporary or permanent traffic management signing, and temporary relocation or removal of other items of street furniture;*

- (iii) *the restriction of delivery traffic to agreed routes;*
- (iv) *the timing of construction traffic to minimise impacts on local communities, particularly at school start and finish times, during refuse collection, at weekends and during community events.*
- e. *A Travel Plan that shall have regard to the provision for walking, cycling and public transport access to, and within the site and shall identify the measures to be provided for the management, monitoring, reviewing, reporting and duration of the plan.*
- f. *full details of structural landscaping and planting within and around the site, including details of those trees to be retained and measures for their protection during development.*
- g. *A Drainage Impact Assessment in accordance with an agreed methodology with the planning authority in consultation with the flood prevention authority;*
- h. *A noise impact assessment in accordance with an agreed methodology with the planning authority in consultation with Angus Council Environmental Health;*
- i. *An Energy Statement informed by a Feasibility Study that demonstrates how the proposal will meet the requirements for providing district heating onsite. This should be prepared in line with the Scottish Government's online planning advice, Planning and Heat and should assess the technical feasibility and financial viability of heat network/district heating for this site, identifying any available existing or proposed sources of heat (within or outwith the site) and other factors such as where land will be safeguarded for future district heating infrastructure. A Design and Access statement which demonstrates how the findings of the Energy Statement have been incorporated into the design and layout of the proposed development should also be provided.*
- j. *Up-to Date ecological surveys consisting of:*
 - *A badger survey to be carried out prior to the development of any section of the site covered by grassland, scrubland or woodland;*
 - *Surveys for roosting bats on any parts of the site where tree felling or tree surgery is proposed; A Stage 1 bat roost potential assessment where any buildings are to be demolished or have work carried out on them;*
 - *A Stage 2 bat survey to identify and establish protection or licencing requirements where Stage 1 surveys identify bat roost potential;*
 - *A bat activity survey on any part of the site where significant new build development is to take place to establish what species are active and to establish whether building activity will impact on them;*
 - *A nesting bird survey where and clearance of shrubs, trees or ground cover may take place between 01 March and 31 July in any year or where work on buildings is to take place in the same period.*
- k. *A programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Aberdeenshire Council Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Aberdeenshire Council Archaeology Service.*

5.2 The following information has been submitted by the applicants in support of the application and the information is available to be viewed on the [Public Access Web Site](#) :

- a. A Contextual Masterplan has been submitted that shows the proposed phase in the context of potential future development areas and the surrounding area. This Masterplan is accompanied by a Planning and Design Statement that gives context to the development of proposals for the site. The master planning exercise that has been undertaken is considered to be adequate for the purposes of the consideration of the current phase of development. It does not fundamentally conflict with the aims of the Sunnyside Hospital Site Development Brief.

- b. A Planning and Design Statement with an addendum on access provision and separate Design and Access Statements for both the Main Building and The Water tower Building have been submitted. Cumulatively these documents meet with the requirement of 2b for the purposes of assessing this application.
- c. The aforementioned Planning and Design Statement meets with the requirements of this condition for the purposes of assessing this Phase.
- d. A Traffic Management Plan has been submitted and has been assessed in consultation with the Roads Service. The Traffic Management Plan is considered to adequately address matters relating to construction traffic management for the purposes of assessing this Phase 1a application.
- e. A Travel Plan has been submitted and has been considered in consultation with the Roads Service. The Travel Plan is adequate for the purposes of assessing this application.
- f. The application is supported by arboriculture surveys and reports and a detailed landscaping plan which are adequate for the purposes of assessing this Phase 1a application.
- g. A drainage Impact Assessment has been undertaken and has been assessed in consultation with the Roads Service (Flood Prevention). The DIA is adequate for the purposes of the consideration of this Phase 1a application.
- h. As no noise generating uses are proposed the requirement to undertake an NIA is waived on this phase of development.
- i. An Energy Statement was prepared in support of the application. The statement rules out the use of district heating at this time for reasons relating to development economics and the logistics of providing a single system with piped connection throughout a phased development. A lack of available local heat sources is also highlighted. The Energy Statement indicates that energy efficiency would primarily be achieved through the use of passive technologies that would be integrated into individual properties in accordance with current standards although the statement does highlight the potential for individual district systems within larger conversion properties.
- j. The full range of update survey information requisite to this phase of development has been provided and assessed in consultation with Scottish Natural Heritage (SNH). The information and the conclusions and recommendations made therein are considered to be adequate for the purposes of assessing this phase of development.
- k. Archaeological recording has been undertaken in as far as it relates to this phase of development. This work has been undertaken in consultation with Aberdeenshire Council Archaeology Service who indicate that the work undertaken is sufficient for the purposes of assessing h this phase of development.

6. CONSULTATIONS

Community Council – No response.

Angus Council – Roads (Traffic and Flood Prevention) – No objection.

Scottish Water – No objection in respect of water supply, foul drainage or surface water drainage.

Aberdeenshire Council Archaeology Service- It is advised that there are no additional comments beyond those made in relation to application ref: 17/00190/PPPM. As the archaeological mitigation for 17/00190/PPPM is detailed under Condition 2k of that permission to which this

application relates, then no works should be undertaken that would impact on extant buildings and structures within the development site unless requirements in respect of Condition 2k have been executed.

Historic Environment Scotland (HES) - Although HES is not a statutory consultee in respect of the application, they have maintained a close interest in proposals as they have progressed. HES have been generally welcoming in respect of the listed building works that have been proposed including proposals for the retention and conversion of some listed buildings that were originally proposed for demolition by the developer and the proposed interim temporary use of Carnegie House as a site office in the construction phase. HES have also welcomed emerging proposals in respect of the Hospital Ward building which is earmarked for conversion in Phase 1b of the development.

Scottish Environment Protection Agency (SEPA) - No objection to the proposal on the basis of flood risk or site drainage.

