

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 4 FEBRUARY 2020

**PROPOSAL OF APPLICATION NOTICE
FACTORY SPORTS GROUND 29 EAST MILL ROAD BRECHIN**

GRID REF: 360503 : 759484

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report advises Committee that a Proposal of Application Notice (ref. 19/00919/PAN) has been submitted in respect of a major development comprising a residential development incorporating formation of vehicular access, access roads, landscaping, SUDS and associated infrastructure at Factory Sports Ground, 29 East Mill Road, Brechin for G S Brown Construction Ltd. Committee is invited to identify issues which it would like to see addressed in the planning application.

1. RECOMMENDATION

It is recommended that Committee notes the key issues identified at this stage and advises of any other issues it considers should be addressed in any planning application that is subsequently submitted.

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 At its meeting on 19 June 2014, council approved a guidance note on the role of Councillors in pre-application procedures in respect of national and major planning applications (Report 275/14 refers). A key element of that guidance requires officers to present a report to Committee when a Proposal of Application Notice (PAN) is submitted. Such a report will set out what are considered to be the key considerations in the determination of any subsequent planning application and allow Members opportunity to identify any additional issues that they consider should be addressed when a planning application is submitted.

3.2 A PAN (ref. [19/00919/PAN](#)) has been received. It indicates that an application for planning permission is to be submitted for a residential development incorporating formation of access roads, landscaping and associated infrastructure. The proposed development site measures 3.88 ha (approx.) and currently consists of business units, areas of hardstanding, playing fields and open space. A plan showing the outline of the site on which the development is proposed has been submitted and is attached at Appendix 1. No further details relating to the proposed application have been provided at this stage.

3.3 The submitted PAN set out the consultation that the applicant intended to undertake with the local community. The applicant's agent indicated that a copy of the PAN was served on local Elected Members and City of Brechin Community Council. The PAN was also served on occupiers of properties sharing a boundary with the application site (75 in total). A public meeting was held at Mackie Motors on 15 January 2020.

- 3.4 The applicant's agent has received confirmation that a planning application cannot be submitted prior to 29 February 2020 (the date 12 weeks' from the submission of the valid PAN).
- 3.5 The results of the community consultation will be submitted with any subsequent major planning application in the form of a pre-application consultation report (PAC Report) as required by Development Management Regulations.

4. DISCUSSION

- 4.1 Committee is aware that planning legislation requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. Therefore compatibility with the development plan will be a key issue in relation to any planning application that is submitted for the development of this land.
- 4.2 The proposed site is located within the development boundary of Brechin as defined by the [Angus Local Development Plan](#) (ALDP). It is not allocated or identified for development in the ALDP but it includes a playing field that is safeguarded as open space in that Plan.
- 4.3 Policy DS1 of the ALDP is generally supportive of development proposals within the defined development boundary where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.
- 4.4 In this case the proposed development would involve loss of existing employment land and would introduce new noise sensitive uses adjacent to existing employment uses (Policy TC14); it includes land that is safeguarded for open space (Policy PV2); and it is located in an area where SEPA flood maps indicate there is a flood risk (Policy PV12 and 15). Any planning application for residential development on the site would be required to demonstrate that: -
- it would not undermine the provision of employment land in Angus, or land which may be important to retain due to its individual characteristics, regardless of the amount of employment land available;
 - it would not undermine or restrict the operation of existing or proposed employment uses on the existing employment area;
 - the loss of safeguarded open space is compatible with policy PV2;
 - issues regarding flood risk and drainage can be appropriately addressed in the context of relevant development plan policies and the national flood risk framework.
- 4.5 If the issues identified at paragraph 4.4 above are adequately addressed, other policies in [TAYplan](#) and the ALDP, including those that deal specifically with residential development within development boundaries and with protection of amenity; natural and built environment; access; infrastructure and developer contributions would also be relevant. The key issues arising from those policies would include: -
- suitability of the residential environment that would be created for occupants of the proposed residential units having regard to matters including any land contamination and impacts arising from neighbouring employment uses;
 - the acceptability of impacts on residents of existing properties and neighbouring land uses;
 - built environment considerations, including the acceptability of the proposed layout and design of buildings and open space as assessed in the context of the council's approved [Supplementary Guidance on design quality and placemaking](#);
 - natural environment considerations, including the impact on habitats and species and the acceptability of open space provision and landscaping, including subsequent maintenance;
 - acceptability of the proposed access arrangements for pedestrians, cyclists, public transport and other motor vehicles and the suitability of access and transportation provision in the area generally;
 - impact of development on existing infrastructure, in particular impacts on the roads and drainage networks and the education estate having regard to the council's approved [Supplementary Guidance on developer contributions and affordable housing](#);
 - provision of affordable housing having regard to the council's approved [Supplementary Guidance on developer contributions and affordable housing](#);
 - any opinions expressed on the proposal by statutory and non-statutory consultation bodies;
 - any third party representations that raise material planning issues.

4.6 While other issues may emerge through the publicity and consultation process associated with any planning application, the above matters represent the main issues that should be considered at the pre-application stage and that are likely to be determining factors for any subsequent planning application. However, Committee is invited to identify any additional matters that it would wish to see addressed.

5. OTHER IMPLICATIONS

The human rights implications associated with the proposal would be considered in the determination of any subsequent application for planning permission.

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.

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APPENDIX 1: LOCATION PLAN