

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 21 NOVEMBER 2022

2B PRINCES STREET, MONIFIETH

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a review seeking the removal of Condition 1 of planning permission ref 22/00122/FULL - relating to the conversion of existing store to dwellinghouse with alterations at 2B Princes Street, Monifieth.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**); and
- (ii) review the case submitted by the Applicant (**Appendix 2**).

2. ALIGNMENT TO THE ANGUS COUNCIL PLAN

This report contributes to the following outcomes contained within the Angus Council Plan:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information to determine the Review without further procedure. If members do not determine the review without further procedure, the Review Committee must determine the manner in which the review is to be conducted. The procedures available in terms of the regulations are: written submissions, hearing sessions or inspection of the land to which the review relates.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is not required.

6. CONSULTATION

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

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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ANGUS COUNCIL'S SUBMISSION ON APPEAL AGAINST CONDITIONS 1 IMPOSED

APPLICATION NUMBER – 22/00122/FULL

APPLICANT- GFS CONSULTING (SCOTLAND) LTD

**PROPOSAL & ADDRESS – CONVERSION OF EXISTING STORE TO DWELLINGHOUSE
WITH ALTERATIONS TO 2B PRINCES STREET AT STORE BUILDING PRINCES STREET
MONIFIETH**

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Angus Council

Application Number:	22/00122/FULL
Description of Development:	Conversion of existing store to dwellinghouse with alterations to 2B Princes Street
Site Address:	Store Building Princes Street Monifieth
Grid Ref:	350063 : 732474
Applicant Name:	GFS Consulting (Scotland) Ltd

Report of Handling

Proposal

The proposal is for the conversion of the existing garage / store to form a single storey dwellinghouse. The proposal involves external alterations to the building including alterations to windows and the installation of rooflights. The plot for the proposed new residential unit would measure approximately 235sqm. Vehicular access to the site would be taken from the entrance to the flatted block and two parking spaces are proposed within the site. The drawings also show a window in the flatted development to the west being blocked up. The application form indicates that the development would connect to the public drainage network and public water supply. Surface water drainage arrangements are unclear, and the application form indicates that the proposal does not make provision for sustainable drainage of surface water.

The application site is bound to the north by Princes Street; to the east by a pedestrian footpath with Grange and Dundee Golf Club located further to the east and to the south by the grounds of the former hotel.

The site is located within the curtilage of the former Panmure Hotel which has recently been converted into 9 flats. The garage building was proposed to be demolished and the land used as garden ground as part of the planning permission for conversion of the hotel, but that aspect of the proposal has not been implemented and the building remains in situ.

Amendments

Amended Proposed Elevations Plan (drawing number 5686-2_P_307 Rev a); Amended Proposed Site Plan (drawing number 5686-2_P_303 Rev a); Amended Proposed Ground Floor Plan (drawing number 5686-2_P_306 Rev a); submitted on the 09/06/22; supersede the drawings previously submitted. These drawings make changes to the windows alterations originally proposed on the flat in the adjacent building.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 18 March 2022 for the following reasons:

- Neighbouring Land with No Premises

The nature of the proposal did not require a site notice to be posted.

Planning History

21/00491/CLU for use of easterly most store (as highlighted in yellow on the existing ground floor plan) for the parking of golf buggies (sui generis) was approved on the 19 November 2021.

20/00888/FULL for Erection of two dwellinghouses and associated works is currently being assessed.

20/00382/FULL Conversion and extension of existing garage into a single storey dwelling house was determined as "refused" on 18 December 2020.

18/01013/FULL for Erection of Dwellinghouse was determined as "Application Withdrawn" on 13 February 2019.

18/00964/FULL for Erection of Two Dwellinghouses and Associated Works was determined as "Application Withdrawn" on 13 February 2019.

17/00974/FULL for Conversion of Existing Hotel to Form Nine Flats and Associated Alterations was determined as "approved subject to conditions" on 21 February 2018.

16/00799/FULL for Demolition of Existing Disused Workshop and Erection of Dwellinghouse (Re-Application) was determined as "Refused" on 7 December 2016.

15/00923/FULL for Demolition of Existing Disused Workshop and Erection of Dwellinghouse was determined as "Application Withdrawn" on 13 January 2016.

07/00541/OUT for Erection of One Dwellinghouse and Six Flats in grounds was determined as "Application Withdrawn" on 21 May 2007.

Applicant's Case

Supporting Statement:

- The proposal is to convert the existing store to form a residential dwelling, contained within the footprint of the existing store and utilising the space to the rear for private residential amenity. In order to facilitate these works, alterations to one of the existing apartments within the Former Panmure Hotel are proposed. The applicant has control over this property and is able to carry out these works.
- It is proposed to locate two parking spaces to the rear of the property, accessed from the car park of the Former Panmure Hotel, with the existing drop kerb to Princes Street raised to provide additional on-street parking within the area.
- Proposals have been changed to convert the building;
- Noted that the ancillary building was to be demolished to create amenity space as part of the application for the conversion of the Former Panmure Hotel but amenity space would remain.
- Proposals comply with window to window distances and 100sqm of private garden ground is achieved;

Letter from Agent - Response to Housing Consultation dated 11/05/22:

- States that this is not a phased development;
- Planning approval referred to for the conversion of the hotel to form 9 units was applied for by Panmure Hotel Monifieth Ltd.
- The works were then carried out and an area of the land sold to GFS (Scotland) Ltd in June 2020 who have applied for the conversion of the store;
- This is not a phased development and as such, we do not believe this application should be liable for contributions across a previous application, under a separate applicant/owner. The introduction of these contributions would make the project financially unviable.

Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Roads (Traffic) - No objections.

Scottish Water - No objections.

Environmental Health (Arbroath) - There was no response from this consultee at the time of report preparation.

Scottish Environment Protection Agency - No objection.

Flood Prevention Authority - No objection. Agree with SEPA that the site lies out-with the fluvial flood envelope at a higher elevation.

Service Manager Housing - This application would mean a unit total for the wider site of 10, including the 9 units delivered via planning permission ref 17/00974/FULL. Where a site is developed in phases and has a cumulative impact that takes it to 10 or more units, an affordable housing contribution of 25% of the cumulative total number of units is required. The type and size that the 2.5 affordable housing units could be delivered in different ways (e.g. off site or via developer contribution) and that aspect could be agreed through a delivery package.

Parks & Burial Grounds - The development lies on the site for the conversion of the former Panmure Hotel to 9 units (17/00974/FULL refers) and adds a single dwellinghouse. As both developments are within the same overall site, this brings the cumulative total to 10 units and subsequently open space provision should be calculated collectively.

In accordance with Policy PV2 a minimum provision of 2.43 hectares of open space per 1000 head of population is required. For a development of 10 units, this equates to 608sqm of usable open space (60.75 square metres per dwelling). The narrow grass area along a line of car parking cannot be classed as either usable or safe open space. It should therefore not be considered as open space serving the development. A contribution towards existing amenity open space could be considered in place of on site provision.

People Directorate - Education - There was no response from this consultee at the time of report preparation.

Representations

6 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 0 objected to the proposal and 6 supported the proposal.

The main points in the letter of support can be summarised as follows:

- General support of the proposals;
- Designs have addressed privacy concerns;
- Would transform an unsightly building into a creative use;
- Add to character of area;
- Reusing the building helps the environment.

Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities
Policy DS3 : Design Quality and Placemaking
Policy DS4 : Amenity
Policy DS5 : Developer Contributions
Policy TC2 : Residential Development
Policy TC3 : Affordable Housing
Policy PV2 : Open Space Protection and Provision within Settlements
Policy PV7 : Woodland, Trees and Hedges
Policy PV12 : Managing Flood Risk
Policy PV15 : Drainage Infrastructure

TAYplan Strategic Development Plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Policy DS1 indicates that proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature. It also indicates that proposals that re-use or make better use of vacant, derelict or under used brownfield land or buildings will be supported where they are in accordance with policies of the ALDP.

Policy TC2 deals with residential development and supports proposals within development boundaries where the site is not protected for another use, and where the proposal is consistent with the character and pattern of development in the surrounding area. Policy TC2 also requires new residential development to be compatible in terms of land use; provide a satisfactory residential environment; not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and include provision for affordable housing in accordance with Policy TC3 Affordable Housing.

The site is not allocated or protected for any specific purpose in the local development plan and the redevelopment of the site for residential purposes would represent a compatible land use. The former Panmure Hotel was recently converted to 9 flats removing the potential for it to be a conflicting land use. Environmental Health has raised no concerns in terms of land use compatibility, having regard to the proximity of the development to the adjacent golf club.

In terms of the residential environment to be provided, it is considered that the converted building could accommodate a small dwelling which provides a satisfactory residential environment for the would-be occupant. There is space for the provision of garden ground, vehicular parking, bin and recycling storage.

The proposal would result in no significant direct or indirect impacts on the natural or built environment. There is a tree within the site which is protected by a Tree Preservation Order (TPO 2021 No.2), but that tree would be retained and currently co-exists with the building to be converted. There is potential for the proposed parking area to fall within the root protection area of the tree, and at present it is unclear what works are proposed to create these parking areas. A planning condition is attached to ensure that any works and specifications for hardstanding areas are undertaken in accordance with section 7.4 of BS5837:2012 to mitigate potential impacts on tree routes.

The proposal would reuse an existing building and the development would be in keeping with the character and pattern of development in the area. It provides an acceptable design solution as considered against the Design Quality and Placemaking Supplementary Guidance. Fencing has already been erected around some of the site, but full details of all boundary treatments could be secured by planning condition.

In terms of impacts on existing residential amenity, there is adequate separation between the proposed dwelling and existing flats. It is acknowledged that the garage was proposed to be removed as part of the scheme relating to the hotel conversion and the land was planned to be used to provide amenity space for the 9 flats. However, there remains adequate space within the wider Panmure Hotel curtilage to provide amenity space for the 9 flats and it would be beneficial to the amenity of the flats to see a vacant building brought back into a purposeful use if it is not removed. The proposal includes provision to block up openings on the west elevation of the garage and a planning condition is attached to secure the appropriate timing of that work and to remove permitted development rights to ensure no new openings are formed or extensions added to the converted garage in order to safeguard the amenity of those resident in the adjacent flats.

The roads service is satisfied with the proposed access and parking arrangements. The application form indicates that the development would connect to the public drainage network and public water supply

which is acceptable. Scottish Water has indicated that it will not accept any surface water connections into its combined sewer system other than exceptional circumstances and a planning condition is attached to secure details of surface water drainage proposals, requiring evidence of Scottish Water approval if surface water is to connect to the combined sewer.

Policy TC2 requires new residential development to include provision for affordable housing in accordance with Policy TC3. Policy TC3 indicates that Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha. Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares, the SG indicates that the affordable housing requirement will be applied based on the overall capacity of the site.

Policy DS5 indicates that developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure. Policy PV2 relates to open space provision within settlements and requires developments of 10 or more residential units to provide and/or enhance open space at a level of 2.43HA per 1000 head of population. It indicates that *in circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.*

Angus Council's Developer Contributions and Affordable Housing Supplementary Guidance (2018) provides guidance on the approach to developer contributions from residential development. It indicates:

Contributions will not usually be sought for residential development of less than 10 units, however where the site is for less than 10 units but exceeds 0.5ha then contributions will be sought. Should phased developments' cumulative impact result in development which exceeds this level, or where a site forms part of a larger parcel of land with capacity for 10 units or more then contributions may be sought.

The housing service has been consulted on the proposal and has indicated that this application would mean a unit total for the wider site of 10, including the 9 units delivered via planning permission ref 17/00974/FULL and as such an affordable housing contribution of 25% of the cumulative total number of units is required. Parks and burial grounds has noted that the development would take the cumulative total of development within the wider site to 10 units and accordingly the overall level of development within the site requires a contribution towards existing amenity open space, in place of on-site provision. The Developer Contributions and Affordable Housing Supplementary Guidance notes that developments within Monifieth require to contribute to address capacity issues at Monifieth High School.

While the application proposes the creation of a single dwelling, the dwelling is located in the curtilage of the former Panmure Hotel. The former Panmure Hotel (including this site) was granted planning permission in 2017 for conversion of the building to form 9 flatted properties (17/00974/FULL). That application showed the garage property being demolished to create private amenity space to serve the 9 flats. That development did not trigger the requirement for affordable housing or other developer contributions because it proposed a total of 9 units and dealt with all land within the wider Panmure Hotel site. That development did not reach the threshold of 10 units and the proposal dealt with the whole former Panmure Hotel site. Had that proposal shown the garage retained to create a tenth dwelling rather than being demolished, the requirement for affordable housing and other developer contributions would have applied. The current application would take the cumulative level of development within the former hotel curtilage to a level where the affordable housing and other developer contribution trigger is reached (10 units). Having regard to the intentions of the policy and supplementary guidance, the cumulative site total of 10 triggers the requirement to provide affordable housing, education improvements at Monifieth High School, and towards the improvement of existing open space in Monifieth.

The applicant has suggested that it would not be appropriate to require developer contributions or affordable housing for this proposal because they do not consider the development to be phased, as the original applicant was Panmure Hotel Monifieth Ltd, and GFS Consulting is the current applicant.

The applicant for the original planning permission for 9 units was Panmure Hotel Monifieth Ltd. The building warrant associated with that development was submitted by West Developments Ltd; and the current applicant is GFS Consulting Ltd. However, the identity of the applicant is of limited relevance to

the application of the affordable housing and developer contributions policies. It would be perverse to suggest that the requirements of the policy should be waived simply because of the identify of the applicant in circumstances where there is a clear physical connection between the original proposal for 9 properties and the current proposal to add a tenth within that same wider site. To waive the contribution requirements in these circumstances would undermine the effectiveness of the policy. Accordingly, a planning condition is attached which requires a planning obligation to be concluded which would secure affordable housing (2.5 units or suitable alternative provision) and financial contributions towards Monifieth High School (7.5 x £6,041 subject to indexation) and towards the improvement of open space (10 x £518 subject to indexation) as would be required for a ten-unit development in this location.