Scottish Natural Heritage (SNH) - Advise no likely significant effect on designated sites in the area and satisfied with the submitted protected species surveys and the recommendations made in respect of further survey requirements.

Angus Council Housing Service- Satisfied that the proposed affordable housing provisions are appropriate.

Angus Council- Parks and Burial Grounds- No objection.

Angus Council Environmental Health- No objection subject to conditions relating to the control of noise and cooking odours from the proposed community space.

7. REPRESENTATIONS

7.1 19 letters of representation have been received from 8 households.

The main points of concern were as follows:

- **Loss of privacy/overlooking:** Concerns relating to loss of privacy and overlooking stem in part from impacts from users of a woodland walk that was originally proposed as part of the development in the area to the rear of Houghton Drive. The woodland walk has been deleted from the plans for the site. This does not rule out the possibility that residents may walk in the woods in any case as is currently the case, but no formal path will be formed. Overlooking concerns have also been expressed by residents in Dalgarno Park. The distances between proposed dwellings and existing dwellings in this part of the site are fully compliant with current published minimum standards in terms of window to boundary and window to window distances.
- **Impacts on the natural environment-** The application is accompanied by a several protected species studies. The requirement for these studies to be undertaken was informed by an Ecological Assessment of the site that was undertaken at the Planning Permission in Principle stage. The assessment identified that further survey work was required in respect of Bats, Badger and Breeding Birds. The survey identified that there were no other issues of ecological concern on the site. SNH were consulted and did not raise any issue with the scope or conclusions of the assessment. The matter of impact on Red Squirrel habitat has been raised. The application is for the approval of matters specified in conditions of an extant planning permission in principle. At the time of the PPP application an Ecological Assessment was undertaken and the relevant ecological concerns that required further assessment were identified. Red Squirrel was not identified as a species that required specific further survey activity at that stage. SNH reviewed the Ecological Assessment and were satisfied with its findings and

recommendations. Notwithstanding this Red Squirrels and their drays are fully protected under the provisions of the Wildlife and Countryside Act 1981. Tree removal would take place as part of the development and it is therefore appropriate to attach a condition to prevent trees being felled until they have been surveyed for red squirrel dreys and where dreys are found, that the tree remains in situ until and unless an appropriate licence is obtained that would permit its removal.

- **Unsuitable housing mix-** The proposed housing mix will include a range of new build and conversion properties consisting of flats, terraced houses, semi-detached houses, detached single storey houses and detached two storey houses, and town houses.
- **Risk of flooding from surface water infrastructure-** This matter is addressed in the below discussion.
- **Loss of view-** Loss of view is not a material planning consideration.
- **Overshadowing-** All dwellings within the site are of a sufficient distance from existing properties to avoid any detrimental overshadowing effects.
- **Impacts on Road safety-** The proposals have been assessed in consultation with the Council's Roads Service. There are no road safety concerns arising from the use of the existing accesses. The site was formerly a working hospital and the local roads network and accesses were adequate to cope with traffic movement associated with that degree of activity. Local Roads improvements are required by condition of the extant planning permission and these are expressed in submitted information.
- **Disturbance from car movements-** The area that is referred to as a source of concern in this respect was formerly a hospital car park. The car movements associated with housing would not be significantly different to the lawful established use of the area as a car park.
- **Overdevelopment of the area-** The application is for a first phase of housing within a site that is identified in the current Local Development Plan as a site that can deliver up to 265 dwellings up to 2026 with potential for further release of land beyond that period. The proposal is for the approval of specified matters in relation to a planning permission in principle that permits housing delivery within the site in a phased manner in accordance with current LDP provisions. The site is capable of accommodating the anticipated levels of development.
- **Development out of character with the area-** This matter is discussed below.
- **Danger from falling trees-** The application is accompanied by an arboricultural report which identifies trees that pose safety risks. The report contains recommendations in respect of trees that need further work or removal in the interests of safety. The objection relates to a specific tree that is not identified as being unsafe.

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 (Adopted 2016) (ALDP)

The relevant development plan policies are reproduced in full at Appendix 2.

8.4 The application is for the approval of matters specified in condition and the applicant seeks approval for matters included in condition 1 of planning permission in principle ref: 11/00002/PPPM in order to bring forward a first phase of housing development on the site. The matters are:

- (a) *the layout of the site, including the distribution of uses and the number of residential units to be provided, road layout, car parking, turning space, open space, landscaping and facilities for waste/recycle storage and collection. For the avoidance of doubt the indicative site layout and associated development areas submitted with the application are not approved;*
- (b) *a phasing plan for the entire development, including any approved demolition works; the timing and number of dwelling units to be released in each phase which shall not exceed 140 dwellings in the period to 2021 and 265 overall in the period to 2026 unless in accordance with Policy TC1 and Allocation Policy M3 in the Angus Local Development Plan or any phasing set out in a subsequent Local Development Plan that details land release beyond 2026, the provision of development within other land uses approved, the phasing of works to listed buildings linking such works to the completion of individual phases of new build development and restricting progress on subsequent new build development in later phases until listed building works linked to preceding phases are complete (This can provide for works to listed buildings to be undertaken over more than one phase of development) with all listed building works to be completed prior to the release of the final phase of development; details of the provision of infrastructure; road construction; provision of street lighting; open space areas; landscaping; drainage infrastructure; and the formation of the new and improved pedestrian/cycle connections;*
- (c) *full details of all demolitions to be undertaken and other works to retained listed buildings;*
- (d) *the siting, design and external appearance of the new build dwellings and other buildings relevant to the other use classes approved;*
- (e) *the existing and proposed ground levels and finished floor levels of the new build houses and other buildings relative to a fixed ordnance datum;*
- (f) *the precise details and timings of the means of accesses to the development, including:*
 - *visibility splays for accesses with the A937 Marykirk Road, with a minimum sight distance of 43 metres in each direction at a point 4.5 metres from the nearside channel line of that road. Within the visibility splays formed nothing shall be erected or planting permitted to grow to a height in excess of 1050 millimetres above the road carriageway;*
 - *visibility splays for accesses with Hospital Road with a minimum sight distance of 43 metres in each direction at a point 2.4 metres from the nearside channel line of that road. Within the visibility splays formed nothing shall be erected or planting permitted to grow to a height in excess of 1050 millimetres above the road carriageway;*
 - *the provision of a footway on the north east side of Hospital Road between the existing footway opposite Rosemount Primary School and the north most vehicular access point into the site on Hospital Road to be provided before the occupation of the first dwelling or other property within the development;*
 - *the widening of the carriageway of Hospital Road adjacent to the site boundary to a width sufficient to facilitate access to the site by public transport with any required widening works to be completed prior to the occupation of the first dwelling or other property within the development;*

