

Appendix 3 permission 17/00661/MSCM conditions

1. Notwithstanding the phasing detail provided by the applicant the development shall be undertaken in accordance with the following requirements: -
 - (a) Completion of the alterations to the existing public road and realignment of the A930 Road and its associated infrastructure prior to any other development taking place;
 - (b) Completion of SUDS detention basins and associated drainage infrastructure prior to the realigned section of the A930 Road being brought into use;
 - (c) Completion of the 2.5 metre wide cycle track extension between the site and the existing cycle track to the east of the A930 Road as detailed in Condition 3 of Planning Permission ref: 14/00043/PPPM prior to the realigned section of the A930 being brought into use;
 - (d) Completion of all proposed native woodland planting as shown on Drawing Nos. ASL_00_XX_DR_L_0101 and ASL_00_XX_DR_L_0102 - Landscaping Proposals - Sheets 1 and 2 by Austin-Smith: Lord LLP dated 20.12.2017 as revised by the requirements of condition 8 of this permission within the first planting season following the date of initiation of development.

Reason: In the interest of ensuring adequate access, drainage and landscaping at an appropriate stage of the development.

2. The surface water system and a foul drainage connection to the public sewerage system shall be completed for each building prior to its occupation or use.

Reason: In order to ensure adequate drainage facilities are provided in the interests of the amenity of the area.

3. That, no development in connection with this development shall be undertaken unless a Speed Limit Order has been approved that provides for the speed limit on the realigned section of the Carlogie to Muirdrum Road (A930) to be 40mph between the existing 30mph limit at Carnoustie and a point 60 metres to the north of the intersection of the road with the U508 Westhaven Road.

Reason: In the interests of road safety.

4. That, no development in connection with this development shall be undertaken unless plans and particulars of details relating to the making of a Traffic Regulation Order, necessary for the implementation of alterations to the existing public road, have been submitted for approval by the Planning Authority. The development shall not commence until the Order has been made by the Council.

Reason: In the interests of road safety.

5. Vehicular and pedestrian access and public transport facilities relating to the development of the site shall be provided in accordance with the following requirements: -

- (a) That, visibility splays shall be provided at all new road junctions on the realigned length of the A930 Carnoustie to Muirdrum Road. Visibility splays shall be formed

prior to any junction being brought into use and shall provide for a minimum sightline of 120m in each direction at a point 4.5m from the nearside channel line of the realigned carriageway. Once formed nothing shall be erected, or planting permitted to grow within the visibility splay to a height in excess of 1050mm above the adjacent road channel level.

- (b) That, a pedestrian refuge island shall be provided on the new carriageway of the realigned A930 Carnoustie to Muirdrum Road to assist in crossing between the footpath link north of San Melito and the new bus stop on its east side prior to the realigned section of the A930 being brought into use.
- (c) That, the road verge to the rear of the proposed layby/passing place on Westhaven Road detailed on Fairhurst Drawing No. 119689/1003 Rev:C shall be reinstated prior to the layby/passing place being brought into use.
- (d) That, prior to the occupation or use of any building, parking shall be provided within the site/each plot curtilage in accordance with the standards of Angus Council. All cycle parking provision shall be conveniently located for the main public entrance to the relevant building and shall be covered, lit and adequately signed.

Reason: In the interests of traffic and pedestrian safety and free traffic flow and to ensure adequate provision for the use of multi modal vehicles.

- 6. That, in the event that the proposed SUDS detention basin or any associated drainage infrastructure is not to be formally adopted, the basin and any other associated unadopted infrastructure shall be managed and maintained for as long as it remains in use in accordance with the SUDS Maintenance Schedule contained within the Carlogie Business Park, Carnoustie Drainage Impact Assessment (Revision 4) (119689) by Fairhurst dated 20.12.2017.

Reason: In order to ensure the surface water drainage system is appropriately managed and maintained in the interests of safety and the amenity of the area.

- 7. That no development in connection with the planning permission hereby approved shall take place until a scheme for the management and maintenance of all landscaping areas within the development hereby approved, including areas of existing woodland has been submitted for the further written approval of the Planning Authority. The submitted scheme shall include measures for the protection of landscaping from grazing mammals. Once a management and maintenance scheme has been approved the landscaping areas shall be managed and maintained in accordance with the approved details for as long as the development endures.

Reason: In order to ensure that the management and maintenance provisions for any unadopted landscaped areas are sufficient to ensure its ongoing maintenance in the interests of the amenity of the area.