Policy PV12 indicates that there will be a general presumption against built development proposals: on the functional floodplain; which involve land raising resulting in the loss of the floodplain; or which would materially increase the probability of flooding to existing or planned development. SEPA has been consulted on the proposal and has offered no objection, indicating that available information suggests that the site does not appear to be at risk of flooding, sitting at a higher elevation than land to the west. Roads – flooding has also offered no objection on the basis of flood risk. The proposal involves re-use of an existing building and does not involve new development on the functional floodplain. Having regard to the advice provided by SEPA and Roads, the proposal raises no issues when considered against Policy PV12.

In terms of material considerations, it is necessary to have regard to the relevant planning matters raised in the letters of representation. It is also relevant to have regard to Scottish Planning Policy (SPP).

The representations submitted offer support for the development, suggesting reuse of the building would improve the amenity of the area. Planning policy is supportive of the principle of reusing under used brownfield land and buildings where identified criteria are met and the foregoing assessment concludes that the proposal accords with planning policy subject to the conditions attached.

Paragraph 33 of Scottish Planning Policy states that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. In this case TAYplan is less than 5-years old but the ALDP has recently become more than 5-years old as it was adopted in September 2016. The policies contained in the ALDP are generally consistent with TAYplan and SPP and are therefore considered to provide an appropriate basis for the determination of this application.

In conclusion, the proposal is broadly compliant with the relevant provisions of the development plan subject to the stated conditions. There are no material considerations that justify refusal of planning permission.

Human Rights Implications

The decision to grant 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 decision 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.

Decision

The application is approved subject to conditions

Reason(s) for Decision:

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure subject to conditions. There are no material considerations

that justify refusal of planning permission contrary to the provisions of the development plan.

Conditions:

1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to Section 75 of the same Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:

(a) 2.5 affordable residential units or suitable alternative provision is provided in accordance with Angus Council's Developer Contribution and Affordable Housing Supplementary Guidance (2018).

(b) a financial contribution of £45,308 (index linked) is made towards the necessary cost of improving secondary school infrastructure in Monifieth;

(c) a financial contribution of £5180 (index linked) is made towards the necessary cost of off-site provision of public park & amenity open space in Monifieth.

Reason:

To ensure the provision of affordable housing, education infrastructure and open space in accordance with policies TC3, DS5 and PV2 of the Angus Local Development Plan (2016) and the associated Developer Contribution and Affordable Housing Supplementary Guidance (2018).

2. No works in connection with the planning permission hereby approved shall take place unless the following has been submitted to and approved in writing by the planning authority:

(a) a scheme for the provision of hard and soft landscaping and boundary treatments. This scheme shall include a detailed hardstanding specification (in accordance with section 7.4 of BS5837:2012) where the hardstanding crosses the Root Protection Areas of the retained tree along the north east boundary. All planting indicated on the approved scheme shall be carried out in the first planting season following the completion of the development or at earlier stages and any plants or trees which within a period of five years from the commencement of the use die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. All other boundary treatments shall be erected prior to the occupation of the proposed dwellinghouse.

(b) precise details of the means of surface water disposal for the development. In circumstances where it is intended to discharge surface water to the public sewer, evidence shall be provided to demonstrate that Scottish Water has accepted a surface water connection to its infrastructure.

Reason:

To allow the planning authority to verify the acceptability of the required details in the interests of amenity, to ensure that no works impact on the existing trees within the site and to ensure these works are undertaken within an appropriate timescale and in order to ensure that surface water drainage arrangements are acceptable to serve the proposed development.

3. Prior to the dwellinghouse being occupied, the existing openings on the south west elevation shown on drawing number '5686-2_P_307 Rev a' shall be infilled in the materials shown on the approved plan. Notwithstanding the provisions of any Development Order, no windows or other openings shall be formed in the external south west wall of the dwellinghouse or extension(s) added to any part of the dwellinghouse hereby approved unless otherwise first approved through the grant of planning permission on application to the planning authority.

Reason:

In order to minimise overlooking of and associated loss of privacy to neighbouring property and in order that the planning authority may consider any subsequent proposals in the interests of residential amenity.

Notes:

Case Officer: James Wright

Date: 28 June 2022

Appendix 1 - Development Plan Policies

Angus Local Development Plan 2016

Policy DS1 : Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS3 : Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- o Distinct in Character and Identity: Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- o Safe and Pleasant: Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- o Well Connected: Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- o Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.
- o Resource Efficient: Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be

addressed will also be set out in supplementary guidance.

Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy DS5 : Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- o Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- o Education;
- o Community Facilities;
- o Waste Management Infrastructure; and
- o Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

Policy TC2 : Residential Development

All proposals for new residential development*, including the conversion of non-residential buildings must:

- o be compatible with current and proposed land uses in the surrounding area;
- o provide a satisfactory residential environment for the proposed dwelling(s);
- o not result in unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
- o include as appropriate a mix of house sizes, types and tenures and provision for affordable housing in accordance with Policy TC3 Affordable Housing.

Within development boundaries Angus Council will support proposals for new residential development where:

- o the site is not allocated or protected for another use; and
- o the proposal is consistent with the character and pattern of development in the surrounding area.

In countryside locations Angus Council will support proposals for the development of houses which fall into at least one of the following categories:

- o retention, renovation or acceptable replacement of existing houses;
- o conversion of non-residential buildings;
- o regeneration or redevelopment of a brownfield site that delivers significant visual or environmental improvement through the removal of derelict buildings, contamination or an incompatible land use;
- o single new houses where development would:
- o round off an established building group of 3 or more existing dwellings; or
- o meet an essential worker requirement for the management of land or other rural business.
- o in Rural Settlement Units (RSUs)**, fill a gap between the curtilages of two houses, or the curtilage of one house and a metalled road, or between the curtilage of one house and an existing substantial building such as a church, a shop or a community facility; and
- o in Category 2 Rural Settlement Units (RSUs), as shown on the Proposals Map, gap sites (as defined in the Glossary) may be developed for up to two houses.

Further information and guidance on the detailed application of the policy on new residential development in countryside locations will be provided in supplementary planning guidance, and will address:

- o the types of other buildings which could be considered suitable in identifying appropriate gap sites for the development of single houses in Category 1 Rural Settlement Units, or for the development of up to two houses in Category 2 Rural Settlement Units.
- o the restoration or replacement of traditional buildings.
- o the development of new large country houses.

*includes houses in multiple occupation, non-mainstream housing for people with particular needs, such as specialist housing for the elderly, people with disabilities, supported housing care and nursing homes.

**Rural Settlement Units are defined in the Glossary and their role is further explained on Page 9.

Policy TC3 : Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate, Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- o local housing needs (set out in the current Housing Needs and Demand Assessment);
- o physical characteristics of the site;
- o development viability; and
- o availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

Policy PV2 : Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- o the proposed development is ancillary to the principal use of the site as a recreational resource;
- or
- o it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- o the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- o replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided*. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

*In line with the Six Acre Standard (National Playing Fields Association)

Policy PV7 : Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- o protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- o be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;

- o ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- o ensure new woodland is established in advance of major developments;
- o undertake a Tree Survey where appropriate; and
- o identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

Policy PV12 Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- that flood risk can be adequately managed both within and outwith the site;
- that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- access and egress to the site can be provided that is free of flood risk; and
- where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

Policy PV15 : Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an

integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)

Monday, 21 March 2022



Local Planner
Planning Service
Angus Council
Forfar
DD8 1AN

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Store Building, Princes Street, Monifieth, DD5 4AW
Planning Ref: 22/00122/FULL
Our Ref: DSCAS-0060812-SDM
Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in CLATTO Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ There is currently sufficient capacity for a foul only connection in the HATTON PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ **Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development

complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Pamela Strachan

Development Services Analyst

Tel: 0800 389 0379

planningconsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

HOUSING DIVISION - CONSULTATION ON PLANNING APPLICATION

QUANTIFYING IMPLICATIONS OF DEVELOPMENT PROPOSAL IN CONTEXT OF ANGUS LOCAL DEVELOPMENT PLAN POLICY TC3 – AFFORDABLE HOUSING.

PLANNING APPLICATION REF:
22/00122/FULL

PLANNING OFFICER:- James Wright (Ext: 2629)

DESCRIPTION OF DEVELOPMENT:

Details of the application can be viewed by selecting the following hyperlink:-

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street for GFS Consulting (Scotland) Ltd at Store Building, Princes Street, Monifieth

<http://planning.angus.gov.uk/online-applications>

An application for a housing development has been submitted for consideration by Angus Council and your comments are invited on the application. Angus LDP Policy TC3 Affordable Housing seeks to secure the delivery of 25% affordable housing on all residential sites of 10 or more units, or the site area is equal to or exceeds 0.5ha. This pro forma should be used to identify the relevant considerations relating to affordable housing and what the site specific requirements are in the context of the Local Housing Strategy (LHS) and Housing Needs and Demand Assessment (HNDA).

REASON FOR CONSULTATION (mark with 'X'):

x	10 or more units proposed Note: This application is for a single dwelling. However there was a planning permission on the site for the conversion of the hotel to 9 units (17/00974/FULL refers). Flats appear now to be occupied.
	site area exceeds 0.5ha
	site developed in phases cumulatively exceeding above thresholds
	Developer has submitted viability information and requested a reduced or removed AH contribution

Please provide the below information answering the questions listed:

Part A: Background Information

1. Date: 24.03.2022
2. Housing Ref: S004 / 22
3. Planning Ref: 22/00122/FULL
4. Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street for GFS Consulting (Scotland) Ltd at Store Building, Princes Street, Monifieth
5. Housing Market Area: South

6. Percentage Affordable Housing Provision Required: 25% as set out in Proposed ALDP Policy TC3: Affordable Housing.

7. Total number of units of affordable housing required: 2.5

Part B: Serviced Land

1. Number of serviced plots required for transfer to social landlord:

Notes: See additional notes / comments

Part C: Social Rented Housing

1. Number of units of social rented housing required:

2. Mix of property types and sizes required:

Notes: see additional notes / comments

Part D: Affordable Housing for Sale

1. Number of units of affordable housing for sale required:

2. Mix of property types and sizes required:

3. Maximum selling price of individual units:
(As a minimum this should be the price of a 51% equity stake)

4. Delivery mechanism: <insert: Shared Ownership or Shared Equity>

5. Units to be transferred by developer to Registered Social Landlord: Not essential requirement.

Notes: see additional notes / comments

Part E: Commuted Payments

1. Total number of units of affordable housing required:

2. Benchmark land value:

3. Commuted payment required: **see additional notes / comments.**

Additional Notes/Comments:

The type of housing in the application does not meet the current requirements for affordable housing. This application would mean a unit total for the site of 10, as it would include the 9 units delivered via planning ref 17/00974/FULL. Where a sites phased development has a cumulative impact that takes it to 10 or more units a contribution is required.

The type and size that the 2.5 units could take will be subject to further discussion in due course. Housing demand can change. Please contact the named Housing Policy Officer below to discuss.

The form the 2.5 units could take is either of or a combination of the following:

- Social rented housing. The types of properties required are based on need. Increasing the availability of social rented housing is a priority at this time particularly 1-bedroom properties which account for 66% of the demand in Monifieth through the common housing register. However, we may identify the need for other types of properties at a later stage in the process. Delivery of social rented housing could be in partnership with Angus Council or a Registered Social Landlord;
- Affordable Housing for Sale. This could be either as a discounted sale or shared equity unit. If discounted sale option a reduction should be applied to the market sale price which makes an individual unit affordable to people on a modest income. If shared equity option the maximum price of an equity stake of between 51% and 80% of an individual unit shall not exceed an amount which is affordable to people on a modest income. (Currently a modest income level for a single income household is set at a maximum of £29,799 x 3.5 lending multiplier and a joint income household is set at a maximum of £44,146 x 3 lending multiplier. These are subject to change according to market conditions and household incomes at the time);
- Mid-Market Rent. Where the landlord is a Social Housing Provider the unit shall be let in accordance with their allocation policy. Where the landlord is the developer the rent payable in respect of an individual unit must not exceed the relevant Housing Benefit Local Housing Allowance level at the time first let. Thereafter, rents may increase annually provided they do not exceed the median point of the relevant private sector market rent level;
- Serviced plots;
- Unserviced land;
- Commuted sum. At this time the commuted sum per unit for this HMA is £30,000. The amount payable will be based on the commuted sum value at the time of payment being made. The values are updated annually. Updates can be found at

https://www.angus.gov.uk/housing/information_for_developers/commuted_sums

To address both current and future need, at least 20% of new affordable housing supply (all tenures) will be delivered to meet particular needs, Housing for Varying Needs older/ambulant disabled standard, with at least half of this (i.e. 10% of new supply) being to Housing for Varying Needs wheelchair standard. This target is an overall target and individual sites may deliver more or less than 20%. Specialist housing delivered to contribute towards this target may include amenity, supported housing and other models as appropriate. Scottish Government has published Guidance for setting of LHS targets to support the delivery of more Wheelchair Accessible Housing guidance MHDGN 2019/02.

We are open to provision of the required unit of affordable housing for sale via privately-funded schemes which do not require RSL involvement/funding, subject to agreement on the detail of these schemes.

Please contact named officer below if assistance is needed to approach Housing Associations operating in the area.

In line with action 14 of the Scottish Government's 'Fairer Scotland Action Plan'

homes delivered through the Affordable Housing Supply Programme should, wherever possible, include ducting to help future-proof access to internet and broadband services.