- *specification and timing of all roads, lighting and road drainage, car parking provision and garage layouts in accordance with the National Roads Development Guide.*
- (g) *the means of drainage for the development. Buildings must not be constructed over any existing drain (including any field drain) that is to remain active. For the avoidance of doubt the foul drainage from the development will be directed to the public sewage system and surface water shall be disposed of by Sustainable Urban Drainage System (SUDS). No development within any specific phase of development within the site shall commence until evidence is provided to the planning authority to demonstrate that the public sewer has capacity to accommodate development of that phase. All water retention/detention features shall be designed to minimise danger to the public and shall be fully landscaped so as to maximise biodiversity opportunity;*
- (h) *all boundary enclosures within any phase of development;*
- (i) *the provision of open space, at a minimum of 2.43 hectares per 1000 head of population comprising 2/3 open amenity and sports provision and 1/3 equipped and informal play provision, including a scheme for its provision and on-going maintenance in perpetuity;*
- (j) *a public transport scheme that details provision for suitable bus layby(s), bus shelter(s) (with real time display, bus stop pole and raised kerb(s)) within the site;*
- (k) *a scheme that details what measures will be implemented to ensure on-going management and maintenance of unused listed buildings within the site up to the point of their re-use, or conversion;*
- (l) *a scheme for the management and maintenance of all open space or amenity areas, roads or paths, and infrastructure within the site which is not within the curtilage of a dwelling. Thereafter the infrastructure will be managed and maintained in accordance with the approved details in perpetuity.*

8.5 For clarification purposes, as an application for the approval of matters specified in condition of planning permission reference 17/00190/PPPM, the principle of development on the site has already been established by that planning permission as approved at the meeting of 31 October 2017 ([Report No 365/17](#)). Although the Planning Permission in Principle has been granted on a whole site basis, the application for the approval of matters specified in conditions relates to a phase of development denoted on the submitted plans as Phase 1a. This is a legitimate approach and the application has been submitted timeously in accordance with the relevant timescales prescribed in the Town and Country Planning (Scotland) Act 1997 (as amended). As such, the consideration of the application is limited to the consideration of the detail of the matters specified as given in paragraph 8.5 above and other material considerations.

8.6 As well as information relating to the approval of the matters specified for further approval by planning permission ref: 17/00190/PPPM, Condition 2 of the planning permission also required a range of supporting information to be submitted in support of the application. That information is referenced at Section 5 of this report and is available on [the public access web site](#). The information has been assessed and has been determined to be adequate for the purposes of assessing this approval of matters specified application for phase 1a housing. Taking each of the specified matters in turn they are assessed as follows:

(a) Site Layout

8.7 Although indicative site layouts were produced at the time of planning application ref: 17/00190/PPPM, these layouts were not approved as part of that planning permission, primarily due to the fact that they were not supported by sufficient information to allow that to happen at the

planning permission in principle stage. Furthermore, indicative layouts had been worked up mainly to demonstrate site capability.

- 8.8 As referred to above the application is for an initial phase of housing development denoted by the applicants as Phase 1a. The phase will take in three main areas of the site identified as Woodlands to the south east, Orchard East also to the south east and Northfield which lies at the north west corner of the site. The phase would also take in the Main Hospital Building and the Water Tower Building.
- 8.9 Although the phase is fairly dispersed in nature, this can be explained fairly readily by a combination of the complex nature of the site, the conditional requirement to undertake redevelopment works on listed buildings within each phase of development and the fixed location of these assets relative to proposed development areas; and finally the need to undertake a significant amount of enabling infrastructure work as part of the first phase of development.
- 8.10 The layout of new development proposals needs to be considered in the context of Policy DS3 in the Angus Local Development Plan as well as the general compatibility and amenity considerations of Policy TC2 and Policy DS4. Policy DS3 relates to Design Quality and Placemaking which seeks to deliver a high design standard which draws upon aspects of landscape and townscape that contribute positively to the area. The policy is supported by Angus Councils [Supplementary Guidance on Design Quality and Placemaking](#) . The supplementary guidance highlights several key themes that are apparent in Angus towns and villages that should be taken into account when considering the layout of new places. These can be summarised as:
- perimeter block layouts with public facing buildings and private rear areas;
 - a varied street hierarchy that offers permeable and well-connected streets;
 - good quality public realm features such as boundary treatments, active building frontages and landscaped public spaces which are of appropriate scale and which offer a variety of functions;
 - varied plot widths and building types in terms of size, design and height that create visual interest and which do not result in unreasonable loss of natural light and overlooking and which accord with Angus Councils published amenity standards.
- 8.11 The proposed layout for the Phase 1a housing proposal proposes development at the north west and south east of the site. As previously indicated, although these areas are not immediately interconnected, their selection as a first phase is strategically vital as they will contain much of the essential infrastructure connectivity to services that will enable the development of the wider site to move forward in the longer term. Although the first phase seeks to bring forward discreet areas of development set within the wider established landscape network and network of key buildings and their setting, it does so in a manner that is reasonably consistent with the key aims of the Council's published supplementary guidance. Furthermore, and notwithstanding the concerns raised in letters of objection regarding the appropriateness of the development; the proposed development areas relate reasonably well to the fairly suburban style of nearby existing development. Both Dalgarno Park to the north and the area to the south comprising Scott Crescent, Dickson Avenue and Downie Way/Houghton Drive are mid density suburban areas with a mix of single and two storey houses. The proposed development is fairly consistent with the pattern of development in the wider area.
- 8.12 The proposed layout would feature a network of development areas that are principally set within a network of primary and secondary streets that would broadly follow the established circulation pattern in and around the site. The main landscape framework of the site would be maintained as a series of formal and informal open spaces. Whilst the loss of some landscape features is inevitable, particularly in the Orchard West and Northfield area, this would not impact to an unacceptably detrimental degree on the main structural planting around the site. New housing areas would follow the perimeter block principle with houses facing into streets with private amenity areas contained to the rear. Where this is not possible, dwellings would back onto established woodland areas. The layout has however been formulated taking cognisance of tree constraints

