

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 5 APRIL 2022

PLANNING APPLICATION – FORMER STRATHMARTINE HOSPITAL

GRID REF: 338678 : 735059

REPORT BY SERVICE LEAD – PLANNING & SUSTAINABLE GROWTH

Abstract: This report deals with application No. [21/00957/MSC](#), submitted by Miller Homes / Chamberlain Bell Developments which relates to land at the former Strathmartine Hospital, Strathmartine. It is an application for approval of matters specified in conditions to facilitate redevelopment of the site for 212 new build residential homes. It seeks authorisation for the matters specified in conditions 2(a) – (c) supported by the information required by 3(a) – (c). The application deals with whole site matters linked to a site masterplan, and the detailed layout and design of the site as required by planning permission in principle [20/00102/PPPM](#). The 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 Planning permission in principle for the redevelopment of the former Strathmartine Hospital site to include new build and conversion to residential and community use and creche, associated access, landscape and infrastructure was granted by Angus Council at its meeting of 23 November 2020 ([Report No. 298/20](#)). That permission allows a total of 224 residential units on the whole site including a maximum of 212 new build units. A plan showing the location and extent of the site is provided at Appendix 1 and a copy of the conditions attached to the planning permission in principle is provided at Appendix 2.

3.2 The planning permission in principle requires the submission of further applications for the approval of matters specified in condition 2, along with information to assist in the determination of those matters as detailed in condition 3. This application seeks approval of the matters detailed in condition 2(a) relating to whole site matters, condition 2(b) relating to the detailed design and layout of different zones of the development, and condition 2(c) relating to the works proposed in each zone to deliver the masterplan. It is supported by the information specified in condition 3. This application deals with whole site matters and provides for the erection of 212 new build homes, roadways, landscaping, drainage and open space. A copy of the masterplan layout is provided at Appendix 3.

- 3.3 Access to the site would be via the existing main entrance from Craigmill Road and from East Drive/Balmydown Road to the east, both of which would be upgraded. The proposed affordable housing area would be accessed from Ashton Terrace. Buildings within the development would be positioned in the general location of existing platforms and new development platforms would be created within the slope. Buildings are typically designed to front the public roads and pedestrian connections. The proposal includes 1½ and 2-storey terraced, semi-detached and detached buildings providing two, three, four and five-bedroom properties. 28 affordable housing units would be provided at the south east of the site. The development would be contained by the existing landscape framework which would be augmented by new planting, but significant tree felling is proposed. Several open spaces and landscaped areas would be provided within the layout. The development contains pedestrian connections to existing paths to the south and makes provision for a footway between the site and Strathmartine Primary School. A range of parking solutions are proposed including in-curtilage parking with some dwellings containing integral or detached garages, and parking courts. Foul drainage would connect to the public sewer. Surface water drainage would be achieved through sustainable urban drainage systems (SUDS) with a landscaped detention basin located to the west of the proposed affordable housing area. Public transport infrastructure including a relocated bus layby and bus stop is proposed on Craigmill Road.
- 3.4 Detailed proposals for conversion and rehabilitation of the listed buildings within the former hospital complex benefit from an extant planning permission and listed building consent and are therefore not included in this application. Planning permission and listed building consent for the conversion and rehabilitation of the listed former hospital administration building and adjacent cottages to form 12 dwellings was granted on 25 March 2021 (ref: [20/00176/FULL](#) & [20/00175/LBC](#)).
- 3.5 The application has been advertised in the press and was subject of statutory neighbour notification as required by legislation.
- 3.6 The application has been varied to alter the layout and external appearance of housing; the layout of the parking; the configuration of internal roadways; the design of the boundary enclosures at visually prominent locations; to alter the open space including the reinstatement of the Rose Garden; the landscaping throughout the site and the routing and location of pedestrian connections.

4. RELEVANT PLANNING HISTORY

- 4.1 At its meeting on 18 December 2014 Council considered a planning application (ref: [13/00268/EIAM](#)) which proposed redevelopment of the Former Strathmartine Hospital for what was predominantly a large-scale residential development (Reports [507/14](#) and [508/14](#) refer). Council acknowledged that the proposal was contrary to development plan policy but concluded that benefits associated with the redevelopment of the brownfield site, including reuse of a category B listed building justified approval of the application. Council also considered that potential impacts associated with the development could be appropriately mitigated and resolved to approve the application. That resolution was notified to Scottish Ministers as Dundee City Council had objected to the application.
- 4.2 Scottish Ministers called that application in for their determination. Ministers appointed a Reporter to consider the matter and to provide a report and recommendations on the application. The Reporter considered representations from all parties and submitted a report to Scottish Ministers recommending that the application be approved. Ministers subsequently granted planning permission in principle in April 2018.
- 4.3 An application ([20/00102/FULM](#)) under Section 42 for the redevelopment of former

hospital site to include new build and conversion to residential and community use and creche, associated access, landscape and infrastructure works subject to amended conditions 1 (developer contributions), 2 (matters specified) and 4 (phasing of listed building works) to those attached to previously granted planning permission reference: 13/00268/EIAM (Scottish Ministers Ref: NA-ANG-009) was approved by Angus Council at its meeting of 27 November 2020.