Please indicate contact officer & details (this person would be advised by P&T when funds received and would be asked to evidence where money has been spent and when which may be reported to committee):-

Officer: Jamie Ross

Job Title: Housing Policy Officer

Extension: [REDACTED]

Should you wish to discuss this consultation request please contact the named Planning Officer.

From: [Milne, Alasdair](#)
To: [PLNProcessing](#)
Cc: [James Wright](#)
Subject: Re: Planning Application Consultation 22/00122/FULL SEPA ref 4646
Date: 30 March 2022 10:17:13

OFFICIAL

James,

**Conversion of existing store to form residential dwelling with alterations to 2B Princes Street Store Building, Princes Street, Monifieth
22/00122/FULL**

I refer to the planning application detailed above and your consultation with SEPA of 15 March below.

The information supplied with this planning application is insufficient to allow us to determine the potential impacts in respect of flood risk. We therefore lodge a **holding objection** and request that determination be deferred until the information outlined below has been provided for our assessment. If the planning authority is not minded to request this information, or the applicant does not provide it, then this representation should be considered as an objection from SEPA.

SEPA advice on flood risk

Any work in/on the hotel part is acceptable in terms of flood risk as this is an existing building classed as a 'highly vulnerable' use in terms of [SEPA's Land Use and Flood Risk Vulnerability Guidance](#) - therefore conversion to residential use is considered a 'like-for-like' basis, and in keeping with the apartments already developed within the former hotel building. However, the conversion of the separate store building would constitute an increase in vulnerability from 'least vulnerable' to 'highly vulnerable'.

This area of Monifieth is, in general, at fluvial flood risk albeit the store building and hotel are not shown to be at risk on SEPA's flood maps; however, this could be a map anomaly - therefore, further information should be provided to confirm what the flood risk to this site is, given it would be an increase in vulnerability.

We are aware of two studies that have been done in 2015 (Tay Integrated Catchment Study) and the 2019 JBA flood study for Angus Council – we suggest the applicant contact the flood prevention officer at Angus Council to ascertain if these studies can be obtained and used to inform the flood risk here in more detail, which may avoid the need for a separate Flood Risk Assessment.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards
Alasdair

Alasdair Milne
Senior Planning Officer
Scottish Environment Protection Agency
Strathallan House
Castle Business Park
Stirling
FK9 4TZ

Telephone 01786 452537
Mobile [REDACTED]
www.sepa.org.uk

Disclaimer This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages

-----Original Message-----

From: PLNProcessing@angus.gov.uk <PLNProcessing@angus.gov.uk>
Sent: 15 March 2022 11:19
To: Planning South East <PlanningSouthEast@sepa.org.uk>
Subject: Planning Application Consultation 22/00122/FULL

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please see attached document.

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OFFICIAL

OFFICIAL

OFFICIAL

Subject:FW: Planning Application Consultation 22/00122/FULL SEPA ref 4852
Attachments:Angus Council 22_00122_FULL.msg

From: Milne, Alasdair <alasdair.milne@SEPA.org.uk>
Sent: 11 April 2022 15:38
To: PLNProcessing <PLNProcessing@angus.gov.uk>; James Wright <WrightJ@angus.gov.uk>
Cc: Euan Stewart <
Subject: Re: Planning Application Consultation 22/00122/FULL SEPA ref 4852

OFFICIAL

James,

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Store Building, Princes Street, Monifieth

22/00122/FULL

I refer to the planning application detailed above, to SEPA's holding objection of 30 March and to the further information from Euan Stewart of 31 March (copy of which is attached to this email).

We have examined the information provided and have also looked closely at local elevations in the area.

The information provided by Euan includes output from more detailed JBA modelling of the burn as well as Angus Council's Strategic Flood Risk Assessment. The results show, very much like our flood map, that the location of the site appears to not be at flood risk.

Looking at local elevation data, where the site lies on Princes Street sits higher than Tay Street to the west, for example (i.e. 6.1m AOD compared to 4.5m AOD respectively). As such, the site does indeed seem to be located at a higher elevation, giving credence to what is shown on the sources of information provided in support of the application.

In summary, as the site does not appear to be at fluvial flood risk from the 200-year flood event we therefore **remove** our holding objection to the application.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards

Alasdair

Alasdair Milne

Senior Planning Officer

Scottish Environment Protection Agency

Strathallan House

Castle Business Park

Stirling

FK9 4TZ

Telephone 01786 452537

Mobile [REDACTED]

www.sepa.org.uk

Disclaimer This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such

information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages

From: Euan Stewart <
Sent: 31 March 2022 12:52
To: Milne, Alasdair <alasdair.milne@SEPA.org.uk>
Subject: Angus Council 22/00122/FULL

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Store Building, Princes Street, Monifieth

22/00122/FULL

Afternoon Alasdair,

Tried to reach you by telephone earlier today following receipt of your consultation response in respect of the above and your 'holding objection'.

We checked the online SEPA flood maps prior to submission and noted the application site is out-with.

Having read your letter we now attach extracts from the documents you refer to and note that the application site remains fully out-with areas of risk in each of them.

Realise the quality of these isn't the best – scanned copies of documents from internet – but would appreciate it if you can please take a look and give me a call to discuss.

We can then provide formal response to your consultation via AC.

Thanks in advance,

Regards,

Euan Stewart

Director



From: Milne, Alasdair
Sent: 30 March 2022 10:17

To: PLNProcessing@angus.gov.uk
Cc: WrightJ <WrightJ@angus.gov.uk>
Subject: Re: Planning Application Consultation 22/00122/FULL SEPA ref 4646

James,

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Store Building, Princes Street, Monifieth

22/00122/FULL

I refer to the planning application detailed above and your consultation with SEPA of 15 March below.

The information supplied with this planning application is insufficient to allow us to determine the potential impacts in respect of flood risk. We therefore lodge a **holding objection** and request that determination be deferred until the information outlined below has been provided for our assessment. If the planning authority is not minded to request this information, or the applicant does not provide it, then this representation should be considered as an objection from SEPA.

SEPA advice on flood risk

Any work in/on the hotel part is acceptable in terms of flood risk as this is an existing building classed as a 'highly vulnerable' use in terms of [SEPA's Land Use and Flood Risk Vulnerability Guidance](#) - therefore conversion to residential use is considered a 'like-for-like' basis, and in keeping with the apartments already developed within the former hotel building. However, the conversion of the separate store building would constitute an increase in vulnerability from 'least vulnerable' to 'highly vulnerable'.

This area of Monifieth is, in general, at fluvial flood risk albeit the store building and hotel are not shown to be at risk on SEPA's flood maps; however, this could be a map anomaly - therefore, further information should be provided to confirm what the flood risk to this site is, given it would be an increase in vulnerability.

We are aware of two studies that have been done in 2015 (Tay Integrated Catchment Study) and the 2019 JBA flood study for Angus Council – we suggest the applicant contact the flood prevention officer at Angus Council to ascertain if these studies can be obtained and used to inform the flood risk here in more detail, which may avoid the need for a separate Flood Risk Assessment.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards

Alasdair

Alasdair Milne

Senior Planning Officer

Scottish Environment Protection Agency

Strathallan House

Castle Business Park

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FK9 4TZ

Telephone 01786 452537

Mobile [REDACTED]

www.sepa.org.uk

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during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages

OFFICIAL

From:Martin Petrie
Sent:5 Apr 2022 10:56:37 +0100
To:James Wright
Cc:Steven D Thomson
Subject:FW: Planning Application Consultation 22/00122/FULL
Attachments:ufm10_E-mail_-_Standard_Consultation.pdf

Hi James

I can now advise that I have had a chance to peruse the documents for this application and as in application 20/00382/FULL on the same site, I have no real concerns with regards to future residential amenity.

If you have any further queries please do not hesitate to contact me.

Kind regards
Martin

-----Original Message-----

From: ACCESENVARbroath <accessenvarbroath@angus.gov.uk>
Sent: 15 March 2022 11:37
To: Martin Petrie <PetrieM@angus.gov.uk>
Subject: FW: Planning Application Consultation 22/00122/FULL

Good morning

Please see the attached planning consultation - SRU518747 refers.

Thanks
Terri

Terri Milne, Business Support Assistant, Angus House, Orchardbank Business Park, Orchard Loan, Forfar
DD8 1AN Tel: 01307 492437

-----Original Message-----

From: PLNProcessing@angus.gov.uk <PLNProcessing@angus.gov.uk>
Sent: 15 March 2022 11:19
To: ACCESENVARbroath <accessenvarbroath@angus.gov.uk>
Subject: Planning Application Consultation 22/00122/FULL

Please see attached document.

ANGUS COUNCIL

COMMUNITIES PLANNING

CONSULTATION SHEET

PLANNING APPLICATION NO

22/00122/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

07	04	22
----	----	----

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From:Georgia Kirtsi-Mathieson
Sent:2 May 2022 11:17:59 +0100
To:James Wright
Subject:FW: Planning Application Consultation 22/00122/FULL SEPA ref 4852
Attachments:Angus Council 22_00122_FULL.msg, AKA-JBAU-MO-00-M2-HM-0003-S3-P01-Monifieth_Flood_Mapping DM 0.5 AP Event +CC.pdf

Hi James

Further to your email with attached information from the agent and email from SEPA below; I agree that the site lies out-with the fluvial flood envelope at a higher elevation. I attach JBA's fluvial flood map 200year+cc, which supports this.

Based on the above, I have no objection to this proposed development. Should you have any further queries please contact me.

Regards

Georgia

Georgia Kirtsi-Mathieson | Design Engineer - Flood Risk and Structures | Angus Council | 01307 492140 | kirtsi-mathiesong@angus.gov.uk | www.angus.gov.uk

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From: James Wright <WrightJ@angus.gov.uk>
Sent: 11 April 2022 15:41
To: Georgia Kirtsi-Mathieson <Kirtsi-MathiesonG@angus.gov.uk>
Subject: FW: Planning Application Consultation 22/00122/FULL SEPA ref 4852

Hi Georgia,

Please see updated comments from SEPA.

Can you let me know your comments?

Thanks

James Wright | Planning Officer (Development Standards) | Angus Council | 01307 492629 |
WrightJ@angus.gov.uk | www.angus.gov.uk

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From: Milne, Alasdair <aldasair.milne@SEPA.org.uk>
Sent: 11 April 2022 15:38
To: PLNProcessing <PLNProcessing@angus.gov.uk>; James Wright <WrightJ@angus.gov.uk>
Cc: Euan Stewart <Euan@west-developments.com>
Subject: Re: Planning Application Consultation 22/00122/FULL SEPA ref 4852

OFFICIAL

James,

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Store Building, Princes Street, Monifieth

22/00122/FULL

I refer to the planning application detailed above, to SEPA's holding objection of 30 March and to the further information from Euan Stewart of 31 March (copy of which is attached to this email).

We have examined the information provided and have also looked closely at local elevations in the area.

The information provided by Euan includes output from more detailed JBA modelling of the burn as well as Angus Council's Strategic Flood Risk Assessment. The results show, very much like our flood map, that the location of the site appears to not be at flood risk.

Looking at local elevation data, where the site lies on Princes Street sits higher than Tay Street to the west, for example (i.e. 6.1m AOD compared to 4.5m AOD respectively). As such, the site does indeed seem to be located at a higher elevation, giving credence to what is shown on the sources of information provided in support of the application.

In summary, as the site does not appear to be at fluvial flood risk from the 200-year flood event we therefore **remove** our holding objection to the application.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards

Alasdair

Alasdair Milne

Senior Planning Officer

Scottish Environment Protection Agency

Strathallan House

Castle Business Park

Stirling

FK9 4TZ

Telephone 01786 452537

Mobile [REDACTED]

www.sepa.org.uk

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From: Euan Stewart <Euan@west-developments.com>
Sent: 31 March 2022 12:52
To: Milne, Alasdair <alasdair.milne@SEPA.org.uk>
Subject: Angus Council 22/00122/FULL

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Store Building, Princes Street, Monifieth

22/00122/FULL

Afternoon Alasdair,

Tried to reach you by telephone earlier today following receipt of your consultation response in respect of the above and your 'holding objection'.

We checked the online SEPA flood maps prior to submission and noted the application site is out-with.

Having read your letter we now attach extracts from the documents you refer to and note that the application site remains fully out-with areas of risk in each of them.

Realise the quality of these isn't the best – scanned copies of documents from internet – but would appreciate it if you can please take a look and give me a call to discuss.

We can then provide formal response to your consultation via AC.

Thanks in advance,

Regards,

Euan Stewart

Director



From: Milne, Alasdair

Sent: 30 March 2022 10:17

To: PLNProcessing@angus.gov.uk

Cc: WrightJ <WrightJ@angus.gov.uk>

Subject: Re: Planning Application Consultation 22/00122/FULL SEPA ref 4646

James,

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Store Building, Princes Street, Monifieth

22/00122/FULL

I refer to the planning application detailed above and your consultation with SEPA of 15 March below.

The information supplied with this planning application is insufficient to allow us to determine the potential impacts in respect of flood risk. We therefore lodge a **holding objection** and request that determination be deferred until the information outlined below has been provided for our assessment. If the planning authority is not minded to request this information, or the applicant does not provide it, then this representation should be considered as an objection from SEPA.

SEPA advice on flood risk

Any work in/on the hotel part is acceptable in terms of flood risk as this is an existing building classed as a 'highly vulnerable' use in terms of [SEPA's Land Use and Flood Risk Vulnerability Guidance](#) - therefore conversion to residential use is considered a 'like-for-like' basis, and in keeping with the apartments already developed within the former hotel building. However, the conversion of the separate store building would constitute an increase in vulnerability from 'least vulnerable' to 'highly vulnerable'.

This area of Monifieth is, in general, at fluvial flood risk albeit the store building and hotel are not shown to be at risk on SEPA's flood maps; however, this could be a map anomaly - therefore, further information should be provided to confirm what the flood risk to this site is, given it would be an increase in vulnerability.