such as areas of overshadowing and root protection zones. Key infrastructure features such as SUDS basins would be discreetly located away from primary routes.

- 8.13 The phase contains a fairly broad housing mix ranging from single bedroom flats to 5 bedroom executive homes. Terraced and semi-detached properties would be included in the housing mix as would single storey properties and townhouses and larger flats within the Main Hospital building and the Water Tower. The housing mix proposed would result in a fairly varied and interesting street scene and the proposed layout has been assessed in terms of its potential impacts on neighbouring amenity and in terms of potential impacts on natural light. The proposals would not lead to any significant or unacceptable shortcomings in terms of the Council's published guidance in these respects.
- 8.14 As stated at paragraph 8.2 above, regard needs to be given to the effect of proposals on listed buildings and their settings. The proposed phase takes in two key listed buildings, these being the Water Tower and the Main Hospital Building. Both buildings would be converted in a manner that is entirely appropriate and acceptable in planning terms. Both schemes are subject of separate applications for Listed Building Consent which will be issued under delegated powers concurrently with any approval granted for the scheme proposed by this application should Committee be minded to approve the matters specified. None of the built heritage proposals within the proposed phase conflict with the aims of Policy PV8 in terms of effects on the integrity of sites and assets or effects on the setting of such sites or assets. In respect of the impact of the proposal on the setting of key buildings, the proposed landscaping approach seeks to maintain a reasonable amount of the parkland setting to the south of the main listed buildings. This approach is welcomed. Although Policy PV8 makes some provision for justification of erosion of setting on the basis of significant, social, economic or environmental benefit, the proposed scheme is considered to strike a reasonable balance which is also reasonably consistent with the requirements of the published [Site Development Brief](#) .
- 8.15 The main contribution that the conversion aspect would make to the layout is in the provision of a main focus for the development and the removal of secondary buildings that offer limited potential for reuse or which make no meaningful contribution to the site. The contribution that the main listed buildings within the site will make in terms of providing context to the development is fairly significant. In terms of how the buildings themselves would fit into the layout, they would be the key backdrop elements to much of the scheme. Whilst it is noted that objection has been submitted in relation to the siting of new housing in the Northfield area, the distribution of available development areas throughout the site is to some extent constrained by the presence of the listed buildings and some degree of compromise is inevitable. In this regard, effects of the proposals on the established landscape framework are considered to be less significant in the Northfield area. The proposal would facilitate the dountaking of a number of secondary and accretion buildings around the main buildings included in the phase in conjunction with any relevant Listed Building Consent. The opening up of areas occupied by these buildings as potential future development land, or as landscaped and well contained parking areas to the rear of the buildings is considered to be a positive contributing factor to the wider layout.
- 8.16 Specified matter 1(a) also refers to the distribution of land uses within the site. As indicated above the application is primarily for Phase 1a housing although the use of the existing hall within the Main Hospital Building largely in its current form as a community space is proposed. Community uses were one of the uses that were approved in principle under planning permission ref: 17/00190/PPPM. The use of the suitably self-contained area within an existing building as a community facility does not create any insurmountable amenity concerns. Following consultation with Environmental Health on this matter, a condition is attached requiring further agreement to be reached in respect of the control of cooking odour and noise prior to the formation of the community space or any of the flats and dwellings that would directly abut it.
- 8.17 In relation to specified matter 1(a) the layout proposed in relation to the propose phase is acceptable in terms of the distribution of uses and the number of residential units to be provided,

road layout, car parking, turning space, open space, landscaping and facilities for waste/recycle storage and collection. At this phase 1a stage waste recycling and collection would in the main be limited to domestic collection which can be accommodated readily within individual curtilages. The proposal does not conflict with the amenity, compatibility and placemaking aims of the development plan or its supporting supplementary guidance or with the site development brief.

(b) Phasing

- 8.18 Phasing plans for the site have been submitted in the form of annotation on the submitted Masterplan drawings and in the form of a detailed programme of works and an accompanying document that highlights key milestones and links them to the provision of infrastructure and to a programme of ongoing works on key listed buildings. The provision of housing on the site at this Phase 1a stage will not exceed anticipated delivery in the LDP. The phasing links new housing delivery within the phase under consideration and the subsequent anticipated phase to the delivery of housing within the Water Tower, The Main Hospital Building and anticipates that earlier than expected progress will be possible on the Hospital Ward Building which is now expected to come forward for conversion within Phase 1b. The phasing makes provision for the timing of enabling demolitions within relevant phasing and the undertaking of relevant roads and infrastructure works as well as the implementation of a scheme of ongoing maintenance and management of woodland areas and listed buildings not included in early phases. The proposed phasing is acceptable and will be utilised as a means of monitoring site progress and progress on listed building works relevant to progress on new development. The accompanying document that outlines the key phasing milestones is appended to this report for information.