- 8. That no development in connection with the planning permission hereby approved shall take place until a revised scheme of landscaping that reflects the details contained on Drawing Nos. ASL_00_XX_DR_L_0101 and ASL_00_XX_DR_L_0102 - Landscaping Proposals - Sheets 1 and 2 by Austin-Smith: Lord LLP dated 20.12.2017 with additional provision for the planting of native trees on the eastern site boundary has been submitted to and approved in writing by the Planning Authority. The proposed planting shall be completed within the first planting season following the date of initiation of development. Any plants or trees that within a period of 5 years from the completion of development

die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species.

Reason: In order to ensure the timely provision of landscaping in the interests of the visual amenity of the area.

9. Prior to the commencement of any development comprising a Class 5 or 6 Use as defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997 a noise impact assessment shall be carried out in accordance with the requirements of condition 5 of permission 14/00043/PPPM. Where an approved noise impact assessment requires any noise mitigation measures these shall be implemented in full before any subsequent building or site is occupied and shall be maintained for the life of the development.

Noise from any Class 5 or 6 Use (as defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997) forming part of the development shall not exceed the noise limits shown in table A below.

Table A: Noise limits

Day	Time	Average Period (t)	Noise Limit	Note
Monday – Sunday inclusive	0700 – 1900	12 hour	55 dBA Leq t	1, 2, 5
Monday – Sunday inclusive	0700 – 1900	1 hour	Existing ambient Leq t	1, 2, 4, 5
Monday – Sunday inclusive	1900 – 2300	4 hour	50 dBA Leq t	1, 2, 5
Monday – Sunday inclusive	1900 – 2300	1 hour	Existing ambient Leq t	1, 2, 4, 5
Monday – Sunday inclusive	2300 – 0700	8 hour	45 dBA Leq t	1, 2, 5
Monday – Sunday inclusive	2300 – 0700	5 minutes	Existing ambient Leq t	1, 2, 4, 5
Monday – Sunday inclusive	2300 – 0700	N/A	45 dBA Lmax fast response	3, 5

Notes for Noise Condition

1. The assessment location shall be free field within the exterior amenity space of any noise sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.
2. As measured and rated in accordance with BS4142:1997 – Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas as amended.
3. The assessment location shall be within a bedroom with a window open 50mm for natural ventilation.
4. The noise limit shall be the relevant ambient noise level referred to in the approved noise survey report required by paragraph 1 of this condition.
5. Where the noise measurement position is not the same as the assessment location the received noise levels shall be predicted using an appropriate methodology.

Reason: In the interest of the amenity of existing and prospective occupiers of noise sensitive properties located near the site.

10. Noise associated with construction works including the movement of materials, plant and equipment shall not exceed the noise limits shown in table B below unless agreed in writing by the Planning Authority. At all other times noise associated with construction or demolition operations shall be inaudible at any sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.

Table B

Day	Time	Average Period (t)	Noise Limit
Monday - Friday	0700 - 1900	12 hour	70 dBA Leq t
Saturday	0700 - 1300	6 hour	70 dBA Leq t

Reason: In the interest of the residential amenity of nearby noise sensitive properties.

11. That no building or site shall be occupied or used for food manufacture, waste management, shot blasting or coating processes unless an air quality management plan for that building or site has been submitted to and approved in writing by the Planning Authority. That air quality management plan shall be informed by the results of an air quality assessment. Thereafter the building or site shall be operated in accordance with the approved air quality management plan.

Reason: In the interest of the amenity of existing and prospective occupiers of sensitive properties located near the site.

12. That notwithstanding the information submitted in support of this application, the precise details of all external materials to be used on any building shall be submitted to and approved in writing by the Planning Authority prior to its construction. For the avoidance of doubt the proposed colour finishes of white, metallic grey and natural aluminium are not approved and external finishes should be of a recessive shade.

Reason: In order that the planning authority may verify the acceptability of the proposed materials in the interests of the visual amenity of the area.

13. That the distribution of uses within the site shall be in accordance with the building class assignment shown on page 10 of the Carlogie Business Park Development Brief dated 3 August 2017 by Austin-Smith: Lord. Specifically, land to the west of the realigned A930 Carlogie Road shall be used for Class 4 uses as defined by the Town and Country Planning (Use Classes)(Scotland) Order 1997 (as amended).

Reason: In order to ensure that the development is undertaken and operated in accordance with the parameters against which it was assessed and to safeguard the amenity of nearby sensitive properties.

The reason(s) for the foregoing decision by the Council are as follows:-

1. That all matters relating to the requirements of Condition 1 (a) to (g) of the planning permission in principle are compatible with relevant development plan policy subject to the stated conditions. The proposal would not have an adverse impact on amenity, environment or road safety and would provide an employment area, road realignment and associated infrastructure in an acceptable manner. There are no material considerations that justify refusal of these specified matters.

Dated this **25 April 2018**