We are aware of two studies that have been done in 2015 (Tay Integrated Catchment Study) and the 2019 JBA flood study for Angus Council – we suggest the applicant contact the flood prevention officer

at Angus Council to ascertain if these studies can be obtained and used to inform the flood risk here in more detail, which may avoid the need for a separate Flood Risk Assessment.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards

Alasdair

Alasdair Milne

Senior Planning Officer

Scottish Environment Protection Agency

Strathallan House

Castle Business Park

Stirling

FK9 4TZ

Telephone 01786 452537

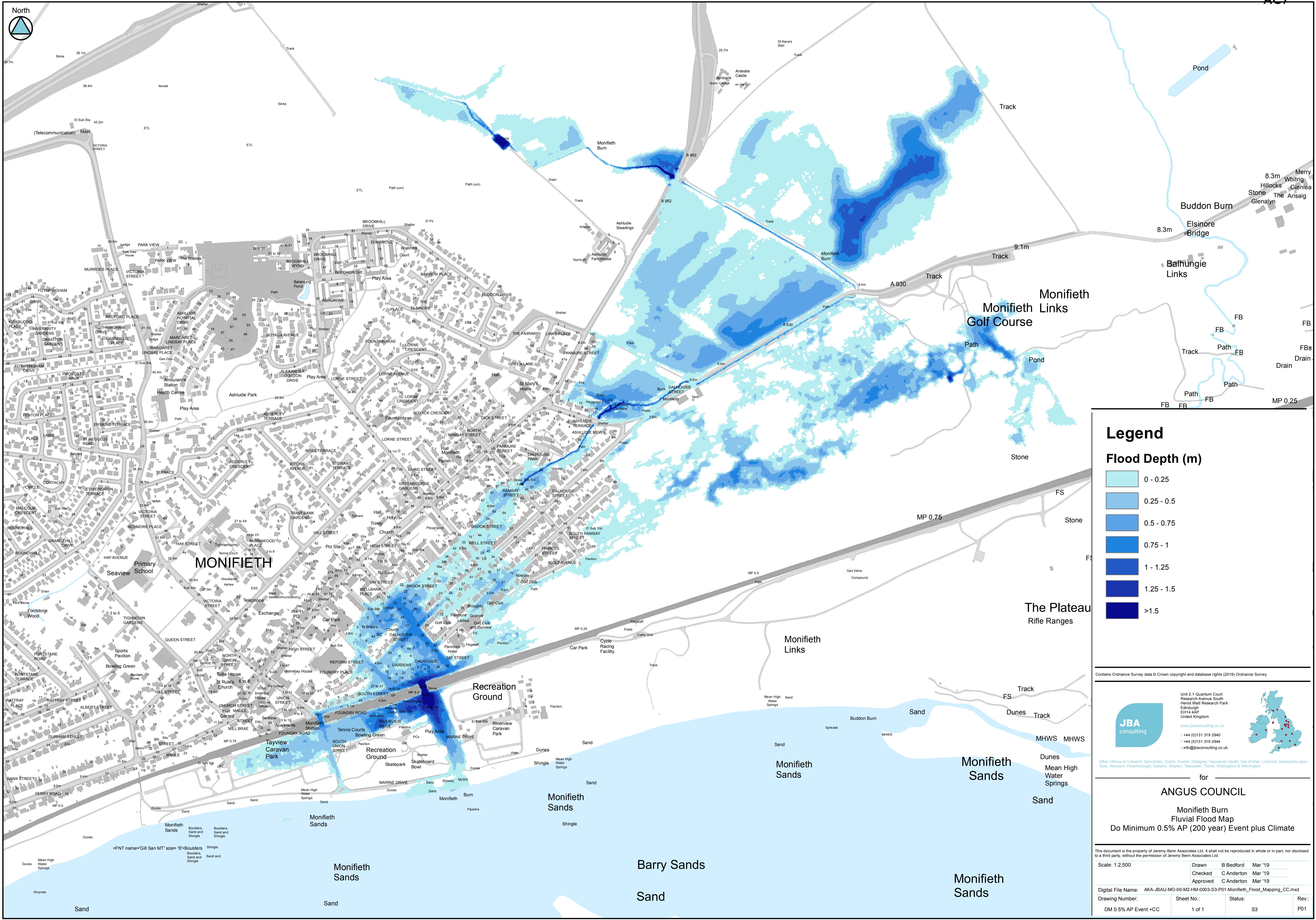
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then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages

OFFICIAL



Legend

Flood Depth (m)

- 0 - 0.25
- 0.25 - 0.5
- 0.5 - 0.75
- 0.75 - 1
- 1 - 1.25
- 1.25 - 1.5
- >1.5

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EH14 4AP
United Kingdom
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+44 (0)131 319 2940
+44 (0)131 319 2944
info@jbaconsulting.co.uk



for

ANGUS COUNCIL

Monifieth Burn
Fluvial Flood Map
Do Minimum 0.5% AP (200 year) Event plus Climate

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Scale: 1:2,500

Drawn	B Bedford	Mar '19
Checked	C Anderton	Mar '19
Approved	C Anderton	Mar '19

Digital File Name: AKA-JBAU-MO-00-M2-HM-0003-S3-P01-Monifieth_Flood_Mapping_CC.mxd

Drawing Number:	Sheet No.:	Status:	Rev.:
DM 0.5% AP Event +CC	1 of 1	S3	P01

From:Jutta Scharnberger
Sent:20 May 2022 11:18:23 +0100
To:James Wright
Subject:FW: Consultation for Store Building Princess Street Monifieth - 22/00122/FULL
Attachments:ParksProforma.doc

Dear James,

With regards to the above application we have following comments;

The development of one dwelling houses lies on the site for the conversion of the former Panmure Hotel to 9 units (17/00974/FULL refers). As both developments are within the same overall site this brings the total to 10 units and subsequently their open space provision should be calculated collectively.

In accordance with Policy PV2 of the Local Plan a minimum provision of 2.43 hectares of open space per 1000 head of population is required, for a development of 10 units this equates to 608 square metres of usable open space (60.75 square metres per dwelling). The only area of open space lies to the east of the buildings. This narrow grass area along a line of car parking could not be classed as either usable or safe open space. It should therefore not be considered as open space serving the development. A contribution towards existing amenity open space could be considered in place of on site provision.

Regards

Jutta

Jutta Scharnberger | Team Leader Landscape Services | Angus Council | Environmental Services - Parks
| Tel: 01307 492457 | scharnbergerj@angus.gov.uk | www.angus.gov.uk

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From: Veronica Caney <CaneyV@angus.gov.uk>
Sent: 15 March 2022 11:23
To: Jutta Scharnberger <ScharnbergerJ@angus.gov.uk>
Subject: Consultation for Store Building Princess Street Monifieth - 22/00122/FULL

Please see attached consultation request.

In accordance with Section 25 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, the planning authority is required to give 14 days notice of an application to statutory consultees. In accordance with those regulations, we will not determine the application until after the expiration of that period.

If no consultation response has been received within 14 days, we will assume you have no objection or other comments to make on the proposal.

Regards,

Veronica.

Veronica Caney | Technical Assistant (Development Standards Planning) | Angus Council | 01307 491847 | caneyv@angus.gov.uk | www.angus.gov.uk

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Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mr Bruce Rayner

Address: 43 Tay Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would confirm I am supportive of the planning application

Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mr David Denholm

Address: 51 Tay Street Monifieth

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a neighbour to the proposed conversion I am fully supportive of the proposals as the developer and designers have clearly addressed any privacy concerns and are helping transform an unsightly building with creative reuse. As well as being a positive move for the environment by avoiding demolition the nature of the streetscape with diverse styles the proposals will, in my opinion, only add to the character of the local area.

Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mr Derek Sim

Address: 39 Tay Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wish to confirm my approval of the plans submitted for the conversion of store/garage into a 2 bedroom home.

Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mrs Patricia Slane

Address: 43 Tay Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support this application

Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mr Scott Blyth

Address: 47 Tay Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support the application

Comments for Planning Application 22/00122/FULL

Application Summary

Application Number: 22/00122/FULL

Address: Store Building Princes Street Monifieth

Proposal: Conversion of existing store to form residential dwelling with alterations to 2B Princes Street

Case Officer: James Wright

Customer Details

Name: Mr Simon Campbell

Address: 2A Princes Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

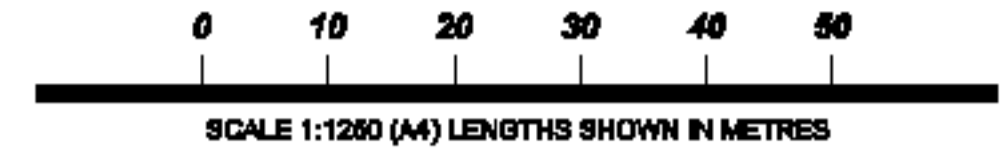
Stance: Customer made comments in support of the Planning Application

Comment Reasons:

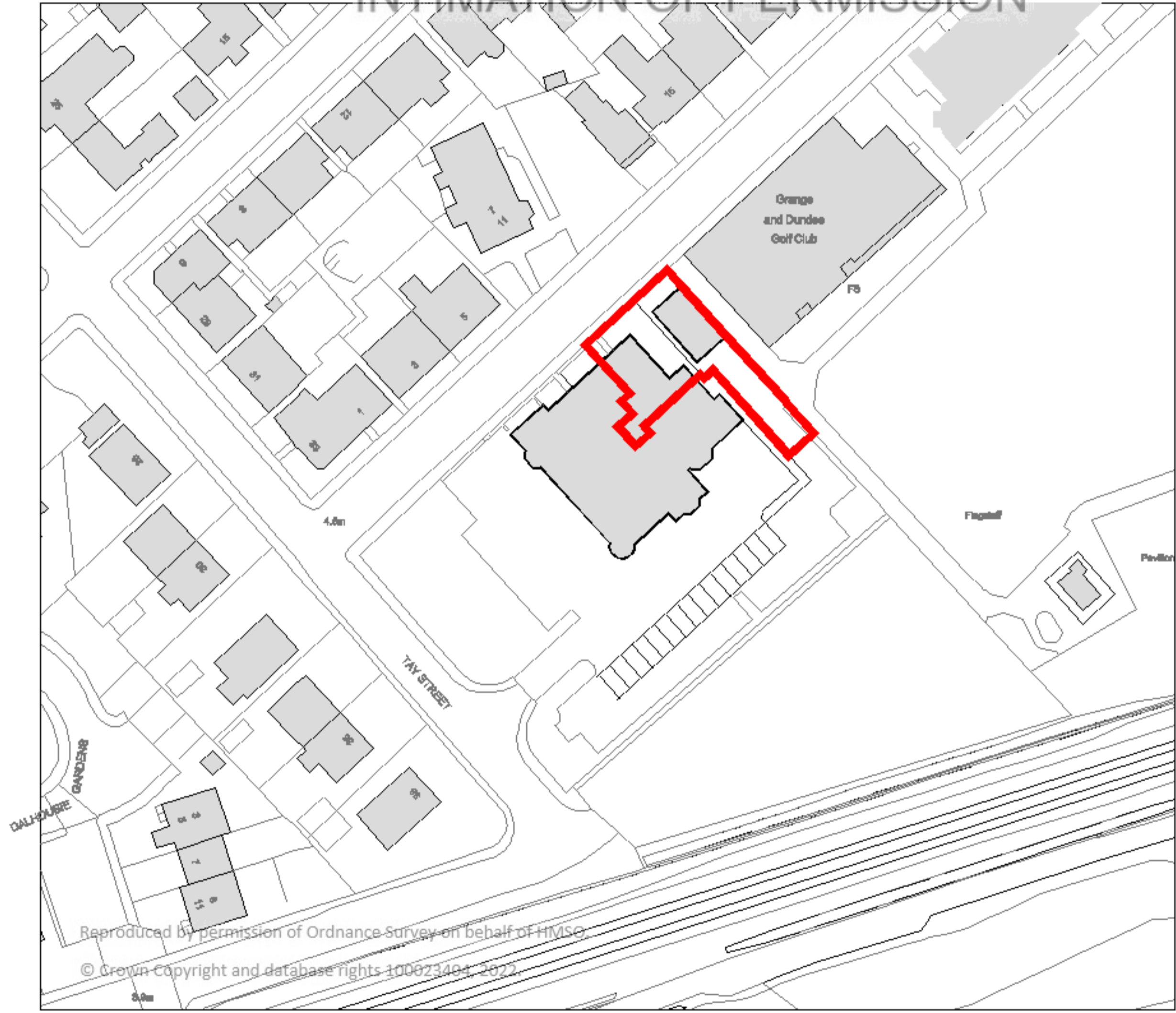
Comment: I support this planning application and change from store/gargae to house

Town & Country Planning (Scotland) Act 1997 As Amended

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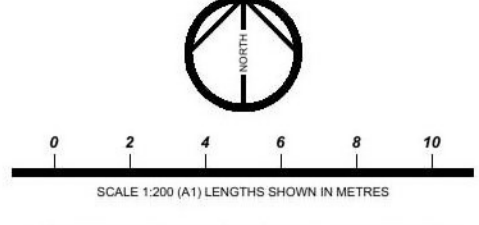
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Revisions :
 n/a
 Notes :
 n/a

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Parkmore Hotel, Tay Street, Murflesh, DD8 4AX.		Drawing Title Location Plan	
		Issue Status Planning	Drawing No. 6655-2_P_301
Designer DS	Date Jan. 2022	Scale 1:1250 @ A4	Revision -
t: 01382 224629 m: 07806 726906 e: jon@jfrullani.co.uk w: jfrullani.co.uk f: facebook.com/jfrullani a: unit 5, district 10, greenmarket, dundee, dd1 4qj this drawing is protected by copyright. It may not be reproduced in any form or by any means for any purpose, without gaining prior written permission from jfrullani and dfrillani			