(c) Demolition Details and Maintenance of Listed Buildings

(k) Maintenance of Listed Buildings

- 8.19 A site condition report has been submitted with the application which outlines the condition of the main listed buildings and outlines that there is a scheme of ongoing external and internal inspection in place that seeks to maintain the buildings in a watertight and leak free state. As indicated above the implementation of a scheme of ongoing management and maintenance of listed buildings is a requirement of the permission and the undertaking of an up to date condition report and ongoing maintenance plan is a feature of the site phasing. Current maintenance provision and the ongoing commitment to a scheme of defect identification and remedial action are sufficient to address this matter in the context of the phase 1a application. Ongoing identification and clearing of roof defects is also included within the proposed factoring arrangements for the site.
- 8.20 The nature of the demolitions required to facilitate the phase of development is outlined in the accompanying applications for listed building consent and again, the timing of relevant demolition operations is highlighted in the submitted phasing to a satisfactory degree. Whilst all demolition work would ideally be completed as a single operation, it is acknowledged that the nature and scale of the demolition work required is significant and ultimately costly. The demolition work has therefore been phased in a manner that reasonably fits with the build programme and which ensures that those demolitions that would need to take place closest to early occupation areas within the site are undertaken first.

(d) The Siting and Design of New Build Dwellings; &

(e) Levels

(h) Boundary Enclosures

- 8.21 Similar to specified matter 1(a), consideration needs to be given to the appropriateness of the design of new buildings in terms of the amenity and placemaking aims of policies DS 3 and DS 4 as well as the general considerations that apply to housing development within Development Boundaries under the provisions of Policy TC2. Although matter (d) also relates to buildings concerned with other land uses, the proposed phase relates to housing and the consideration of the siting and design of new build housing is the only relevant part of the specified matter for the

purposes of assessing this application. The application is accompanied by a planning and design statement that outlines the design approach that has been taken. The proposed house designs reflect the traditional Scottish rural vernacular with rectilinear forms, gables and a simple materials palette which would consist of white render, slate coloured roofs with steep pitches and cladding materials that reflect the use of timber in traditional buildings. The use of facing brick is proposed in a tone to reflect the tones of the stonework used on the existing buildings within the site and traditional features such as defined window banding would also be incorporated.

- 8.22 The proposed house types are deliberately modern and the proposed use of materials reflects this and is considered to be preferable to any attempt to introduce pastiche architecture. Modern materials are also a feature of housing on adjacent land to the north and south of the site. The overall design concept for the houses is architecturally neutral and this should help to accentuate and reaffirm the dominance of the main listed buildings which are rich and varied in terms of their detailing and use of materials. The construction of the main buildings spans a reasonably long time period and they are built in various recognised international styles of architecture that document the transition between the 19th and 20th centuries. To this end the buildings are distinct and individual. It is therefore fitting that the proposed new development does not attempt to compete with the existing built heritage assets within the site.
- 8.23 In terms of the assessment of siting, this matter has already been discussed in relation to site layout above and the proposed siting of new build housing within the phase is acceptable. As well as siting, levels need to be taken into account. A topographical survey has been submitted and proposed levels are indicated in layout drawings. The site is a sloping site that runs in a north to south fashion and some degree of levels change is inevitable as is the use of under build and retaining walls on some plots. No unacceptable or significantly detrimental level changes are proposed within the phase however.
- 8.24 Boundary enclosures are proposed to be a mixture of beech hedging and metal railings throughout the site. This approach would help to soften the edges of built areas and would also help in enhancing the biodiversity potential of the site whilst complementing the style of the proposed dwellings and also complementing the established landscaping scheme within the site. Beech hedging is also proposed as boundary treatments on open spaces and this would help to compensate for some of the hedge removal that would be necessitated to open up some development areas. Whilst this approach is welcomed, it does come at the risk of individual householders choosing to supplant the boundary treatment with something that is a low maintenance option or something that gives a more immediate element of screening. The applicant has indicated that this could be controlled through title deed restriction. Whilst this is a legitimate approach in principle it does require someone to enforce the terms of the deed. In order to safeguard against uncontrolled and incremental change that would damage the aesthetic that is sought it is considered to be appropriate to attach a condition which removes householder permitted development rights to erect and alter boundary enclosures. This approach does not place an outright moratorium on boundary treatment replacement but rather retains a degree of management to any incremental change that could result in harm to amenity.

(f) Detailing and Timing of Access Arrangements

- 8.25 Information has been submitted relating to the detailing of access arrangements on Hospital Road and Marykirk Road as well as swept path information relating to access to the site by buses and refuse vehicles. The details indicated have been assessed by the Roads Service who have raised no objection. The timing of the various elements of access improvements is controlled through the phasing of the development. It is initially proposed that the Marykirk Road access would be improved prior to commencement of development as this would be the main site access during the construction phase. The Northfield access would thereafter be formed prior to occupation of any dwelling and the carriageway on Hospital Road would be widened to 6 metres. A previous requirement to provide an additional footway on the east side of Hospital Road has been rescinded as so doing would have resulted on a significant detrimental impact on the integrity of adjacent

woodland when combined with the road widening requirements. The requirement to connect to the existing footway on the east side of Hospital Road to the south of the southernmost site access is still a requirement however. As an alternative a safe route through the site between the West Lodge and Home Lodge accesses on Hospital Road would be required to be formed prior to the occupation of any dwelling as an alternative and this would include the connection into the existing footpath network as described above.

- 8.26 It is noted that specific objection has been raised in relation to the matter of occupiers of properties to the immediate east and north east of the site having continued access through the site via an existing track that runs to the north east from Marykirk Road. This access was not part of the site for the purposes of planning application ref: 17/00190/PPPM and it is not included within this phase 1a housing application or within wider proposals for the site indicated on Masterplan drawings. The matter of the continued use of that access by third parties is one for the developer and the occupiers of relevant properties to settle between them. It is however worth noting that in the Planning Service has indicated to the developer that no vehicular access to and from the site via that track should be facilitated as part of the wider development as the intersection with Marykirk Road is sub-standard for the purposes of providing a main site access.