- 4.4 An application for planning permission (ref: [20/00176/FULL](#)) and listed building consent (ref: [20/00175/LBC](#)) for the conversion of the former hospital administration building to 11 dwellings, and alterations to cottages to provide a single dwelling with associated ground works, landscaping, access, and associated drainage infrastructure was approved on 25 March 2021.
- 4.5 The site is subject to a Section 75 planning obligation which includes provision for the payment of developer contributions towards increasing capacity at Strathmartine Primary School and requiring 25% affordable housing. The obligation sets out that half of the affordable housing requirement is to be provided on site (28 units), with the remaining half provided by financial contribution towards off site provision.

5. APPLICANT'S CASE

5.1 The following documents have been submitted in support of the application: -

- Masterplan Design and Access Statement
- Design for all accessibility statement
- Flood Risk Assessment and Drainage Strategy Report
- Residential travel pack
- Contextual Planning Report
- Tree Survey Report
- Ecology Assessment
- Construction Method Statement
- Public consultation/response to representations sent to third parties
- Design and Access Statement Addendum

5.2 The information submitted in support of the application is available to view on the [Public Access](#) system and is summarised at Appendix 4.

6. CONSULTATIONS

- 6.1 **Angus Council – Roads** – has reviewed the submitted information and offered no objection to the application in relation to flooding, drainage, traffic or public transport matters. Planning conditions are requested to ensure roads and infrastructure are provided in an acceptable manner.
- 6.2 **Angus Council – Housing Service** – has advised a 25% affordable housing contribution is required from the proposed development which equates to 56 units. The applicant's scheme proposes the provision of 28 units on site with the mix of affordable units to comprise 12 x 2-bedroom flats; 6 x 2 bed houses; 10 x 3 bed houses which has been agreed with the housing service. The remaining 28 units are to be provided by commuted payments and this position reflects what is contained in the agreed planning obligation. The delivery of the affordable housing is secured through a Section 75 planning obligation and that has been completed and formally registered.
- 6.3 **Angus Council – Landscape Services** – has reviewed the submitted information and has advised that the open space provision exceeds the minimum requirement for the development and that a variety of useable and connected open spaces would be provided. The proposed planting incorporates a range of species that are generally

appropriate to the development and the open space maintenance arrangements are satisfactory. Landscape services recommends that the scheme be modified to include 10% of new tree planting to be light standard trees and to ensure that the proposed play equipment is suitable for a range of age groups.

6.4 **Scottish Environment Protection Agency (SEPA)** – has offered no objection.

6.5 **Scottish Water** – has offered no objection to the proposal and has advised that there is currently sufficient water supply and wastewater capacity in the public network to serve the development.

6.6 **Community Council** – has not commented on the proposal.

7. REPRESENTATIONS

7.1 25 letters of representation have been received with 1 indicating it is in support, 3 offering neither support nor objection, and 21 raising objections. The letters are provided at Appendix 5 and are available to view on the council's Public Access website.

7.2 The matters raised in representations are summarised as follows: -

- **Concern over use of Aston Terrace as a vehicular access**
- **Location of and lack of car parking for affordable housing area**
- **Loss of open space and parking area for Ashton Terrace**
- **Impact on infrastructure serving Ashton Terrace**
- **Road safety**
- **Adverse amenity impacts on existing housing and hospital facility to west**
- **Adverse impacts on setting of listed buildings**
- **Inappropriate house designs, layout and external finishes**
- **Impact on protected species**
- **Loss of trees and adverse impact on landscape setting of site**
- **Poor pedestrian and cycle connections**
- **Flooding and drainage issues**
- **Noise and disturbance during construction process**
- **Lack of useable open space within the development**
- **Proposal not consistent with Scottish Government Reporter decision**

7.3 In addition to these matters, the following matters are also raised which are addressed below:-

- **Offer general support but have reservations regarding the delay in development taking place and lack of information** – the application is accompanied by sufficient information on which to make a decision. Approval of this application would allow works for the redevelopment of the whole site to commence.
- **Lack of public consultation** – the application has been subject to the public consultation and notification requirements set out in legislation. The applicant has advised that they have also written to third parties who have made representations and has responded to their comments and have offered additional engagement with those parties.
- **Inadequate/misleading information** – the information submitted with the application is considered to be sufficient to make a decision on the application.
- **Lack of information relating to retention of listed buildings** – detailed planning permission and listed building consent has been granted to secure the restoration of listed buildings. The masterplan sets out clearly how the retained listed buildings relate to the development of the wider site and the phasing information submitted indicates that the rehabilitation works to the listed buildings

would be carried out at an early stage in the development.

- **Loss of Rose Garden** – the plans have been amended to include the relocation of the circular Rose Garden within the open space area.
- **Adverse impact on conservation area** – the site is not located within a conservation area.
- **Impact on roads in the surrounding area** – the site benefits from planning permission in principle for a development of this scale and the impact of development on the surrounding road network was assessed through that application.
- **Lack of capacity at primary school** – the planning permission in principle is subject to a section 75 planning obligation requiring a financial contribution to be paid for the purposes of increasing primary school capacity as a consequence of this development. The current application has been discussed with schools and learning in the context of development phasing and they have offered no objection to the proposed phasing arrangements.
- **Development will lead to neighbouring authority annexing the land** – this is not a material planning consideration.
- **Lack of services (shop/community centre) to support the development** – the site is reasonably well located in relation to service provision, primarily located within the adjacent settlement of Dundee.