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Revisions :

n/a

Notes :

n/a

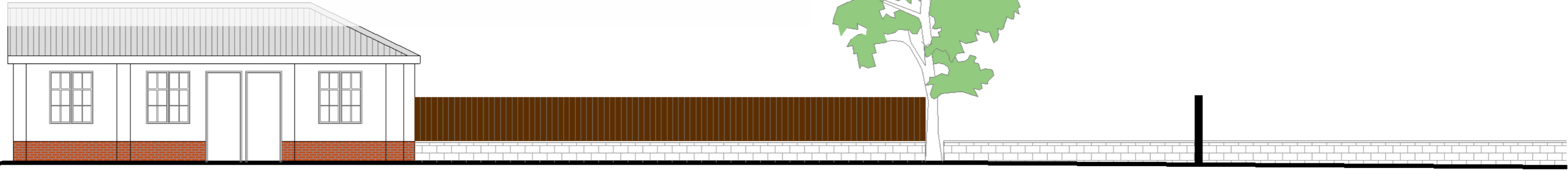
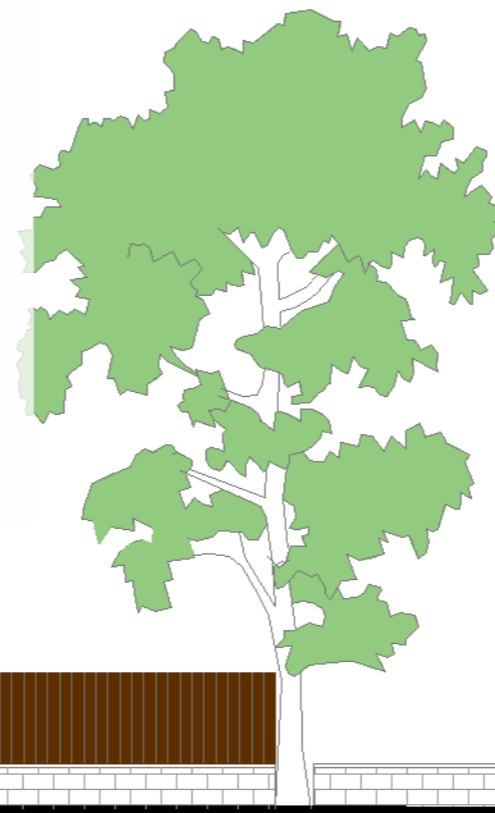
- Application Site
- Land Under Applicant's Ownership
- Tree Preservation Order 2021 No2 A1
- Tree Preservation Order 2021 No2 A2
- Existing drop kerb to be raised from providing additional on-street parking

Project		 JON FRULLANI ARCHITECT	
Description		Existing Site Plan	
Address		Store at Plumtree Hotel, Tay Street, Montrose.	
Client Name	Client Ref	Drawing No.	Drawing Date
005-44X	Planning	5585-2_P_302	-
Designer	Date	Scale	Revision
DS	Jan 2022	1:200 @ A1	-

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South West Elevation



South East Elevation



North East Elevation



North East Elevation

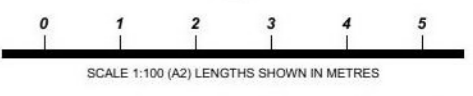


North West Elevation

Revisions:
r/n
Notes:
r/n

Project: Conversion and alterations Client: Name: Store of Permaculture Ltd, 2006 A1C, DUNDEE Date: 2022 Scale: 1:100 @ A1		Drawing No: Existing Elevations Issue No: Planning 6880-2_P_303 Date: 2022 Scale: 1:100 @ A1	
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FS



Revisions :

n/a

Notes :

n/a

- Application Site
- Land Under Applicants Ownership
- Residential Amenity 125m2
- Tree Preservation Order 2021 No2 A2
- Existing drop kerb to be raised thus providing additional on-street parking

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Panmure Hotel, Tay Street, Monifieth, DD5 4AX.		Drawing Title Existing Ground Floor Plan	
Designer DS		Issue Status Planning	Drawing No. 5686-2_P_304
Date Jan. 2022	Scale 1:100 @ A2	Revision -	
<small> t: 01382 224828 or 07608 726396 e: jon@frullani.co.uk w: frullani.co.uk f: facebook.com/frullaniarchitect s: unit 15, dunfermline 15, greenmarket, dunfermline, dff1 4gp </small>			

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South West Elevation



South East Elevation



North East Elevation



North East Elevation



North West Elevation

Revisions :
a DS 09.06.2022 Revisions to Windows

Notes :
n/a

Materials :
Former Stone
Base course
Red brick to match existing base course
External walls
Render to match existing
Timber lining (painted anthracite grey)

Windows and doors
Timber double glazed (painted anthracite grey)

Apartment alterations
External walls
Timber lining (painted anthracite grey)

Windows
Existing windows to be re-used

Project		Conversion and alterations	
Client		Proposed Elevations	
Address		Tay Street, Monifieth	
Drawing No.		5686-2_P_317	
Drawing Title		Planning	
Date		Jan. 2022	
Scale		1:100 @ A1	
Revision		a	
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AC15



SCALE 1:100 (A2) LENGTHS SHOWN IN METRES

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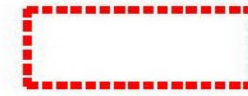






Revisions :

- a DS 09.06.2022 Revisions to Windows

Notes :

n/a

-  Application Site
-  Residential Amenity 125m2
-  Tree Preservation Order 2021 No2 A2
-  Existing drop kerb to be raised thus providing additional on-street parking

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Panmure Hotel, Tay Street, Monifieth, DD5 4AX.		Drawing Title Proposed Ground Floor Plan	
Designer DS		Issue Status Planning	Drawing No. 5686-2_P_306
Date Jan. 2022	Scale 1:100 @ A2	Revision a	

t: 01382 224828 or 07608 726396
 e: jon@frullani.co.uk or jonfrullani.co.uk | facebook.com/frullaniarchitect
 s: unit 15, dunfermline 15, greenmarket, dunfermline, dff1 4gp

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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2013

PLANNING PERMISSION - CONDITIONAL APPROVAL

REFERENCE : 22/00122/FULL



To: **GFS Consulting (Scotland) Ltd**
c/o Jon Frullani
140 Perth Road
Dundee
DD1 4JW

With reference to your application dated **9 March 2022** for planning permission under the above mentioned Acts and Regulations for the following development viz:-

Conversion of existing store to dwellinghouse with alterations to 2B Princes Street at Store Building Princes Street Monifieth for GFS Consulting (Scotland) Ltd

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as approved on the Public Access portal.

The permission is subject to the following conditions, namely:-

1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to Section 75 of the same Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:
 - (a) 2.5 affordable residential units or suitable alternative provision is provided in accordance with Angus Council's Developer Contribution and Affordable Housing Supplementary Guidance (2018).
 - (b) A financial contribution of £45,308 (index linked) is made towards the necessary cost of improving secondary school infrastructure in Monifieth;
 - (c) A financial contribution of £5180 (index linked) is made towards the necessary cost of off-site provision of public park & amenity open space in Monifieth.
2. No works in connection with the planning permission hereby approved shall take place unless the following has been submitted to and approved in writing by the planning authority:
 - (a) A scheme for the provision of hard and soft landscaping and boundary treatments. This scheme shall include a detailed hardstanding specification (in accordance with section 7.4 of BS5837:2012) where the hardstanding crosses the Root Protection Areas of the retained tree along the north east boundary. All planting indicated on the approved scheme shall be carried out in the first planting season following the completion of the development or at earlier stages and any plants or trees which within a period of five years from the commencement of the use die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. All other boundary treatments shall be erected prior to the occupation of the proposed dwellinghouse.
 - (b) Precise details of the means of surface water disposal for the development. In circumstances where it is intended to discharge surface water to the public sewer, evidence shall be provided to demonstrate that Scottish Water has accepted a surface water connection to its infrastructure.

3. Prior to the dwellinghouse being occupied, the existing openings on the south west elevation shown on drawing number '5686-2_P_307 Rev a' shall be infilled in the materials shown on the approved plan. Notwithstanding the provisions of any Development Order, no windows or other openings shall be formed in the external south west wall of the dwellinghouse or extension(s) added to any part of the dwellinghouse hereby approved unless otherwise first approved through the grant of planning permission on application to the planning authority.

The foregoing conditions are imposed by the Council for the following reasons :-

1. To ensure the provision of affordable housing, education infrastructure and open space in accordance with policies TC3, DS5 and PV2 of the Angus Local Development Plan (2016) and the associated Developer Contribution and Affordable Housing Supplementary Guidance (2018).
2. To allow the planning authority to verify the acceptability of the required details in the interests of amenity, to ensure that no works impact on the existing trees within the site and to ensure these works are undertaken within an appropriate timescale and in order to ensure that surface water drainage arrangements are acceptable to serve the proposed development.
3. In order to minimise overlooking of and associated loss of privacy to neighbouring property and in order that the planning authority may consider any subsequent proposals in the interests of residential amenity.

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

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Dated this **4 July 2022**

Jill Paterson

Service Lead

Planning and Sustainable Growth

Angus Council

Angus House

Orchardbank Business Park

Forfar

DD8 1AN

Advisory Notes

Section 75 of the Town and Country Planning (Scotland) Act 1997

Planning permission was granted subject to a planning condition requiring completion of a planning obligation. In order to draft a planning obligation to meet the terms of the above planning condition(s) you will need to provide details of your client's legal representation. Upon receipt of that information, the Planning Service will instruct our solicitors to prepare a draft planning obligation.

You should be aware that following instruction to prepare the planning obligation, our solicitors will write to you and request:-

- the Title Deeds for the property together with a Legal Report; and
- A plan showing the extent of the planning permission subjects.

Upon receipt of your Titles by our solicitors, a draft planning obligation will be prepared and issued to your solicitor for comment.

Angus Council's policy to charge applicants the legal fees and outlays connected with the preparation of the planning obligation.

I would also draw your attention to the fact that it will not be possible to confirm that the planning obligation has been finalised (and the planning condition will not be discharged) until the Council is in receipt of a Legal Report Continuation which discloses the registered planning obligation and which also discloses nothing prejudicial to the Council's interests.

The decision was based on the following amendment(s):-

Amendments:

1. Amended Proposed Elevations Plan (drawing number 5686-2_P_307 Rev a); Amended Proposed Site Plan (drawing number 5686-2_P_303 Rev a); Amended Proposed Ground Floor Plan (drawing number 5686-2_P_306 Rev a); submitted on the 09/06/22; supersede the drawings previously submitted. These drawings showed changes to the windows on the flatted development.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.

WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS



WARNING

NON-COMPLIANCE WITH ANY OF THE CONDITIONS TO THIS PLANNING CONSENT COULD LEAD TO ENFORCEMENT ACTION BEING PURSUED BY THE COUNCIL.

NOTE: CONDITIONS ATTACHED BY THE COUNCIL TAKE PRECEDENCE OVER THE SUBMITTED/ APPROVED PLANS.

NO ALTERATIONS OR DEVIATIONS FROM THE APPROVED PLANS SHOULD BE UNDERTAKEN WITHOUT THE PRIOR APPROVAL OF THE PLANNING AUTHORITY. FAILURE TO OBTAIN APPROVAL COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN.

Produced by:

Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Planning Decisions – Guidance Note

Please retain – this guidance forms part of your Decision Notice

You have now received your Decision Notice. This guidance note sets out important information regarding appealing or reviewing your decision. There are also new requirements in terms of notifications to the Planning Authority and display notices on-site for certain types of application. You will also find details on how to vary or renew your permission.

Please read the notes carefully to ensure effective compliance with the new regulations.

DURATION

This permission will lapse 3 years from the date of this decision, unless there is a specific condition relating to the duration of the permission or development has commenced by that date.

PLANNING DECISIONS

Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
Development Standards Committee/Full Council	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1
Delegated Decision	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	Local Review Body – See details on attached Form 2
Other Decision	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1

Notification of initiation of development (NID)

Once planning permission has been granted and the applicant has decided the date they will commence that development they must inform the Planning Authority of that date. The notice must be submitted before development commences – failure to do so would be a breach of planning control. The relevant form is included with this guidance note.

Notification of completion of development (NCD)

Once a development for which planning permission has been given has been completed the applicant must, as soon as practicable, submit a notice of completion to the planning authority. Where development is carried out in phases there is a requirement for a notice to be submitted at the conclusion of each phase. The relevant form is included with this guidance note.

Display of Notice while development is carried out

For national, major or 'bad neighbour' developments (such as public houses, hot food shops or scrap yards), the developer must, for the duration of the development, display a sign or signs containing prescribed information.

The notice must be in the prescribed form and:-

- displayed in a prominent place at or in the vicinity of the site of the development;
- readily visible to the public; and
- printed on durable material.

A display notice is included with this guidance note.

Should you have any queries in relation to any of the above, please contact:

Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Telephone 01307 492076 / 472533
E-mail: planning@angus.gov.uk
Website: www.angus.gov.uk



Comhairle Aonghais

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this Notice. The notice of appeal should be addressed to The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>
2. If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



Comhairle Aonghais

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided through
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this Notice. The notice of review should be addressed to Sarah Forsyth, Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN. A Notice of Review Form and guidance can be found on the national e-planning web site <https://eplanning.scotland.gov.uk> . Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

NOTIFICATION OF INITIATION OF DEVELOPMENT

AC16

This notice must be fully completed by the person intending to carry out the development as approved in application reference **22/00122/FULL** for **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street** at **Store Building Princes Street Monifieth** for **GFS Consulting (Scotland) Ltd** dated **4 July 2022** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:

Address:

Do you own the land subject to the above permission?