(g) Drainage

- 8.27 Drainage arrangements for the development would be via a combination of foul drainage to public sewer and Sustainable Urban Drainage System (SUDS) draining to a public surface water drainage system. This approach is consistent with the aims of Policy PV15 in the LDP. The SUDS system for the site would consist of 2 dry SUDS basins and a SUDS detention pond. As the application relates to phase 1a housing only the first of the dry SUDS basins would be provided at this stage. Surface water storage for the Northfield part of the site would be temporarily dealt with by means of oversized pipework until such a time as the detention basin was formed. The phasing for the development makes provision for the formation of that feature immediately following the completion of phase 1 of the development as well as for the formation of the two dry basins to adoptable standard before occupation of any dwelling within each of the phase 1 sub phases.
- 8.28 Scottish Water offer no objection to the proposed means of drainage for the development and have indicated capacity is available for foul connection and has indicated that attenuated surface water discharge to the Marykirk Road surface water sewer would be permitted. SEPA has indicated no objection to the proposed means of drainage and the Roads Service (flood prevention) has assessed the submitted Drainage Impact information and indicates that subject of clarification of certain points of detail by condition, there is no objection to the SUDS and drainage proposals
- 8.29 It is noted that objection has been raised regarding the proximity of the proposed SUDS basins to existing housing. The SUDS basins are designed to ensure that surface water from the site can be attenuated prior to discharge to the public surface water system. They require to be located at the natural low points of the site. The basins are a means of slowing down surface water discharge but are not for the purposes of retaining all of the water from the site. SUDS basins are a common feature of modern housing development that are designed to assist in taking surface water from a site. The presence of the basins does not pose an immediate threat of flooding to adjacent properties. The SUDS features would be landscaped in order to help to integrate them into the wider landscaping proposals for the site. Whilst comments have been made from SEPA and Roads (floods) regarding potential for further biodiversity enhancement, it is acknowledged that adoption standards for SUDS infrastructure are fairly rigorously applied by Scottish Water. This has a significant and diminishing effect on the ability to explore more inventive and non-standard ways of providing SUDS. Site drainage proposals are however acceptable.

(i) Provision of Open Space

(i) Maintenance of Open Space

- 8.30 The provision of open space within the site needs to be calculated at a ratio of 2.43 ha of open

space per 1000 head of population in accordance with current [published guidance on developer contributions](#) and Policy PV2. The open space requirement for the 142 dwelling development equates to 8600 sq m. Open space provision for the phase would amount to 5.7 ha (57000 sq m) consisting of a mix of amenity woodland open formal parkland, and formal play areas. There is no issue with the proposed amount of open space although as development through the wider site progresses, the ratio will incrementally decrease. At this stage however, this is not a major concern and that aspect of future proposals will be considered on a phase by phase basis. A landscaping scheme has been submitted along with factoring proposals. Detailed designs for the propose neighbourhood play area have also been submitted and the timing of the provision of these facilities is included in the phasing for the scheme.

- 8.31 Landscaping and open space provisions for the phase have been assessed in consultation with the Parks and Burial Grounds Service. Proposed factoring arrangements for communal open spaces and unadopted communal areas have also been submitted. The factoring arrangement would cover grounds maintenance and grass cutting, hedge trimming and clearance of woodland detritus, road and footpath clearing and spraying, litter clearing, drainage maintenance, close cleaning and bin area cleaning and roof and rainwater goods clearing. Separate woodland maintenance provision is also made. The landscaping and open space proposals as well as proposals for ongoing maintenance have been assessed and are acceptable.

(j)Public Transport Provision

- 8.32 The development plan seeks to ensure that development is accessible via a variety of transport modes. The current planning permission for the site carries a requirement to make provision for the accommodation of public transport services within the site should a new service serving the development be established. The site was previously served by public transport when it was in use as a hospital. Further discussions with the Transport Service have established that it is unlikely that a service will be extended to the site in the early phases of development although it was indicated that the local service provider may be willing to extend a service at an appropriate point in the future at the planning permission in principle stage. There is however existing public transport infrastructure nearby. In the long term it is proposed to install the necessary provisions that would enable buses to serve the site. This includes the widening of Hospital Road to 6m and the upgrading of a route through the site in a north to south manner between the two Hospital Road access points in a manner that can accommodate bus movement. A site for the installation of bus infrastructure (shelter, display, raised kerb etc.) should it be required is also identified and this would be provided by the developer should a service become established. The infrastructure would not be installed unless a service has been established. The decision to take a bus service into the site would be one for a commercial operator to consider. Should this happen however, adequate provision within the site will be in place to accommodate any service that may be established in the future and in this respect the proposal accords with the aspirations of policy DS2 in the LDP.
- 8.33 From the foregoing discussion, it has been determined that subject to the additional conditions identified as being necessary above, the submitted information is considered to be sufficient to address the matters that were specified for further consideration at the time of the approval of planning permission in principle ref: 17/00190/PPPM in as far as they relate to the proposed phase of development.. Furthermore, the submitted supporting information generally meets the requirements of Condition 2 of the planning permission for the purposes of assessing this application for phase 1 housing.
- 8.34 Having considered the submitted information in terms of the development plan, other material considerations also need to be taken into account. In that respect there have been a number of representations submitted as detailed at Section 7 above. These representations have either been addressed directly at that section of this report or in the body of this discussion and no matters are raised that would lead to a recommendation of refusal. As noted above, there are various supplementary guidance documents that support the development plan and a development brief

for the site that are all material considerations in the assessment of this application. The proposal does not conflict with what these documents set out to achieve which is the satisfactory redevelopment of the site in a manner that respects important built heritage and landscape assets that are located there.