8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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](#) (ALDP) (Adopted 2016)
- 8.4 The development plan policies relevant to the determination of the application are reproduced at Appendix 6 and have been considered in preparing this report.
- 8.5 As indicated above the principle of this development has already been established by the grant of planning permission in principle 20/00102/FULM. That permission was granted as a departure from the development plan on the basis that it would secure reuse of listed buildings; address security and safety issues; reduce risk of future arson and vandalism; ensure landscape enhancement and public access; provide affordable housing; remediate a derelict site to the benefit of local amenity; contribute to housing land supply; improve public transport infrastructure; and provide economic and employment benefits through the construction phase.
- 8.6 The principle of large scale residential development on the site has been established and cannot be revisited through the consideration or determination of this application. This application seeks approval of matters specified in conditions 2(a) - (c) and 3(a) – (c) of permission 20/00102/FULM to enable the erection of 212 new residential properties and associated works. It is only the matters for which approval is sought and matters that are relevant to their consideration that can be taken into account.
- 8.7 The application does not propose works to the listed buildings which are within the site masterplan area. Planning permission and listed building consent was granted in 2021 for the conversion, restoration and extension of the hospital administration

buildings and cottage to the north west to form 12 dwellings (applications 20/00176/FULL and 20/00175/LBC refers). Those permissions cannot be fully implemented until development has commenced on the comprehensive redevelopment of the wider hospital estate, which the current proposal would facilitate.

Conditions 2(a) - whole site matters

- 8.8 Condition 2(a) requires approval of matters relating to the whole site. This includes whole site phasing based on a masterplan for the site, site access, drainage, open space, public access including details of a footway between the site and primary school, bus infrastructure, details of how buildings which are not demolished before occupation of the first new house will be managed and maintained prior to their demolition.
- 8.9 A site wide masterplan has been submitted and a copy of the masterplan layout is provided at Appendix 3. It is informed by the information required by condition 3(a) of the planning permission in principle which illustrates the overall design concept. The masterplan provides a site layout including details of access, road layout, the location of new housing as well as housing formed by the conversion and alteration of listed buildings, a SUDS pond, and landscaping across the site detailing trees to be removed and proposals to augment the retained landscape structure. The masterplan shows the location of the 224 residential properties permitted by the planning permission in principle. Of those 224 residential properties, 12 would be formed by the rehabilitation of listed buildings, 28 would be provided as affordable housing and the remaining 184 would be mainstream housing.
- 8.10 Vehicular access to the site would utilise the existing site accesses from Craigmill Road, via the main site entrance to the south and East Drive to the south east. Both the main site access and East Drive would be upgraded to adoptable standards to cater for the traffic associated with the development. Access to the 28 new affordable homes to the south east would be taken from Ashton Terrace, which is an adopted public road. The proposed means of access seek to utilise and improve existing routes into the site. Information relating to road widths, street lighting, road drainage, car parking provision and garage layouts is provided. The roads service has offered no objection to the proposed arrangements but has requested planning conditions to ensure roads and infrastructure are provided in an acceptable manner. Conditions are attached to the planning permission in principle which specify the visibility splay requirements and ensure improvements to accesses onto Craigmill Road are carried out prior to other development taking place within the site.
- 8.11 The masterplan illustrates connections through the site for non-motorised travel and to enhance public access. The residential travel pack submitted identifies information to enable prospective residents to make more sustainable travel choices including walking, cycling, bus travel and car sharing options.
- 8.12 Footways along the vehicular access roads would be augmented by more direct footpath connections between housing zones and open space areas, with a choice of convenient connections to the public road to the south. Alterations have been made to the site layout to ensure pedestrian routes through the site would be subject of natural surveillance from housing. Footpaths within the site which are not adopted would be managed and maintained as part of the site factoring arrangements. The proposed path connections would be safe and pleasant in accordance with development plan policy.
- 8.13 The masterplan provides for bus infrastructure on the north and south sides of Craigmill Road. Details are provided illustrating the location of the proposed new footway between the site and Strathmartine Primary School in accordance with conditions attached to the planning permission in principle. The roads service

considers that information to be acceptable. Conditions attached to the planning permission in principle require the delivery of bus infrastructure and the new footway to the primary school prior to the occupation of any dwelling. A planning condition is proposed requiring the removal of the existing bus layby infrastructure and the remediation of that area.