If not, please provide the full name and address of the land owner:

Is there a person appointed to oversee the development? If so, please provide their full name and contact details:

Date you intend to commence the above development:

NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)

AC16

This notice should be fully completed by the person who completed the development approved in application reference **22/00122/FULL** for **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street** at **Store Building Princes Street Monifieth** for **GFS Consulting (Scotland) Ltd** dated **4 July 2022** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:

Address:

Date of completion of the above development:

SCHEDULE 7

Development at **Store Building Princes Street Monifieth**

Notice is hereby given that planning permission has been granted subject to conditions to **GFS Consulting (Scotland) Ltd** on **4 July 2022**.

Application reference **22/00122/FULL**

The development comprises **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street**

Further Information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at:

Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Enquiries should be directed to the Service Leader at the above address or to planning@angus.gov.uk

SGN Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

- *Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.*
- *Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.*
- *Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.*

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. *Check your proposals against the information held at <https://www.linsearchbeforeudig.co.uk/> to assess any risk associated with your development **and***
2. *Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:*

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- *Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>*
- *Further information can also be found here <https://www.sgn.co.uk/help-and-advice/diggingsafely>*

PLANNING

Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

Q.1 I was given the advice and help I needed to submit my application/representation:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.2 The Council kept me informed about the progress of the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.3 The Council dealt promptly with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.4 The Council dealt helpfully with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.5 I understand the reasons for the decision made on the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.6 I feel that I was treated fairly and that my view point was listened to:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OVERALL SATISFACTION: Overall satisfaction with the service:

Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?

Very satisfied	Fairly satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OUTCOME: Outcome of the application:

Q.8 Was the application that you had an interest in:-

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
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Q.9 Were you the:- Applicant Agent Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.
Thank you for taking the time to complete this form.



Figure 1 – Elevation from Princes Street.



Figure 2 – Elevation from Princes Street.



Figure 3 – Elevation from Princes Street.



Figure 4 – View between two properties on Princes Street.



Figure 5 – Application site from Princes Street.



Figure 5 – Application site from Princes Street.



Figure 6 – Previously converted property at former Panmure Hotel.



Figure 7 – Application site from Princes Street.



Figure 8 – Princes Street opposite application site.

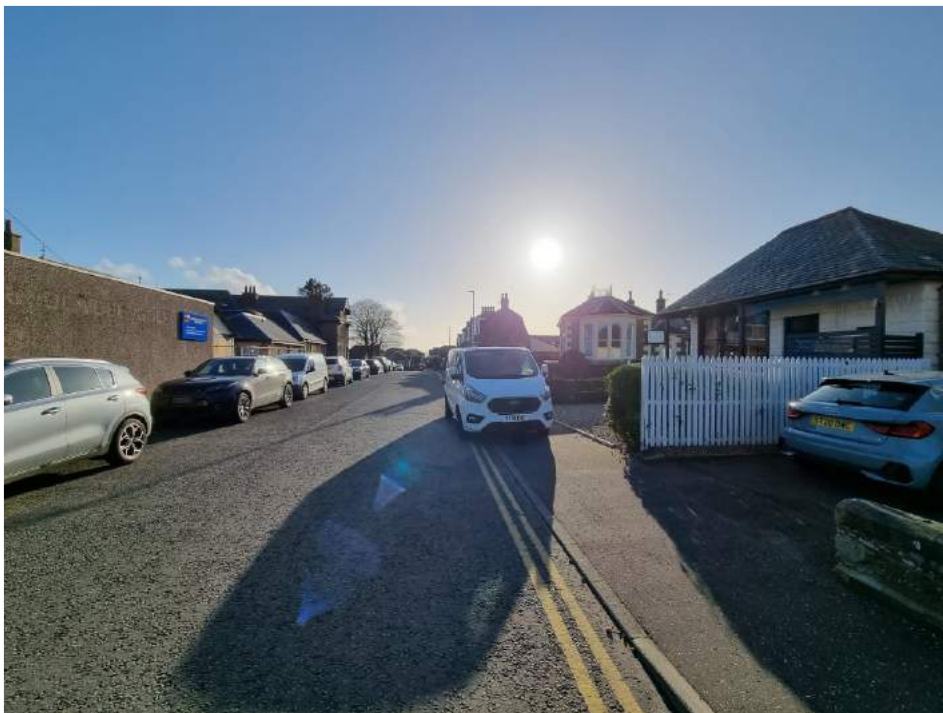


Figure 9 – Princes Street opposite application site.



Figure 10 – Princes Street.



Figure 11 – Princes Street.



Figure 12 – Princes Street.



Figure 13 – Previously approved conversion on Princes Street.



Figure 14 – Previously approved conversion on Princes Street.



Figure 14 – Previously approved conversion on Princes Street.



Figure 15 – Previously approved conversion on Princes Street.



Figure 16 –Princes Street.



Figure 17



Figure 18 – Rear of application site.



Figure 19 – Rear of application site.



Figure 20 – Rear of application site.



Figure 21 – Side of application site.



Figure 22 – Rear of application site.



Figure 23 – Front of application site.

Job 5686-2

Store North-East of the Former Panmure Hotel,
Monifieth,
Angus.

Supporting Statement

This brief statement is prepared in support of the application to convert the Store to the North-East of the Former Panmure Hotel, Monifieth. The proposal is to convert the existing store to form a residential dwelling, contained within the footprint of the existing Store and utilising the space to the rear for private residential amenity. In order to facilitate these works, we are proposing alterations to one of the existing apartments within the Former Panmure Hotel. Our client has control over this property and is able to carry out these works as part of any approval.

The proposals are for a two bedroom property, similar to that of the recently approved application at 10A Princes Street, Monifieth (ref: 20/00720/FULL). It is proposed to locate two parking spaces to the rear of the property, accessed from the car park of the Former Panmure Hotel with the existing drop kerb to Princes Street raised to provide additional on-street parking within the area. It was previously stated that the narrowness of the plot is not characteristic of neighbouring development however the recently approved application at 10A Princes Street is consistent with our proposals. There was also a comment on the previous approvals stating the design bared little resemblance to the existing building however we believe the proposals attached address this comment.

It was also noted that the ancillary building was to be demolished to create amenity space as part of the application for the conversion of the Former Panmure Hotel. We have highlighted on the proposed site plan the amenity area which would remain and can confirm that this meets the previous requirements of the parks department in their response to a neighbouring application. With the revised proposals, we also comply with the window to window distances as advised by Angus Council and as we are converting the store, the minimum 100m² private garden ground is achieved.

We hope you'll agree that with the revised proposals, we have addressed the previous concerns of the planning department while achieving a proposal that is consistent with a recently approved neighbouring application. We have also demonstrated how the apartments within the Former Panmure Hotel can maintain their levels of privacy and amenity.

The following drawings accompany this statement;

5686-2_P_301_-_Location Plan_A4
5686-2_P_302_-_Existing Site Plan_A1
5686-2_P_303_-_Proposed Site Plan_A1
5686-2_P_304_-_Existing Ground Floor Plan_A2
5686-2_P_305_-_Existing Elevations_A1
5686-2_P_306_-_Proposed Ground Floor Plan_A2
5686-2_P_307_-_Proposed Elevations_A1

t: 01382 224 828 m: [REDACTED] e: jon@jfarchitect.co.uk

w: jfarchitect.co.uk f: facebook.com/jfarchitect a: 140 Perth Road, Dundee, DD1 4JW



PROJECT No: 5686-2

DATE: 11 May, 2022

James Wright
Planning Officer
Angus Council
Orchardbank Business Park
Orchardbank
Forfar
Angus
DD8 1AN.

PLANNING REF. NO. 22/00122/FULL

Dear James,

In response to the consultation from the Housing Division, we would like to respond with the following.

The reason for consultation as noted on the form is;

'Note: This application is for a single dwelling. However there was a planning permission on the site for the conversion of the hotel to 9 units (17/00974/FULL refers). Flats appear now to be occupied.'


Within the additional notes on the consultation form, the following is noted;

'Where a sites phased development has a cumulative impact that takes it to 10 or more units a combination is required.'

We must stress that this is not a phased development. The planning approval referred to for the conversion of the hotel to form 9 units was applied for by Panmure Hotel Monifieth Ltd. The works were then carried out and an area of the land sold to GFS (Scotland) Ltd in June 2020. From there, GFS Consulting (Scotland) Ltd have applied for the conversion of an existing store to form a residential dwelling.

We would like to reiterate that this is not a phased development and as such, we do not believe this application should be liable for contributions across a previous application, under a separate applicant/owner. The introduction of these contributions would make the project financial unviable.

Regards



Douglas Sturrock
Jon Frullani Architect Ltd

t: 01382 224 828 m: [REDACTED] e: jon@jfarchitect.co.uk

w: jfarchitect.co.uk f: facebook.com/jfarchitect a: 140 Perth Road, Dundee, DD1 4JW

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE
APPLICATION FOR REVIEW – 2B PRINCES STREET, MONIFIETH
APPLICATION NO 22/00122/FULL
APPLICANT’S SUBMISSION

Page No

ITEM 1	Notice of Review
ITEM 2	Appeal Statement
ITEM 3	Decision Notice
ITEM 4	Planning Application
ITEM 5	Supporting Statement
ITEM 6	Location Plan
ITEM 7	Existing Site Plan
ITEM 8	Proposed Site Plan
ITEM 9	Existing Ground Floor Plan
ITEM 10	Existing Elevations
ITEM 11	Proposed Ground Floor Plan
ITEM 12	Proposed Elevations



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100534932-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	JON FRULLANI ARCHITECT		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	JON	Building Name:	
Last Name: *	FRULLANI	Building Number:	140
Telephone Number: *		Address 1 (Street): *	Perth Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dundee
Fax Number:		Country: *	United Kingdom
		Postcode: *	DD1 4JW
Email Address: *	jon@jfarchitect.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="23"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Mcintosh Patrick Place"/>
Company/Organisation	<input type="text" value="GFS Consulting (Scotland) Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Monifieth"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD5 4LW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="jon@jfarchitect.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="Angus Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="2B PRINCES STREET"/>
Address 2:	<input type="text" value="MONIFIETH"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUNDEE"/>
Post Code:	<input type="text" value="DD5 4AW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="732466"/>	Easting	<input type="text" value="350061"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Conversion of existing store to dwellinghouse with alterations at 2B Princes Street, Monifieth.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to the document - 'Appeal Statement Condition Panmure Hotel Final'.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

5686-2_P_302_-_Existing Site Plan_A1 5686-2_P_303_a_Proposed Site Plan_A1 5686-2_P_304_-_Existing Ground Floor Plan_A2 5686-2_P_305_-_Existing Elevations_A1 5686-2_P_306_a_Proposed Ground Floor Plan_A2 5686-2_P_307_a_Proposed Elevations_A1 5686-2_P_Supporting Statement_A4 Appeal Statement Condition Panmure Hotel Final Application Form Local Planning Authority Decision Notice

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/00122/FULL

What date was the application submitted to the planning authority? *

14/02/2022

What date was the decision issued by the planning authority? *

04/07/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr JON FRULLANI

Declaration Date: 30/09/2022

**CONVERSION OF EXISTING STORE TO DWELLINGHOUSE WITH
ALTERATIONS AT 2B PRINCES STREET, MONIFIETH**

APPEAL STATEMENT

**Town and Country Planning(Scotland) Act 1997 as amended
Planning Application Ref: 22/00122/FULL
Appellant: GFS Consulting (Scotland) Ltd
Date: September 2022**

Contents

- 1.0 Introduction
- 2.0 Appeal Site
- 3.0 Planning History
- 4.0 Proposal
- 5.0 Background
- 6.0 Policy Context
- 7.0 Condition 1
- 8.0 Conclusion

1.0 INTRODUCTION

GFS Consulting (Scotland) Ltd (“the Appellants”) submitted a planning application to Angus Council (“the Council”) seeking planning permission for the conversion of an existing store to form a dwellinghouse at 2B Princes, Monifieth (“Appeal Site”). The application was registered on 14 February 2022 and validated on 9 March 2022. The application was approved subject to conditions under delegated powers on 4 July 2022, 6 months after being submitted to the Council.

The decision notice for planning application ref: 22/00122/FULL is dated 4 July 2022 but was not issued to the Appellants until 8 July 2022.

The decision notice cites the following condition which forms the basis of this appeal:
1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to Section 75 of the same Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:

(a) 2.5 affordable residential units or suitable alternative provision is provided in accordance with Angus Council's Developer Contribution and Affordable Housing Supplementary Guidance (2018).

(b) A financial contribution of £45,308 (index linked) is made towards the necessary cost of improving secondary school infrastructure in Monifieth;

(c) A financial contribution of £5180 (index linked) is made towards the necessary cost of off-site provision of public park & amenity open space in Monifieth.

This condition means that the proposed development which comprises of 1 no dwellinghouse is obligated to mitigate the impact of the adjacent 9 flats created through the conversion of the former hotel building 5 years ago and, for the reasons set out below, effectively renders the development undeliverable.

The Appellant submits that the above condition does not meet the criteria required by Circular 4/1998: the use of conditions in planning permissions with this not being necessary or reasonable.

For the reasons given in this statement, it is submitted that the appeal should be allowed, and Condition 1 removed from the Decision Notice.

2.0 APPEAL SITE

The appeal site measures 239sqm and is located on the south side of Princes Street some 60m north east of its junction with Tay Street as illustrated by the Site Location Plan in Figure 1.

The appeal site is located adjacent to the former Panmure Hotel which was converted into 9 flats 5 years ago (planning application ref: 17/00974/FULL refers). The appeal site is located along the north east boundary of the former hotel building and accommodates a single storey storage building which has a footprint of 68sqm.

The appeal site is bound to the north by Princes Street; to the east by a pedestrian footpath with Grange and Dundee Golf Club located further to the east; to the south by the grounds of the former hotel.