- 8.35 In summary, the principle of housing development on this site is already established and this application is for the approval of matters specified in conditions attached to the planning permission in principle in order to allow a first phase of housing development to proceed. The details submitted with the application provide for an acceptable layout and design in a manner that is consistent with relevant provisions of the development plan. The site can readily support the proposed phased development of 142 dwellings and the proposed community facility. The information and details submitted are acceptable to purify the relevant specified matters in as far as they relate to the application for phase 1 housing and there are no material considerations that justify refusal of the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

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

Reason(s) for Approval:

The design and general layout of the proposal is considered to be acceptable and the level of supporting information is sufficient to meet with the requirements of the planning permission in principle ref: 17/00190/PPPM in a manner that is compatible with relevant development plan policy the site development brief and other relevant supplementary guidance. The development would not result in an unacceptable impact on listed buildings or their setting subject to compliance with relevant listed building consents. The development would not have an unacceptable or detrimental impact on the amenity of existing sensitive property around the site. The development would not have a detrimental impact on road or pedestrian safety. There are no material considerations that justify refusal of the specified matters.

Conditions:

- 1 No tree felling in association with the development hereby approved shall take place unless the trees concerned have been surveyed by a qualified ecologist for the presence of red squirrel dreys and a report of the survey has been submitted to the planning authority

for further written approval. Thereafter the development shall be undertaken in accordance with any relevant mitigation or licencing requirements identified.

Reason: In the interests of safeguarding the habitat of a protected species.

- 2 That notwithstanding the provisions of Class 3E of Schedule 1 of Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) or any order amending, revoking or re-enacting that Order, boundary treatments around domestic properties within the phase of development hereby approved shall not be altered or augmented in any way without the express planning permission of the planning authority.

Reason: To enable the planning authority to consider the amenity implications of any boundary alterations on the amenities of the area.

- 3 That the Community facility hereby approved shall not be brought into use unless:

i. a scheme that details how cooking odours from the proposed commercial kitchen would be abated and disposed of and noise from any associated odour control equipment would be controlled has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the scheme shall take into account the findings of an assessment carried out using a methodology agreed in advance with the Planning Authority. Thereafter the kitchen shall be operated in full accordance with any measures approved.

ii. a scheme for the provision of sound insulation and noise control between non-residential uses and residential uses within the Main Building has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the scheme shall take into account the findings of an assessment carried out using a methodology agreed in advance with the Planning Authority. Thereafter any insulation and control measures shall be fully implemented prior to the Community facility being brought into use.

Reason: In order to ensure that the use of the community facility hereby approved can be undertaken in a manner that does not negatively affect the residential amenity of the surrounding area to an unsatisfactory degree.

- 4 That the development hereby approved shall be undertaken in full accordance with the phasing detailed in the Sunnyside Overall Phasing Plan and the associated Sunnyside Estate written phasing document (marked approved 27/3/19).

Reason: In order to ensure that new build development within the site is adequately related to the undertaking of a scheme of rehabilitation and maintenance that safeguard built and natural heritage assets within the site in the interests of the amenity of the area.

- 5 That no dwelling within the development shall be occupied unless a footway has been provided between the north east side of Hospital Road opposite Rosemount Primary School and the south most vehicular access. The footway shall be provided in accordance with a scheme to be submitted for the further written approval of the Planning Authority in consultation with the Angus Council Roads Service prior to the commencement of development.

Reason: For the avoidance of doubt and possible misunderstanding. Although the requirement to provide a footway adjacent to the site boundary on Hospital Road has been rescinded in the interests of safeguarding the existing woodland in the site, there is still a requirement to connect to the footway to the south of the site on Hospital Road as part of the alternative measure that have been agreed for safe pedestrian access through and around the site.

- 6 That prior to the commencement of development, the following shall be provided for the further written approval of the planning authority:

- Details of SUDS maintenance;

- Confirmation that drainage design is in accordance with Sewers for Scotland 4th Edition;
- Evidence of technical approval from Scottish Water for drainage elements of the development.

Thereafter once formed, SUDS maintenance shall be undertaken in accordance with any approved scheme and drainage infrastructure will be formed in full accordance with any technical approval granted.

Reason: In order to ensure that site drainage infrastructure is formed and maintained to an acceptable standard in the interests of the amenity of the area.

**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

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DATE:

APPENDIX 1: LOCATION PLAN

APPENDIX 2: DEVELOPMENT PLAN POLICIES

APPENDIX 3: PHASING MILESTONES DOCUMENT

Appendix 1: Location Plan



North



0 20 50 100m



Planning	
Proposed Residential Development Sunnyside Estate, 188kilo for Part Bruce Homes Ltd	
Location Plan	
195	1/P01
10/2000	A1 July 2018

g a p
a r c h i t e c t s

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Appendix 2

Development Plan Policies

Angus Local Development Plan 2016

M3 Mixed Use - Sunnyside Hospital, Hillside

Sunnyside Hospital Estate is allocated for mixed use development including residential, Class 4 (business), Class 7 (hotels and hostels), Class 8 (residential institutions), Class 11 (assembly and leisure) and community uses.

Around 265 dwellings will be released within the plan period including a first phase of around 140 dwellings in the period to 2021, and the remaining 125 dwellings permitted in the period to 2026. The scale of any further land release in the period beyond 2026 will be determined by a future Local Plan.

Proposals should be in accordance with the approved development brief for this site updated as appropriate to reflect policies in this Local Development Plan.

Proposals should be supported by a Transport Assessment.

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 TC1 : Housing Land Supply / Release

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

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

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

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

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

Policy TC2 : Residential Development

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

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

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

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

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

- retention, renovation or acceptable replacement of existing houses;
- conversion of non-residential buildings;
- regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use;
- single new houses where development would:
- round off an established building group of 3 or more existing dwellings; or
- meet an essential worker requirement for the management of land or other rural business.

- in Rural Settlement Units (RSUs)**, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites (as defined in the Glossary) may be developed for up to two houses.

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

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

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

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

Policy TC3 : Affordable Housing

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

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

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

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

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

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

Policy 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 TC15 : Employment Development

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- there are no suitable or viable sites available within an employment land allocation or existing employment area; or
- the use is considered to be acceptable in that location; and
- there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- the criteria relating to employment development within development boundaries are met;
- the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and
- the proposal constitutes rural diversification where:
 - the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
 - the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.