- 8.14 The application is supported by a flood risk assessment and drainage assessment and consultees have raised no objection in relation to those matters. It is indicated that foul drainage from the development is to be directed to the public drainage system. Scottish Water has confirmed that it has no objection to the application and indicated that there is currently capacity in the public system to accommodate the development. Surface water drainage is to be dealt with by sustainable drainage methods. The drainage assessment details the surface water disposal system for the entire development. The main means of SUDS would be delivered through a detention pond located to the south of the site. The detention pond would be landscaped and the orientation of housing in Zone 2 has been altered to provide natural surveillance over it. The applicant has indicated that there are no known culverts within the site and has suggested that any field drainage encountered would be safeguarded or tied into the site drainage system. The roads service is satisfied with proposed surface water drainage arrangements and the content of the flood risk assessment and has offered no objection subject to a planning condition requiring further information relating to the ongoing maintenance of surface water drainage infrastructure.
- 8.15 The development includes the provision of public open space in excess of the quantity required by Policy PV2. The main area of open space would be located in the central green spine which would accommodate an equipped play area. The Rose Garden would be relocated into this area. There would be large areas of landscaped sloping ground between housing zones which would provide opportunities for recreation and the areas of retained woodland would also contribute to open space provision. The proposal has been amended to introduce a flatter area of open space to take account of comments provided by landscape services, but the sloping nature of the site makes the provision of a larger area difficult to achieve. It is noted that the proposal makes provision for a new footpath connection to the primary school which has a large recreation ground adjacent to it. It is considered that the quantity and type of open space included in the proposal is compatible with Policy PV2 and the application indicates that these areas would be maintained by factoring arrangements. A planning condition is proposed to secure appropriate play equipment for a mixture of age groups within the site having regard to the advice provided by landscape services.
- 8.16 The phasing information submitted indicates that all buildings to be demolished within the site would be cleared on a continuous basis within the first 12 months from development commencement, and prior to the occupation of any dwelling within the development. The conversion and restoration work to listed buildings and the 28 new affordable homes would be delivered in the first two phases of development and are anticipated to be completed within 24 months. The remainder of the site containing the 184 mainstream houses is identified as falling within 4 phases and it is indicated that this would be developed on a clockwise basis starting with the new build housing around the listed buildings. The information indicates that the mainstream housing is expected to be complete within 6 years. Landscaping contained within each individual zone is proposed to be completed in full prior to the final occupation of that zone. Where feasible and possible it is indicated that tree planting between the development platforms would be undertaken at the earliest opportunity following implementation of the platforming earthworks on those phases.
- 8.17 The site phasing proposal would ensure the delivery of restored listed buildings and affordable housing early in the development. The site phasing information has been discussed with schools and learning in the context of anticipated impacts on the

primary school and it has offered no objection to the proposal. Notwithstanding the phasing proposal, the planning permission in principle (condition 4) contains controls on the number of new mainstream houses that can be completed prior to the delivery of different stages of restoration of the listed buildings. This ensures that all works for the rehabilitation of listed buildings would be completed prior to the commencement of construction of more than 150 mainstream dwellings.

- 8.18 The information provided in relation to condition 2(a) is informed by the supporting information required by condition 3 of the planning permission in principle. Relevant consultation bodies have not raised any significant issues regarding the adequacy of the supporting information, and it provides a reasonable basis for determination of this application. The detail provided in relation to condition 2(a) is considered acceptable in terms of relevant development plan policy requirements, including the approach set out in Opportunity Site St1 for the comprehensive redevelopment of the site.

Condition 2 (b) and 2 (c) – discreet development zones

- 8.19 Condition 2(b) deals with the different zones of development. Amongst other detailed matters it requires approval of housing designs and road layout, details of works to listed buildings, car parking, open space, landscaping, drainage, facilities for waste and recycling storage, site levels, boundary treatments, phasing and details of the management and maintenance of unadopted infrastructure and open space. Condition 2(c) requires precise details of all works in each zone relative to the site masterplan. Some of these points are addressed under whole site matters above.
- 8.20 The masterplan illustrates six development zones linked to site phasing. Zone 1 contains the listed buildings which would be converted to 12 dwellings approved under earlier applications for planning permission and listed building consent. Two new build dwellings (described as Gatehouses) are proposed to the east of the listed buildings where the new access road serving the listed buildings meets East Drive. The buildings are designed to turn the corner from East Drive onto the road serving the converted listed buildings and they are positioned in a manner where they would not significantly impact on the setting of the listed buildings. A planning condition is proposed to secure appropriate boundary treatments and boundary locations to serve those properties given their position adjacent to the listed buildings and East Drive.
- 8.21 Zone 3A contains the land to the south of the listed buildings. The derelict buildings in that area would be removed and replaced by a SUDS detention basin, open space and a restored semi-circular garden which sits adjacent to the south elevation of the former hospital administration block. This would enable the listed buildings to be the dominant feature in views of the site from the south. The approach into the site on the main drive would be enhanced by the retention of the avenue of lime trees in that area. The works proposed in this part of the site would restore the setting of the listed buildings and would result in a significant enhancement to the amenity and cultural heritage value of the site.
- 8.22 The affordable housing area (Zone 2) would involve the construction of 28 no. 2 and 3 bedroom properties accessed from Ashton Terrace. The scale, form and pattern of new buildings in that area is broadly similar to the layout of existing housing on Ashton Terrace. The majority of housing is arranged to overlook the street with private garden areas to the rear. The car parking would be provided in parking areas to the front of buildings and would be overlooked by those buildings. The northly most block has been amended to face west to provide surveillance of the SUDS basin to enhance the safety and security of that area. The houses are arranged in a manner where they would not adversely affect the privacy of garden areas serving the existing housing on Ashton Terrace and additional parking for 12 vehicles has been provided over and above council standards to serve those new properties, having regard to the concerns raised in representations. The affordable housing area would

be connected to the wider site and the open space and play area provision by a footpath connection and the housing is located adjacent to the new bus stop and layby provided on Craigmill Road. Hedging is proposed where rear boundary enclosures would be visible in the street; street trees would be introduced to reduce the dominance of car parking; and landscaping is proposed adjacent to rear garden fences to soften the appearance of that fencing.