3.0 PLANNING HISTORY

21/00491/CLU for use of easterly most store (as highlighted in yellow on the existing ground floor plan) for the parking of golf buggies (sui generis) was approved on the 19 November 2021.

20/00382/FULL Conversion and extension of existing garage into a single storey dwelling house was determined as "refused" on 18 December 2020.

18/01013/FULL for Erection of Dwellinghouse was determined as "Application Withdrawn" on 13 February 2019.

18/00964/FULL for Erection of Two Dwellinghouses and Associated Works was determined as "Application Withdrawn" on 13 February 2019.

17/00974/FULL for Conversion of Existing Hotel to Form Nine Flats and Associated Alterations was determined as "approved subject to conditions" on 21 February 2018.

16/00799/FULL for Demolition of Existing Disused Workshop and Erection of Dwellinghouse (Re-Application) was determined as "Refused" on 7 December 2016.

15/00923/FULL for Demolition of Existing Disused Workshop and Erection of Dwellinghouse was determined as "Application Withdrawn" on 13 January 2016.

07/00541/OUT for Erection of One Dwellinghouse and Six Flats in grounds was determined as "Application Withdrawn" on 21 May 2007.

4.0 PROPOSAL

The proposed development sought planning permission for the conversion of the existing garage / store within the grounds of the former Panmure Hotel to form a single storey dwellinghouse.

The proposal involves external alterations to the building including alterations to windows and the installation of roof lights. The plot for the proposed new residential unit measures 235sqm.

Vehicular access to the site would be taken from the entrance to the flatted block and two parking spaces are proposed within the site.

The proposed development will connect to the public drainage network and public water supply.

5.0 BACKGROUND

Planning permission was granted for the redevelopment of the former Panmure Hotel to form 9 flats by planning application ref: 17/00974/FULL. The approved Proposed Site Plan for planning application ref: 17/00974/FULL proposed the removal of the existing store/garage. However, following the approval of planning permission the original site owner decided that since part of the store/garage was leased to the Golf Club adjoining the site for the storage of golf carts he would retain the existing store/garage throughout the conversion of the former hotel building to honour the contractual agreement with the Golf Club and also allow the new owner's developer to utilize it to store materials, tools and equipment throughout the build period.

The new owner of the former hotel was an Aberfeldy-based development company called Ensco 440 Ltd who engaged West Developments (Scotland) Ltd to carry out the building works. On completion Ensco 440 Ltd sold the 9 flats to private individuals.

In May 2020 the Golf Club advised they were seeking to store their golf buggies elsewhere so the original owner marketed and sold the store/garage to the Appellant.

In the intervening period between buying the store/garage the Appellant sought planning permission to utilise the building for various purposes. Initially the Council were approached in a pre-application capacity for the building to be utilised as an office but this was deemed an inappropriate location for such a use by the Planning Service on the basis that the site is located outwith Monifieth town centre.

Thereafter, the Appellant sought permission to convert the store/garage into a dwellinghouse. The principle of residential use on the site was not discounted by the Council in pre-application discussions but for an abundance of "technical" planning reasons permission was not granted despite several applications with different designs. As a result the Appellant sought to formalise the storage use of the site so that it could be marketed and let for such purposes. Although the Council approved certificate of lawful use application ref: 21/00491/CLU the Planning Service would not acknowledge the unequivocal evidence submitted demonstrating that the whole building had been used for storage and only the area used for the storage of golf carts was certified as being a lawful storage use. Unfortunately the small area of the building deemed to have been lawfully used for storage was not sufficient to attract a tenant.

Following this setback, the Appellant was left with no choice but to again commence pre-application discussions with the Council to agree a suitable use for the store/garage. During these discussions the Planning Service confirmed that residential use on the site could be supported. Despite this being a complete turnaround in position by the Planning Service and at the end of a long 2.5 year period where the Appellant had committed significant financial outlay in an attempt to find a suitable financially viable use for the building planning application ref: 22/00122/FULL was submitted to the Council and approved.

However, not once during pre-application discussions with the Council was the subject of developer contributions and affordable housing mentioned. The Appellant had bought the store/garage post completion of the conversion of the former hotel and as such the redevelopment of the store/garage to form a dwellinghouse is not another phase of the conversion of the former Panmure Hotel but rather a standalone development. There is no link to the former Panmure Hotel other than the appeal site was formerly part of the curtilage of the Panmure Hotel.

Nevertheless, the Planning Service in the assessment of application ref: 22/00122/FULL deemed the proposed dwellinghouse to be part of the same development as the 9 flats created through the conversion of the former Panmure Hotel (planning application ref: 17/00974/FULL refers) taking the total number of housing units on the site of the former Panmure Hotel to 10. Following this flawed logic the Planning Service then assessed the development proposed by application ref: 22/00122/FULL as 10 housing units instead of 1 concluding that the proposal engaged Policy DS5: Developer Contributions and Policy TC3: Affordable Housing of the Angus Local Development Plan 2016. The result of this flawed thinking led to Condition 1 of the planning permission requiring the Appellant to enter into a legal agreement with the Council to pay financial contributions towards secondary school infrastructure and public park and amenity open space in Monifieth as well as provide 2.5 affordable residential units which is the level of contribution required for a 10 unit development.

The Report of Handling for application ref: 22/00122/FULL woefully rebutted the Appellant's argument against the application of Policies DS5 and TC3 by stating:

The applicant for the original planning permission for 9 units was Panmure Hotel Monifieth Ltd. The building warrant associated with that development was submitted by West Developments Ltd; and the current applicant is GFS Consulting Ltd. However, the identity of the applicant is of limited relevance to the application of the affordable housing and developer contributions policies. It would be perverse to suggest that the requirements of the policy should be waived simply because of the identity of the applicant in circumstances where there is a clear physical connection between the original proposal for 9 properties and the current proposal to add a tenth within that same wider site. To waive the contribution requirements in these circumstances would undermine the effectiveness of the policy. Accordingly, a planning condition is attached which requires a planning obligation to be concluded which would secure affordable housing (2.5 units or suitable alternative provision) and financial contributions towards Monifieth High School (7.5 x £6,041 subject to indexation) and towards the improvement of open space (10 x £518 subject to indexation) as would be required for a ten-unit development in this location.

Given the significant involvement of the Council's Planning Service and in particular the Planning Case Officer in the history of this site it was incumbent upon them in discharging the requirements of Sections 25 and 37(2) of the Town and Country Planning(Scotland) Act 1997 as amended by the Planning Etc (Scotland) Act 2006 to assess the proposals in accordance with the Development Plan unless material considerations dictated otherwise. In this instance the Council failed in its assessment of planning application ref: 22/00122/FULL to fully address the requirements of Policies DS5 and TC3. This is because Policy DS5 states:

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

No such assessment of the viability of the proposed development is evidenced in the Report of Handling despite the Appellant highlighting this matter to the Case Officer during the assessment of the application. Furthermore, Policy TC3 states:

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Had the Planning Service fully discharged Policy TC3 in the assessment of planning application ref: 17/00974/FULL the overall capacity of the site would have been understood and appropriate controls put in place when this application was approved to secure the necessary contributions towards affordable housing. However, this was not the case and the perverse position taken by the Planning Service is the complete opposite of what Policy TC3 seeks to achieve. For clarity, a development comprising of 1 dwellinghouse on a site measuring 239sqm that is under separate ownership and therefore not related to the site of the 9 housing units approved by application ref: 17/00974/FULL does not engage Policies DS5 and TC3 of the Angus Local Development Plan.

The unreasonable and disproportionate rationale for assessing the proposed development against Policies DS5 and TC3 amounts to nothing more than a mechanism to extort money from the Appellant. This is evidenced by the extracts from the Report of Handling which focus on securing contributions as opposed to an objective assessment of the proposal against the Policy requirements.

Taking cognisance of this reasoning it would appear that an appreciation of the core values of the Scottish Planning System as detailed in Paragraph 4 of the Scottish Planning Policy was sadly lacking when this application was evaluated. In particular attention is drawn to Core Value 6 which states:

Scottish Ministers expect the planning service to perform to a high standard and to pursue continuous improvement. The service should be proportionate, only imposing conditions and obligations where necessary.

Following the direction given by the Scottish Planning Policy the Appellant believes the addition of Condition 1 to application ref: 22/00122/FULL to be an unreasonable,

unjustified and altogether disproportionate requirement for a development comprising 1 housing unit to mitigate the impact of 10. These arguments will be developed further in Section 6 below.

6.0 POLICY CONTEXT

Scottish Government policy on the use of conditions in planning permissions is set out in Circular 4/1998, paragraph 2 of which is clear that conditions should only be imposed subject to them meeting six tests. These tests are that any conditions must be: necessary;

relevant to planning;

relevant to the development to be permitted;

enforceable;

precise; and

reasonable in all other respects.

Of particular relevance to this appeal are the first, third and the last of these requirements, i.e. that conditions must be necessary, relevant to the development to be permitted and reasonable.

In terms of satisfying the requirement that conditions must be necessary, Paragraph 13 of the Circular states that:

In considering whether a particular condition is necessary, authorities should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. [paragraph 13]

In terms of satisfying the requirement that conditions must be relevant to the development to be permitted, Paragraph 23 and 24 of the Circular state:

Unless a condition fairly and reasonably relates to the development to be permitted, it will be ultra vires. [paragraph 23]

It is not, therefore, sufficient that a condition is related to planning objectives: it must also be justified by the nature of the development permitted or its effect on the surroundings. For example, if planning permission is being granted for the alteration of a factory building, it would be wrong to impose conditions requiring additional parking facilities to be provided for an existing factory simply to meet a need that already exists. [paragraph 24]

In terms of satisfying the requirement that conditions must be reasonable, the Circular states that:

Although a condition may in principle impose a continuing restriction on the use of land (provided that there are good planning reasons for that restriction), such a condition should not be imposed if the restriction effectively nullifies the benefit of the permission. [paragraph 34]

Even where a condition would not be so unreasonably restrictive as to be ultra vires, it may still be so onerous that as a matter of policy it should be avoided. For example, a condition which would put a severe limitation on the freedom of an owner to dispose of his property, or which would obviously make it difficult to finance the erection of the permitted building by borrowing on mortgage, should be avoided on these grounds. [paragraph 35] (emphasis added)

Conditions which will remain in force after the development has been carried out always need particular care. They can place onerous and permanent restrictions on what can be done with the premises affected and they should, therefore, not be imposed without scrupulous weighing of where the balance of advantage lies. [paragraph 84]

How Condition 1 relates to the terms of the Circular highlighted above is addressed in section 7 below, in light of which it is submitted that it fails to satisfy the requirements of being necessary, relevant to the development to be permitted and reasonable. As such, this is not valid and should be removed from the Decision Notice.

7.0 Condition 1

It is understood that, in imposing Condition 1, the Council's primary concern was to secure 25% affordable housing provision and mitigate the impact on secondary education and off-site public park and open space capacity generated by a development of 10 housing units.

The Developer Contributions and Affordable Housing Supplementary Guidance under Residential Development states:

Contributions will not usually be sought for residential development of less than 10 units, however where the site is for less than 10 units but exceeds 0.5ha then contributions will be sought. Should phased developments' cumulative impact result in development which exceeds this level, or where a site forms part of a larger parcel of land with capacity for 10 units or more then contributions may be sought.

In approving certificate of lawfulness application ref: 21/00491/CLU the Council recognised and acknowledged that the appeal site is a completely separate planning unit from the site that obtained planning permission through application ref: 17/00974/FULL.

The Report of Handling for application ref: 22/00122/FULL clarifies that the appeal site is in separate ownership from the site of the former Panmure Hotel. While mocking the Appellants arguments against the application of Policies DS5 and TC3 the Report of Handling also confirms that there is no relationship between the appeal site owner and the owners or developer of the site of the former Panmure Hotel (split between the 9 owners of the 9 flats).

In establishing this matter of fact and law the Planning Service failed to conclude that there is no reasoned justification to conflate the development that was proposed by application ref: 22/00122/FULL with the completed 9 flat development delivered through planning application ref: 17/00974/FULL. Indeed, despite the Planning Service's justification for Condition 1 being predicated on the premise that planning application ref: 22/00122/FULL was a later phase in the overall redevelopment of the former Panmure Hotel, the planning history of the appeal site and the potted ownership history outlined in the Report of Handling unequivocally demonstrates that there is no evidence to justify this position.

In this regard there is no locus upon which to conflate planning application references: 17/00974/FULL and 22/00122/FULL to meet the threshold for securing developer contributions and affordable housing. In this regard it has been demonstrated that planning application ref: 22/00122/FULL does not engage Policies DS5 and TC3 of the Angus Local Development Plan. Therefore, Condition 1 is neither necessary nor relevant to the development approved by planning application ref: 22/00122/FULL.

The Planning Service's Report of Handling fails to fully evaluate the proposed development against the requirements of Policies DS5: Developer Contributions and TC3: Affordable Housing as detailed in Section 5 of this Statement. This is because the level of contribution sought is proportionate to mitigate the impact of a 10 housing unit development rather than a development comprising of 1 housing unit. Had the viability of the development proposed by application ref: 22/00122/FULL been appraised, in the Report of Handling as per the requirements of Policy DS5 it would have been exceptionally clear that the level of contribution sought towards infrastructure and affordable housing would nullify the benefit of granting planning permission for 1 housing unit. This is why Policies DS5 and TC3 only apply to developments of 10 housing units or more. As such, the inclusion of Condition 1 means that planning permission has been granted for a development that cannot be delivered as the level of contribution sought cannot be absorbed within a development comprising of 1 housing unit. Therefore, the inclusion of Condition 1 is wholly unreasonable.

Turning to Policy TC3, the policy states:

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

This should be interpreted as meaning that when a development is proposed, the Planning Service will evaluate the overall capacity of the application site and secure a proportionate contribution towards affordable housing based on the site capacity.