Policy PV1 : Green Networks and Green Infrastructure

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

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

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

Policy PV2 : Open Space Protection and Provision within Settlements

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

- the proposed development is ancillary to the principal use of the site as a recreational resource; or
- it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

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

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

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

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

Policy PV3 : Access and Informal Recreation

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

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

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

Policy 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 PV6 : Development in the Landscape

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

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

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

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

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

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

Policy PV7 : Woodland, Trees and Hedges

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

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

- protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;

- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

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

Policy 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 PV9 : Heat Mapping and Decarbonised Heat

Angus Council will support the preparation and application of a heat map identifying existing and future opportunities for new heat networks, heat storage and energy centres. Development proposals will be encouraged to investigate the feasibility of district heating or combined heat and power installations.

Opportunities for Angus Council, developers and existing businesses to install facilities or identify routes for pipework within development for future integration into heat networks should be identified in appropriate development proposals.

Policy PV11 : Energy Efficiency - Low and Zero Carbon Buildings

All qualifying new buildings must demonstrate that the installation and operation of low and zero-carbon generating technologies will avoid at least 10% of the projected greenhouse gas emissions from their use by 2016, and at least 15% by 2018.

This requirement does not apply to extensions, changes or use or conversion of buildings; stand-alone ancillary buildings under 50 sqm; buildings with a planned life of less than two years or which will not be heated or cooled for purposes other than frost protection.

Development proposals should be accompanied by a statement of the level of sustainability achieved to demonstrate compliance with the above standards.

Development proposals should also consider energy efficiency measures where possible including:

- siting, form, orientation and layout of buildings to maximise solar gain, natural ventilation and light;
- the use of landscaping and boundary treatment to modify temperature extremes such as shelter belts; and
- the re-use and/or local sourcing of building materials.

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.

Appendix 3

Phasing Milestones Document

Sunnyside Phasing Plan

Before commencement of works on any new-build housing the developer will: -

- Complete demolition works on the Chapel, Angus House, Laurel Cottage and outbuildings in accordance with listed building consent 15/00741/LBC
- Initiate the use of Carnegie House as site office accommodation (and thereafter maintain building in a wind and watertight condition)
- Provide updated condition reports for Main Building, Ward Building, Water Tower and Northesk Villa (and thereafter implement an ongoing programme of inspection and maintenance in accordance with those reports)
- Apply for a building warrant for conversion of the Water Tower to 9 residential units
- Apply for PP and LBC for phase 1b which shall include conversion of the Ward Building (and a free-standing application for any other uses not included within the scope of the PPP within that phase)
- Demonstrate to the written satisfaction of the council that an agreed contract is in place for the provision of the affordable housing units associated with phase 1a
- Provide visibility splays on Marykirk Road, for construction Access

Before occupation of any units the developer will: -

- Widen the carriageway of Hospital Road
- Provide visibility splays on Hospital Road
- Form and maintain a safe pedestrian route from Northfields area to West Lodge site entrance/ Hospital Road
- Provide roads and associated infrastructure relevant to the phase in accordance with RCC requirements
- Apply for a building warrant for conversion of the Ward Building in accordance with a relevant PP and LBC

Before occupation of any main-stream new-build housing unit the developer will: -

- Commence works on the conversion of the Water Tower in accordance with a relevant PP and LBC
- Form the Orchard East SUDS basin to adoptable standard
- Implement a programme of maintenance of the open space areas to the south of the Main Building and Carnegie House
- Implement a programme for the management and maintenance of woodland areas

Before occupation of more than 20 main-stream houses the developer will: -

- Apply for a building warrant for conversion of the Main Building in accordance with a relevant PP and LBC
- Complete works on the Main Building to create a single marketing flat and show home.

Before occupation of more than 50 main-stream houses the developer will: -

- Obtain a completion or habitation certificate under the Building (Scotland) Acts for the 9 residential units within the listed Water Tower
- Commence works on the Ward Building in accordance with a programme that has been approved in writing by the Planning Authority

- Commence works on the Main Building in accordance with a programme that has been approved in writing by the Planning Authority
- Commence and complete demolition works on garage, boiler house and stables in accordance with listed building consent 17/00331/LBC

Before commencement of any works associated with construction of a new-build mainstream house in phase 1b the developer will: -

- Demonstrate to the written satisfaction of the council that an agreed contract is in place for the provision of the affordable housing units associated with phase 1b, including the reuse of the Ward Building
- Commence and complete demolition works on Booth House in accordance with listed building consent 17/00331/LBC

Before occupation of any new-build unit within phase 1b the developer will: -

- Form the Orchard West SUDS basin to adoptable standard

Before occupation of more than 80 main-stream houses the developer will: -

- Obtain a completion or habitation certificate under the Building (Scotland) Acts for residential units within the listed Ward Building in accordance with a relevant PP and LBC

Before occupation of more than 100 main-stream houses the developer will: -

- Obtain a completion or habitation certificates under the Building (Scotland) Acts for a minimum of 5 residential units as per residential units within the listed Main Building.

Before occupation of more than 140 main-stream houses the developer will: -

- Obtain a completion or habitation certificates under the Building (Scotland) Acts for all residential units within the listed Main Building.

Before commencement of any works on new-build development in any phase other than Phase 1a or 1b the developer will: -

- Form the main spine road/ primary route from Northfields to Orchard Central area to adoptable standard and make provision for bus infrastructure, including shelters and real-time information (all to be provided by the developer once a bus service is established)
- Form the central play area and provide the play equipment in the open space area to the south of the Main Building
- Form the SUDS basin to the south of Carnegie House to adoptable standard
- Provide an updated phasing plan for the remainder of the site. This shall include detail of the phasing for release of new-build houses, affordable housing and the conversion of North Esk Villa and Carnegie House.