- 8.23 The four zones (3(a) to 3(d)) which contain the 184 mainstream houses would be located in the western and north eastern parts of the site. The site slopes steeply from north to south with a change in level of around 50m from the highest part of the site to the north to the lowest part of the site to the south. Existing buildings within the site occupy platforms on the slope and the housing and roads proposed would follow that development pattern, enlarging existing and creating new platforms which will result in some significant changes to site levels. While the general approach to site levels is broadly acceptable, a planning condition is proposed requiring precise information detailing finished levels and how they relate to retained trees and woodland areas within the site.
- 8.24 A range of house types and sizes are proposed in zone 3, comprising 1½ and 2-storey buildings and providing between three and five bedroom accommodation. Plot sizes and private amenity space varies according to dwelling size and provision is in accordance with relevant council policy requirements. The building types are fairly standard for a volume housebuilder, but the recessive tones of proposed external materials would help integrate the development in the landscape. The general distribution and spacing of buildings is also appropriate having regard to council guidance and should ensure that prospective residents have acceptable amenity standards. Car parking would be provided in curtilage in these zones and the provision of front garden hedging and walls, road build outs and street trees would help to reduce the dominance of car parking in the street scene.
- 8.25 The proposal has been considered against the Design and Placemaking Supplementary Guidance and is broadly compatible with that guidance. The principal elevations of houses face onto streets and public spaces within the site to create active frontages and provide natural surveillance. The topography of the site makes the provision of a perimeter block approach to housing layout unfeasible. Landscaping is proposed to soften the appearance of rear garden fences where they back onto open spaces. Walls and hedges are proposed to treat front garden boundaries along the main routes through the site. Waste recycling and collection would be accommodated within individual curtilages.
- 8.26 The proposed layout would not give rise to any unacceptable impacts on the amenity of those that currently live in the vicinity of the site. The proposal would provide a residential development with a range of house types and sizes that would create a mixed community within a pleasant living environment. The detail provided in relation to condition 2(b) and 2(c) is considered acceptable in terms of relevant development plan policy requirements, subject to the provision of additional information or mitigation detailed in the proposed planning conditions.

Remaining matters

- 8.27 Condition 3 of the planning permission in principle requires the submission of technical information in support of application(s) submitted to deal with the matters identified in condition 2. The supporting information submitted is generally adequate to allow for the discharge of the matters specified in condition 2. Planning conditions are proposed requiring the submission of additional information where it is considered necessary.
- 8.28 Development plan policy seeks to protect and enhance the quality of the landscape, its distinctive local characteristics and important views and landmarks. The local

development plan approach to the redevelopment of the site indicates development should include the retention of existing tree cover and hedgerows, enhancement of the landscape setting and biodiversity of the site. The proposal is supported by tree survey information which indicates that 120 trees require to be felled due to health and safety grounds, with an additional 118 being removed to facilitate the development. Some of the peripheral plantation woodland would also require to be removed, but survey information does not quantify the number of trees to be removed from those areas.

- 8.29 It is recognised that the site has an established landscape framework which is valued, and retention of the that landscape framework is important in enabling new development to be accommodated in a manner that allows it to integrate into the landscape. While the proposal would result in the loss of a significant number of trees in the central and south-western parts of the site, peripheral woodland which would be important in providing a landscape backcloth for development on the higher parts of the site would be retained and enhanced with new understorey planting. The lower section of the mature lime tree avenue from the site entrance to the listed buildings would also be retained which is important to the setting of those buildings. Some removal of hedging along Craigmill Road is required to accommodate the relocated bus stop, but replacement hedging could be secured by planning condition. The visually prominent mature Scots Pine woodland to the north of Ashton Terrace would also be retained. The supporting information indicates that significant new landscaping would be introduced throughout the site which would increase the biodiversity value and enhance the landscape framework of the site over time, but information relating to woodland management arrangements is limited. Landscape services has indicated that the species and plant mixtures in the applicant's landscaping proposal are generally acceptable, and the development of species rich woodlands and wildflower meadows throughout the site would complement the existing woodland, enhance biodiversity and provide stepping stone in the local green network. Landscape services has recommended that 10% of the tree planting should be light standard trees to ensure the early establishment of these planting areas and that matter is addressed by proposed planning conditions.
- 8.30 While the quantity of tree loss within the site is greater than had been anticipated, the applicant has indicated that this is an unavoidable consequence in order to achieve the engineering solution required to create roads and housing platforms on challenging topography. The new planting proposed between housing platforms would be significant and in the longer term would offset the loss of mature trees within the site and improve the biodiversity offer. The information submitted indicates that the woodland areas would be managed as part of the site factoring arrangements which is acceptable in principle, but a planning condition is proposed to secure further woodland management information and to ensure that the planting proposal is augmented by the use of light standard trees.
- 8.31 Development plan policy requires consideration of impacts on the natural environment including protected species. An ecological assessment was submitted in support of the application which indicates that the site is of limited ecological value and notes that there were no signs of roosting bats in the buildings to be demolished and no evidence of badgers using the site. It suggests that further bat surveys are not required if demolition works are carried out during the winter months, but indicates that a summer survey should be undertaken if those works are to be carried out during the summer. The tree survey indicates that a bat survey may be required prior to tree works being carried out within the larger mature species where cavities have been identified. These matters can be regulated by planning condition. The landscaping proposals for the site are likely to increase the biodiversity value of the site in the longer term and available information suggests that the development would not give rise to unacceptable impacts on the natural environment or protected species.

