

Appendix 2: Planning Permission in Principle Conditions

Conditions

1. That, plans and particulars of the matters listed below, shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given for the matters listed below and the development shall be carried out in accordance with that approval. The matters are:
 - a) the layout of the site, including the number of residential units to be provided (which shall not exceed 300 units), the type and location of community facilities, road layout, car parking, turning space, open space, landscaping and facilities for waste/recycle storage and collection. For the avoidance of doubt the indicative layout submitted with the application is not approved;
 - b) a phasing plan for the entire development, including the timing and number of dwelling units to be released in each phase; details of the provision of infrastructure and community facilities; road construction; provision of street lighting; open space areas; landscaping; drainage infrastructure; and the formation of the new pedestrian/cycle connections;
 - c) the siting, design (to include appropriate noise mitigation measures) and external appearance of the dwellings and community facilities as appropriate;
 - d) the existing and proposed ground levels and finished floor levels of houses relative to a fixed ordnance datum;
 - e) the precise details of the means of accesses to the development, including visibility splays; specification of all roads, lighting and road drainage, car parking provision and garage layouts. Any proposed garage shall be set back a minimum of 8 metres from the carriageway of the adjacent public road. Within the visibility splays formed nothing shall be erected or planting permitted to grow to a height in excess of 875 millimetres above the road carriageway;
 - f) the means of drainage for the development. 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) and should account for high levels of groundwater. No development shall commence until evidence is provided to the planning authority to demonstrate that the public sewer has capacity to accommodate development of the entire site. All water retention/detention features shall be designed to minimise danger to the public and shall be fully landscaped and fenced where necessary to achieve this purpose;
 - g) all boundary enclosures;
 - h) the provision of open space, at a minimum of 2.43 hectares per 1000 head of population, including play equipment, and a scheme for its provision and ongoing maintenance in perpetuity;
 - i) a legally binding scheme for the provision of 15% affordable housing or suitable alternative provision in accordance with Angus Council's Affordable Housing Implementation Guide or any subsequent policy or guidance that replaces it;
 - j) a public access plan that provides full details of all proposed pedestrian and cycle paths within the site, linkages to the existing wider network and details of their long term maintenance. The plan shall have regard to the existing core path that dissects the site ensuring that it, or suitable alternative provision, remains accessible to the public, including during the construction period(s); and
 - k) a public transport scheme that details provision on both the north and south sides of the A926 Kirriemuir Road - for bus layby(s) (suitable for accommodating buses up to 12 metres in length), enclosed bus shelter(s) to Angus Council's specifications (equipped with solar lighting, real time display, bus stop pole and raised kerb(s)).

Reason: To ensure that the matters referred to are given full consideration and are acceptable to the planning authority.

2. That any application for approval of Matters Specified in Condition 1 above shall be accompanied by the following:
 - a) A Masterplan for the entire application site which shall include: -
 - i) 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;
 - ii) an overall design concept for the layout of the site and dwellings within the site taking account of relationship to neighbouring land uses, building orientation, building height, use of materials, and a palette of colours and textures to be used in the construction of dwellings;
 - iii) road access and construction of roads to the standards set by the Roads Authority having regard to Designing Streets;
 - iv) provision of access by pedestrian, cycle and public transport;
 - v) a strategy for the drainage of foul and surface water;
 - vi) details of structure planting and landscaping within and around the site, including details of those trees to be retained and measures for their protection during development.
 - b) A noise impact assessment; and
 - c) A scheme for the provision of a Residential Travel Plan and Pack. Once approved the document shall be provided to the first occupants of each dwelling.

Upon the planning authority giving written approval that all of the foregoing supporting information is acceptable, the development shall thereafter be undertaken to incorporate any identified necessary mitigation or measures identified within the approved studies.

Reason: In order to ensure that development within the site takes place in accordance with an overall design concept and to enable the planning authority to consider the matters detailed in Condition 1.

3. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 26(4)(a)-(f) of the Town and Country (Scotland) Planning Act 1997 in relation to the development, until a planning obligation pursuant to s.75(1)(a) of the said Act relating to the land has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate, to the written satisfaction of the planning authority. The said planning obligation will provide that the sum of £5,100 per dwelling unit (excluding affordable housing and single-bedroom units) will be paid to the local planning authority for the purpose of the provision of secondary school educational facilities.

Reason: To ensure that the proposed development does not put undue pressure on the existing education facilities.

4. No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant 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 or such other party as may be appropriate.

Reason: To safeguard and record the archaeological potential of the area.

5. 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 A: Construction Noise limits

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 protecting residential amenity.

6. That no access or egress shall be permitted from Turfbeg Road/Taylor Street for construction traffic vehicles.

Reason: In the interest of road safety and residential amenity.

7. That from the date on which this planning permission is granted none of the existing trees and shrubs on the site shall be lopped, topped, felled, removed or disturbed in any way without the prior written approval of the Planning Authority.

Reason: To ensure the retention of important landscape features and existing amenities of the site.

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

That the development would address an identified shortfall in the 5-year effective housing land supply in the West Angus Housing Market Area in a manner that is broadly compliant with development plan policy. Potential impacts associated with the development can be appropriately mitigated and there are no material planning considerations that justify refusal of the application.

Dated this **23 September 2015**