

Appendix 3 Planning permission 17/00443/MSCM

Conditions

1. That the construction phasing of the development shall, follow the build routes detailed in the 'Construction Phasing Plan' as specified in the 'Construction Programme' and the associated drawing '2017/TRF/025' except as may otherwise be specified in conditions attached to this permission. The infrastructure works, insofar as they relate to roads, footpaths, open space, landscaping and drainage, shall be complete in each phase prior to the occupation of any dwellinghouse within any subsequent phase.

Reason: To ensure a satisfactory phasing to the development in the interest of road safety and the amenity of the area.

2. That the phasing of all other infrastructure and amenity facilities shall be provided by the following stages of the development:
 - (a) Completion of the east most access onto the A926 Forfar to Kirriemuir Road in accordance with the terms of planning permission reference 17/00595/FULL prior to the occupation of the 1st dwellinghouse;
 - (b) Completion of SUDS attenuation basin in accordance with planning permission reference 17/00447/FULL prior to the occupation of the 1st dwellinghouse;
 - (c) Completion of the west most access onto the A926 Forfar to Kirriemuir Road in accordance with planning permission reference 17/00595/FULL prior to the commencement of construction of any house within Phase 2 of the development;
 - (d) Completion of play area within the East Community Green prior to the construction of the 122nd dwellinghouse;
 - (e) Completion of shop prior to the construction of the 122nd dwellinghouse;
 - (f) Completion of the access to Taylor Street/Turbeg Road in accordance with planning permission 17/00555/FULL prior to the commencement of construction of any house within Phase 3 of the development.

Reason: In the interest of ensuring adequate access, drainage, provision of play equipment and community facilities at an appropriate stage of the development.

3. The surface water system and a foul drainage connection to the public sewerage system shall be completed for each dwellinghouse prior to its occupation.

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

4. That no development in connection with the consent hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) A scheme for the 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.
 - (b) Full details of the location of the construction compounds associated with each phase of the development. Thereafter the construction compounds shall be formed in accordance with the approved details.
 - (c) A revised landscaping plan for the site. The plan shall make provision for a schedule of plants to comprise species, plant sizes, numbers and density for all landscaped areas and areas of hedge planting. The approved planting shall be

provided within each respective phase of the development in accordance with the requirements of Condition 1. 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.

- (d) The boundary wall enclosures. Thereafter the approved boundary wall enclosures shall be erected prior to the occupation of the respective dwellinghouse to which they relate.
- (e) A scheme for the provision of conveniently located car parking associated with the shop building. The submitted scheme shall ensure parking spaces are provided at the following minimum rates – cars - 3 spaces; motor cycles - 2 spaces; disabled parking - 3 spaces; and bicycles - 2 spaces. This shall include details of the lighting and signing of the bicycle parking. Thereafter the parking shall be provided in accordance with the approved details prior to the occupation/use of the shop.
- (f) Full details of the layout and specification of the open space area located in the northeast corner of the site. This shall include precise details of the location of the play area and the specification for all equipment to be located within it along with details of surface materials and boundary treatments. Thereafter the open space shall be provided in accordance with the requirements of Condition 1.
- (g) Evidence that the planning obligation pursuant to s.75(1)(a) of the said Act relating to the land and providing for the provision of affordable housing has been registered in the Land Register of Scotland or recorded in the General Register of Sasines, as appropriate.

Reason: In order that the planning authority may verify the acceptability of the maintenance strategy of these areas and facilities; in the interests of the amenity of neighbouring properties and the visual amenity of the area; to ensure the adequacy of the proposed planting and its timely provision; in order that the visual amenity of the area shall not be adversely affected; to maintain the free traffic flow on the adjacent roads and to encourage multi-modal means of travel; to ensure that the layout of the open space and specification of the play equipment is acceptable; and to ensure provision of a legally binding scheme for the delivery of affordable housing.

- 5. That all landscaping and boundary enclosures, including hedge planting shall be provided in each plot prior to the occupation of the respective dwellinghouse.

Reason: In the interest of the amenity of neighbouring properties and the visual amenity of the area.

- 6. That the bus lay-bys and associated infrastructure detailed in the 'Public Transport Scheme' on the north and south sides of the A926 Forfar to Kirriemuir Road shall be provided and operational prior to the occupation of the 75th dwellinghouse within the development. Notwithstanding the details contained within the submitted Public Transport Scheme the bus lay-by to be formed on the south side of the public road shall be provided with an enclosed bus shelter equipped with solar lighting, real time display, bus stop pole and raised kerb(s). The bus stops and associated infrastructure shall be provided to the standards of Angus Council.

Reason: To ensure adequate public transport facilities are provided at an appropriate stage of the development in the interests of promoting sustainable modes of transport.

- 7. That, prior to the occupation of any dwellinghouse within any phase of the development, visibility splays shall be provided at the junction of the proposed accesses with the A926 Forfar to Kirriemuir Road giving a minimum sight distance of 120m in each direction at a point 2.4m from the nearside channel line of the A926 Forfar to Kirriemuir Road. Once

formed nothing shall be erected, or planting permitted to grow within the visibility splay to a height in excess of 875mm above the adjacent road channel level.

Reason: In the interests of road safety and pedestrian safety and to ensure a satisfactory standard of visibility at the junction of the proposed accesses with the public roads is maintained.

8. That the existing Core Path that runs through the site shall not be closed to public access until a scheme for its rerouting during construction works has been submitted to and approved in writing by the Planning Authority. Thereafter the approved route shall be delineated and formed in accordance with the approved details before the existing Core Path is closed to public access and the revised route shall be available at all times until the new footpath/cycleway is provided between Taylor Street and Kirriemuir Road.

Reason: In order to ensure the provision of an acceptable alternative footpath connection between Taylor Street and Kirriemuir Road during any construction period that requires closure of the core path.

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

That all matters relating to the requirements of Condition 1 (a) to (k) 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 acceptable housing development that is capable of providing a good residential environment. There are no material considerations that justify refusal of these specified matters.

Dated this 3 October 2017