- 8.32 There are a number of planning conditions attached to the planning permission in principle which regulate the development including those requiring contaminated land investigation and remediation (condition 5), requiring the submission of a construction management plan (condition 6), limiting noise impacts during construction and demolition works (condition 7), requiring the development to be carried out in accordance with the mitigation measures contained in the 2013 environmental statement (condition 9), and requiring submission of a waste management plan to secure recycling of waste materials on site (condition 10). These conditions remain relevant and continue to regulate the development.

Material Considerations

- 8.33 In respect of material considerations, it is relevant to have regard to matters raised in representations, the content of Scottish Planning Policy, and NPF4.
- 8.34 Impacts associated with additional vehicles using Ashton Terrace are not considered to be unacceptable. Ashton Terrace is an adopted public road and the roads service is satisfied it is capable of accommodating the additional traffic to serve the 28 properties. The development would accommodate a choice of pedestrian and cycle routes to connect the development with surrounding paths and roads. Amenity impacts as a result of the new housing are not unacceptable and raise no significant issues when assessed against council guidance. The new street layout would contain a turning head allowing vehicles accessing that street the ability to turn safely. Most of the existing housing on Ashton Terrace contains in curtilage parking. The affordable housing area has been amended to increase the level of parking available for new residents and their guests in response to the concerns raised in representations. The loss of the grassed area used by residents as play or green space would be offset by the significant new provision within the site including a new equipped play area, which would be convenient to access from new footways connecting Ashton Terrace into the wider site.
- 8.35 Conditions attached to the planning permission in principle regulating noise from construction activities and requiring a construction management plan would continue to regulate the development and safeguard the amenity of neighbouring property. There is no reason to consider the development would adversely impact on infrastructure of existing housing.
- 8.36 Matters relating to the capacity of the surrounding road network to accommodate traffic associated with the development were considered as part of the planning permission in principle and cannot be revisited through this application. The detailed road layout and site accesses have been considered by the roads service who is satisfied that those arrangements are acceptable in terms of road traffic and pedestrian safety.
- 8.37 The proposal would result in a significant enhancement to the setting of the listed buildings, which would have an open setting on their south side re-established. The location of housing on their east, west and north sides would not result in any unacceptable impacts. The proposal has been amended to include the relocation of the Rose Garden to the east of its current location in response to the concerns raised in representations and that feature will form part of the open space serving the development.
- 8.38 House designs, layout and external finishes are addressed earlier in this report. The external palette of materials has been amended to introduce more neutral external render colours which would complement the listed buildings and reduce the prominence of buildings within the site when viewed from the south. Roofs tiles would be dark in colour, which reflects the recommendation contained within the environmental impact assessment. The house designs offer a mix of one and a half and two storey housing and while the style of housing proposed is suburban in

nature, it is not unacceptable or significantly different from established housing in the surrounding area. The layout of the site is significantly constrained by site topography and the necessity to create platforms across the slope to accommodate housing and roads of a suitable gradient. This form builds upon the existing character of buildings terraced across the slope and allows for the sloped areas between platforms to be landscaped to create open spaces and provide landscape structure to help the new development fit into the site and augment the existing landscape structure.

- 8.39 Ecological information submitted suggests there was no evidence of bats or badgers using the site, but mitigation is proposed requiring further survey of mature trees to be felled to ensure no bat roosts are present at the time of felling and limiting the demolition of buildings to winter months unless further bat survey work is carried out. The loss of trees resulting from the proposal is significant but unavoidable. New planting would offset the loss of mature trees in the longer term and improve the biodiversity value of the site. The retained trees would continue to offer a mature landscape framework which would allow development to successfully integrate into the site.
- 8.40 Flooding and drainage information submitted suggests that the site would not be subject to an unacceptable level of flood risk and would be served by suitable drainage arrangements. Relevant consultees have offered no objection in respect of flooding and drainage matters. The open space areas provided would exceed the quantity required by development plan policy. The provision of a large, flat useable area for sports and games is unachievable on a significantly sloping site but the proposal has been amended to increase the quantity of space that is on a flatter gradient. The open space proposal for the site is considered acceptable having regard to the advice provided by landscape services.
- 8.41 Representations raise concern that the development as proposed is not consistent with the Scottish Government Reporters recommendations for the site (NA-ANG-009). The masterplan approach set out in this application would achieve the aims which justified Scottish Ministers decision to grant planning permission in principle. It would enable development to commence to secure the considerable benefits of the proposal by restoring and re-using derelict listed buildings; re-instating their landscape setting; bringing a significant brownfield site back into use; tackling dereliction, amenity and safety issues; providing jobs and economic benefit; and contributing to housing land supply and affordable housing delivery.
- 8.42 Paragraph 33 of Scottish Planning Policy (SPP) states that where a development plan is more than 5-years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. While TAYplan is less than 5-years old, the ALDP has recently become more than 5-years old as it was adopted in September 2016. In this case the development benefits from planning permission in principle and therefore the principle of the development has been established. The policies of the SPP, in so far as they relate to the detailed matters addressed by this application, do not alter the overall conclusion that the proposals are acceptable.
- 8.43 NPF4 has been published in draft form and contains national planning policy that will form part of the development plan once it is approved. However, it has been published for consultation purposes and therefore the policies it contains merit little weight at this time. Notwithstanding that, the detailed design matters addressed by this proposal do not give rise to any significant conflict with the draft policies.
- 8.44 Council has previously approved the principle of this development recognising the significant benefits in securing reuse of a significant redundant brownfield site containing listed buildings. This application seeks approval for all whole site matters that require to be addressed to allow the development to progress, and also seeks approval for the specific details of the design and layout of new housing across the

site which is required to cross fund the significant development costs. The overall masterplan provides an acceptable design solution for the site and those issues that require to be addressed on a whole site basis have been resolved to the satisfaction of relevant consultees, subject to the proposed conditions. The development would result in restoration of listed buildings and their setting and remediate a significant brownfield site which would result in a significant enhancement to the amenity and cultural heritage value of the site. Adverse impacts associated with the loss of trees would be offset in the longer term with new planting and the remaining landscape framework would allow the new housing to settle into the landscape. Approval of this application would represent a significant step in securing the redevelopment of the site. The submitted detail is compatible with relevant development plan policy and is acceptable to meet the requirements of conditions 2(a) – (c) and 3(a) – (c) of the planning permission in principle. There are no material considerations that justify refusal of this application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of 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 recommendation 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.

10. CONCLUSION

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reasons for Approval:

The details and information submitted meet the requirements set out in conditions 2(a) – (c) and 3(a) – (c) of the planning permission in principle (ref: 20/00102/FULM) in a manner that is compatible with relevant development plan policy and associated guidance. Approval of this application will assist in delivering a development that will secure reuse of listed buildings; address security and safety issues; reduce risk of future arson and vandalism; ensure landscape enhancement and public access; provide affordable housing; remediate a derelict site to the benefit of local amenity; contribute to housing land supply; improve public transport infrastructure; and provide economic and employment benefits through the construction phase.

Conditions:

1. Prior to the commencement of development (excluding site demolition works), the following shall be submitted to and approved in writing by the planning authority: -
 - (a) A revised landscape strategy which shall include: -
 - (i) detailed proposals for the management of existing woodland within the site, including precise details of new understorey planting, any tree thinning works and a schedule of ongoing maintenance of

- woodland areas;
 - (ii) precise details of any works proposed to hedging along the Craigmill Road site frontage, including the replacement of hedging which requires to be removed for the relocation of the bus layby, new path connections and any roads or visibility splay improvements; and details of management and maintenance measures for retained hedging;
 - (iii) modification to the proposed tree planting arrangements to allow for a minimum of 10% of new tree planting to be light standard trees or trees of greater maturity;
 - (iv) provision of landscaping to the rear of the garden fences serving plots 187-198 (Zone B);
 - (v) a revised landscaping proposal for the area identified as a multi-function open space to the immediate south of the listed cottage building and the semi circular garden south of the listed former hospital administration building.
- (b) A revised schedule of play equipment within the site (which shall be designed to cater for an age range of 3 – 10 years) and details of the surfacing of the play area(s).
- (c) Precise details of the management and maintenance arrangements for all infrastructure (roads, surface water drainage, paths).
- (d) Precise details of the location of and method of boundary treatments for the 'Gatehouses' on plots 183 and 184; and details of the boundary treatments serving gardens on the south, east and west sides of the former hospital administration building and adjacent three pavilion ward buildings.
- (e) Precise details of finished site levels relative to existing levels. For the avoidance of doubt this shall illustrate the relationship between proposed site levels and areas of retained trees and woodland and their respective route protection/exclusion zones.
- (f) Revised site phasing information to ensure that: -
- (i) surface water infrastructure is provided prior to the occupation of any dwelling;
 - (ii) play equipment, the relocated Rose Garden, and landscaping in Zone 3(c) is provided in the early stages of the development;
 - (iii) all landscaping and tree planting works in any specific development zone is completed within 12 months of the first house within the respective zone being occupied, and
 - (iv) to include details of the timing of the provision of all roads and street lighting within the development.
- (g) A scheme for the removal of the existing bus layby infrastructure and the remediation of that area.
- (h) A scheme detailing the timing of provision of hedgerows that are to be provided as front garden boundary enclosures within the development. The scheme shall include measures to ensure retention and future maintenance of the hedgerows that are to be provided and shall make provision for them to be maintained as part of the landscape maintenance scheme for the overall development (or such other provision that secures their long-term maintenance).
- (i) Precise details of the external wall finishes to be applied to buildings and walls within the development.

- (j) A scheme of improvements to the existing main access road into the development between Craigmill Road to a point at least 10 metres beyond its first junction with Road 2 as illustrated on drawing Road Layout Sheet 1 of 2 (Drawing Number J5228-001 by Bayne Stevenson Associates) dated 27.07.21 Revision C.
- (k) A revised Appendix E – tree protection drawings forming part of the tree survey report to reflect the revised site layout.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to maintain existing and to secure appropriate landscaping in order to enable the development to successfully integrate into the landscape; in order to ensure that the play equipment provided is suitable to cater for residents of the development; in order to ensure the ongoing maintenance of infrastructure which is not adopted; in order to ensure that appropriate boundary treatments are provided in the interests of safeguarding the setting of listed buildings and visual amenity; in order to ensure appropriate site levels which do not adversely impact on retained trees and woodland; in order to modify site phasing to ensure to early delivery of play equipment and open space, infrastructure and strategic landscaping; in order to ensure the redundant bus layby and associated infrastructure is remediated in the interests of amenity; to ensure the provision and ongoing maintenance of front garden hedging in the interests of amenity; in order to ensure appropriate external material finishes in the interests of minimising landscape impact; in order to ensure the retained main drive into the site is surfaced or reconstructed to a satisfactory standard for adoption; to ensure that the tree protection drawings are updated to reflect the amended site layout.

- 2. The development shall be carried out in accordance with the following requirements: -
 - (a) Where crossing internal roads, all pedestrian and cycling links shall be formed at a raised level relative to the adjacent carriageway level of the road to be crossed;
 - (b) All driveway accesses shall be designed to prevent the discharge of surface water onto the adjacent road. This shall include the provision of a cut-off drain at the end of the driveway if ground levels fall towards the road;
 - (c) Within all visibility splays detailed on drawing numbers J5228-001 and J5228-007, nothing shall be erected, or planting permitted to grow to a height in excess of 1050 millimetres above the adjacent road channel level.
 - (d) All roads within the site shall be constructed or reconstructed to adoptable standards unless otherwise specified in conditions attached to this approval.
 - (e) Prior to the occupation of the penultimate dwelling, all details relating to access; road layout design; specification and construction, including the provision of street lighting and surface water drainage shall be completed to the standards of Angus Council.

Reason: In order to ensure the provision of appropriately designed roads, footpaths and associated infrastructure in the interests of road traffic and pedestrian safety.

- 3. No trees other than those identified for felling within Strathmartine Hospital Tree Survey Report by TLC Environmental dated 23 November 2021 shall be felled. The felling of trees shall be carried out in accordance with the recommendations

contained within Section 9 of that report and any tree containing bat roost potential shall be checked for the presence of bats by a suitably qualified ecologist immediately prior to tree felling (or other such timescale as may be deemed appropriate by a suitably qualified ecologist). Protective fencing around exclusion zones in accordance with the details contained in Appendix E – tree protection drawings (as revised by condition 1(k)) shall be erected prior to the commencement of development and retained in situ until development works are complete. There shall be no passage of vehicles; excavations; storage of soil, plant, vehicles or other materials or changes in ground levels or construction activity within the protective fencing. No fires shall be lit in any position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: In order to ensure that tree felling works are carried out in accordance with the mitigation measures identified in the submitted tree report in the interests of safeguarding retained trees and potential bat roosts.

4. No demolition works shall take place outside of the months of November to March inclusive unless a summer bat roost survey has been submitted to and approved in writing by the planning authority. If evidence of bat roost(s) is discovered, no demolition works shall be carried out without first obtaining a protected species licence. Demolition works shall thereafter be carried out in accordance with the terms of that licence.

Reason: In order to ensure that the development does not adversely impact on bats and in accordance with the recommendations contained within the Ecology Assessment

5. That the development shall be undertaken in full accordance with the detail and supporting information approved under the terms of this permission unless as expressly modified by conditions. All mitigation measures identified in supporting information shall be implemented at the appropriate and necessary stage of the development.

Reason: To ensure that the development is undertaken in accordance with the approved details and identified mitigation measures.

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
APPENDIX 2: PLANNING PERMISSION IN PRINCIPLE 20/00102/FULM CONDITIONS
APPENDIX 3: MASTERPLAN DRAWING
APPENDIX 4: SUMMARY OF APPLICANTS SUPPORTING INFORMATION
APPENDIX 5: LETTERS OF REPRESENTATION
APPENDIX 6: DEVELOPMENT PLAN POLICIES
APPENDIX 7: PLANNING SERVICE PRESENTATION