Unfortunately, a different interpretation of Policy TC3 is articulated in the Report of Handling for planning application ref: 22/00122/FULL and is incorporated into Condition 1. In utilising Condition 1 to secure a 25% contribution towards affordable housing for a development of 10 housing units the Report of Handling fails to fully discharge the requirements of Policy TC3 as the level of contribution sought is disproportionate to the capacity of the application site for planning application ref: 22/00122/FULL.

The Planning Service was fully aware that the application site for planning application ref: 22/00122/FULL was a separate planning unit and in no way related to the site of the 9 flats located within the former Panmure Hotel building. This is clearly evidenced by the Report of Handling for planning application ref: 22/00122/FULL and the planning history for the site therein.

The Planning Service may attempt to counter this argument by stating that a financial contribution towards affordable housing would be sufficient in this instance. However, the effect of such a contribution towards affordable housing provision would nullify the benefit of obtaining planning permission for the proposed house as it would render the development unviable and therefore undeliverable.

For these reasons, the erroneous evaluation of the proposed development against Policies DS5 and TC3 but also the failure to take cognisance that the level of developer contributions and affordable housing whether in kind or financial is disproportionate for a development comprising of 1 housing unit mean that Condition 1 is not reasonable.

8.0 Conclusion

For the reasons given in this appeal statement, it is submitted that Condition 1 does not meet the requirements of Circular 1/1998 in that it is neither necessary, relevant to the development to be permitted nor reasonable. Condition 1 is therefore not valid, and should be removed from the Decision Notice as a result.

ANGUS COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2013

PLANNING PERMISSION - CONDITIONAL APPROVAL

REFERENCE : 22/00122/FULL



Comhairle Aonghais

To: **GFS Consulting (Scotland) Ltd**
c/o Jon Frullani
140 Perth Road
Dundee
DD1 4JW

With reference to your application dated **9 March 2022** for planning permission under the above mentioned Acts and Regulations for the following development viz:-

Conversion of existing store to dwellinghouse with alterations to 2B Princes Street at Store Building Princes Street Monifieth for GFS Consulting (Scotland) Ltd

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as approved on the Public Access portal.

The permission is subject to the following conditions, namely:-

1. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 27(4)(a)-(f) of the Town and Country Planning (Scotland) Act 1997 (as amended) in relation to the development, until a planning obligation pursuant to Section 75 of the same Act relating to the land has been made and lodged with the planning authority and the planning authority has notified the persons submitting the same that it is to the planning authority's approval. The said planning obligation shall provide that:
 - (a) 2.5 affordable residential units or suitable alternative provision is provided in accordance with Angus Council's Developer Contribution and Affordable Housing Supplementary Guidance (2018).
 - (b) A financial contribution of £45,308 (index linked) is made towards the necessary cost of improving secondary school infrastructure in Monifieth;
 - (c) A financial contribution of £5180 (index linked) is made towards the necessary cost of off-site provision of public park & amenity open space in Monifieth.
2. No works in connection with the planning permission hereby approved shall take place unless the following has been submitted to and approved in writing by the planning authority:
 - (a) A scheme for the provision of hard and soft landscaping and boundary treatments. This scheme shall include a detailed hardstanding specification (in accordance with section 7.4 of BS5837:2012) where the hardstanding crosses the Root Protection Areas of the retained tree along the north east boundary. All planting indicated on the approved scheme shall be carried out in the first planting season following the completion of the development or at earlier stages and any plants or trees which within a period of five years from the commencement of the use die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. All other boundary treatments shall be erected prior to the occupation of the proposed dwellinghouse.
 - (b) Precise details of the means of surface water disposal for the development. In circumstances where it is intended to discharge surface water to the public sewer, evidence shall be provided to demonstrate that Scottish Water has accepted a surface water connection to its infrastructure.

3. Prior to the dwellinghouse being occupied, the existing openings on the south west elevation shown on drawing number '5686-2_P_307 Rev a' shall be infilled in the materials shown on the approved plan. Notwithstanding the provisions of any Development Order, no windows or other openings shall be formed in the external south west wall of the dwellinghouse or extension(s) added to any part of the dwellinghouse hereby approved unless otherwise first approved through the grant of planning permission on application to the planning authority.

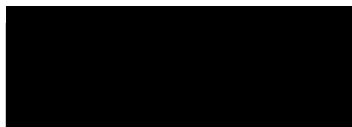
The foregoing conditions are imposed by the Council for the following reasons :-

1. To ensure the provision of affordable housing, education infrastructure and open space in accordance with policies TC3, DS5 and PV2 of the Angus Local Development Plan (2016) and the associated Developer Contribution and Affordable Housing Supplementary Guidance (2018).
2. To allow the planning authority to verify the acceptability of the required details in the interests of amenity, to ensure that no works impact on the existing trees within the site and to ensure these works are undertaken within an appropriate timescale and in order to ensure that surface water drainage arrangements are acceptable to serve the proposed development.
3. In order to minimise overlooking of and associated loss of privacy to neighbouring property and in order that the planning authority may consider any subsequent proposals in the interests of residential amenity.

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

1. The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Dated this **4 July 2022**



Jill Paterson
Service Lead
Planning and Sustainable Growth
Angus Council
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Advisory Notes

Section 75 of the Town and Country Planning (Scotland) Act 1997

Planning permission was granted subject to a planning condition requiring completion of a planning obligation. In order to draft a planning obligation to meet the terms of the above planning condition(s) you will need to provide details of your client's legal representation. Upon receipt of that information, the Planning Service will instruct our solicitors to prepare a draft planning obligation.

You should be aware that following instruction to prepare the planning obligation, our solicitors will write to you and request:-

- the Title Deeds for the property together with a Legal Report; and
- A plan showing the extent of the planning permission subjects.

Upon receipt of your Titles by our solicitors, a draft planning obligation will be prepared and issued to your solicitor for comment.

Angus Council's policy to charge applicants the legal fees and outlays connected with the preparation of the planning obligation.

I would also draw your attention to the fact that it will not be possible to confirm that the planning obligation has been finalised (and the planning condition will not be discharged) until the Council is in receipt of a Legal Report Continuation which discloses the registered planning obligation and which also discloses nothing prejudicial to the Council's interests.

The decision was based on the following amendment(s):-

Amendments:

1. Amended Proposed Elevations Plan (drawing number 5686-2_P_307 Rev a); Amended Proposed Site Plan (drawing number 5686-2_P_303 Rev a); Amended Proposed Ground Floor Plan (drawing number 5686-2_P_306 Rev a); submitted on the 09/06/22; supersede the drawings previously submitted. These drawings showed changes to the windows on the flatted development.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.

WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS



WARNING

NON-COMPLIANCE WITH ANY OF THE CONDITIONS TO THIS PLANNING CONSENT COULD LEAD TO ENFORCEMENT ACTION BEING PURSUED BY THE COUNCIL.

NOTE: CONDITIONS ATTACHED BY THE COUNCIL TAKE PRECEDENCE OVER THE SUBMITTED/ APPROVED PLANS.

NO ALTERATIONS OR DEVIATIONS FROM THE APPROVED PLANS SHOULD BE UNDERTAKEN WITHOUT THE PRIOR APPROVAL OF THE PLANNING AUTHORITY. FAILURE TO OBTAIN APPROVAL COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN.

Produced by:

**Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN**

Planning Decisions – Guidance Note

Please retain – this guidance forms part of your Decision Notice

You have now received your Decision Notice. This guidance note sets out important information regarding appealing or reviewing your decision. There are also new requirements in terms of notifications to the Planning Authority and display notices on-site for certain types of application. You will also find details on how to vary or renew your permission.

Please read the notes carefully to ensure effective compliance with the new regulations.

DURATION

This permission will lapse 3 years from the date of this decision, unless there is a specific condition relating to the duration of the permission or development has commenced by that date.

PLANNING DECISIONS

Decision Types and Appeal/Review Routes

The 'decision type' as specified in your decision letter determines the appeal or review route. The route to do this is dependent on the how the application was determined. Please check your decision letter and choose the appropriate appeal/review route in accordance with the table below. Details of how to do this are included in the guidance.

Determination Type	What does this mean?	Appeal/Review Route
Development Standards Committee/Full Council	National developments, major developments and local developments determined at a meeting of the Development Standards Committee or Full Council whereby relevant parties and the applicant were given the opportunity to present their cases before a decision was reached.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1
Delegated Decision	Local developments determined by the Service Manager through delegated powers under the statutory scheme of delegation. These applications may have been subject to less than five representations, minor breaches of policy or may be refusals.	Local Review Body – See details on attached Form 2
Other Decision	All decisions other than planning permission or approval of matters specified in condition. These include decisions relating to Listed Building Consent, Advertisement Consent, Conservation Area Consent and Hazardous Substances Consent.	DPEA (appeal to Scottish Ministers) – See details on attached Form 1

NOTICES

Notification of initiation of development (NID)

Once planning permission has been granted and the applicant has decided the date they will commence that development they must inform the Planning Authority of that date. The notice must be submitted before development commences – failure to do so would be a breach of planning control. The relevant form is included with this guidance note.

Notification of completion of development (NCD)

Once a development for which planning permission has been given has been completed the applicant must, as soon as practicable, submit a notice of completion to the planning authority. Where development is carried out in phases there is a requirement for a notice to be submitted at the conclusion of each phase. The relevant form is included with this guidance note.

Display of Notice while development is carried out

For national, major or 'bad neighbour' developments (such as public houses, hot food shops or scrap yards), the developer must, for the duration of the development, display a sign or signs containing prescribed information.

The notice must be in the prescribed form and:-

- displayed in a prominent place at or in the vicinity of the site of the development;
- readily visible to the public; and
- printed on durable material.

A display notice is included with this guidance note.

Should you have any queries in relation to any of the above, please contact:

Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Telephone 01307 492076 / 472533
E-mail: planning@angus.gov.uk
Website: www.angus.gov.uk



Comhairle Aonghais

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 1

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided by Angus Council*

1. If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this Notice. The notice of appeal should be addressed to The Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Alternatively you can submit your appeal directly to DPEA using the national e-planning web site <https://eplanning.scotland.gov.uk>
2. If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



Comhairle Aonghais

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2013 – Schedule to Form 2

*Notification to be sent to applicant on refusal of planning permission
or on the grant of permission subject to conditions decided through
Angus Council's Scheme of Delegation*

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this Notice. The notice of review should be addressed to Sarah Forsyth, Committee Officer, Angus Council, Resources, Legal & Democratic Services, Angus House, Orchardbank Business Park, Forfar, DD8 1AN. A Notice of Review Form and guidance can be found on the national e-planning web site <https://eplanning.scotland.gov.uk> . Alternatively you can return your Notice of Review directly to the local planning authority online on the same web site.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

NOTIFICATION OF INITIATION OF DEVELOPMENT

This notice must be fully completed by the person intending to carry out the development as approved in application reference **22/00122/FULL** for **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street** at **Store Building Princes Street Monifieth** for **GFS Consulting (Scotland) Ltd** dated **4 July 2022** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:

Address:

Do you own the land subject to the above permission?

If not, please provide the full name and address of the land owner:

Is there a person appointed to oversee the development? If so, please provide their full name and contact details:

Date you intend to commence the above development:

NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)

This notice should be fully completed by the person who completed the development approved in application reference **22/00122/FULL** for **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street** at **Store Building Princes Street Monifieth** for **GFS Consulting (Scotland) Ltd** dated **4 July 2022** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:

Address:

Date of completion of the above development:

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2013**

SCHEDULE 7

Development at **Store Building Princes Street Monifieth**

Notice is hereby given that planning permission has been granted subject to conditions to **GFS Consulting (Scotland) Ltd** on **4 July 2022**.

Application reference **22/00122/FULL**

The development comprises **Conversion of existing store to dwellinghouse with alterations to 2B Princes Street**

Further Information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at:

Angus Council
Planning Service
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

Enquiries should be directed to the Service Leader at the above address or to planning@angus.gov.uk

SGN Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

- *Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.*
- *Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.*
- *Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.*

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. *Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development **and***
2. *Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:*

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- *Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>*
- *Further information can also be found here <https://www.sgn.co.uk/help-and-advice/diggingsafely>*

PLANNING

Your experience with Planning

Please indicate whether you agree or disagree with the following statements about your most recent experience of the Council's handling of the planning application in which you had an interest.

Q.1 I was given the advice and help I needed to submit my application/representation:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.2 The Council kept me informed about the progress of the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.3 The Council dealt promptly with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.4 The Council dealt helpfully with my queries:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.5 I understand the reasons for the decision made on the application that I had an interest in:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q.6 I feel that I was treated fairly and that my view point was listened to:-

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OVERALL SATISFACTION: Overall satisfaction with the service:

Q.7 Setting aside whether your application was successful or not, and taking everything into account, how satisfied or dissatisfied are you with the service provided by the council in processing your application?

Very satisfied	Fairly satisfied	Neither Satisfied nor Dissatisfied	Fairly Dissatisfied	Very Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OUTCOME: Outcome of the application:

Q.8 Was the application that you had an interest in:-

Granted Permission/Consent	<input type="checkbox"/>	Refused Permission/Consent	<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>
----------------------------	--------------------------	----------------------------	--------------------------	-----------	--------------------------

Q.9 Were you the:- Applicant Agent Third Party objector who made a representation

Please complete the form and return in the pre-paid envelope provided.
Thank you for taking the time to complete this form.



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100432577-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Conversion of existing store to form residential dwelling with alterations to 2B Princes Street.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	JON FRULLANI ARCHITECT		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	JON	Building Name:	
Last Name: *	FRULLANI	Building Number:	140
Telephone Number: *		Address 1 (Street): *	Perth Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dundee
Fax Number:		Country: *	Unikted Kingdom
		Postcode: *	DD1 4JW
Email Address: *	jon@jfarchitect.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other		You must enter a Building Name or Number, or both: *
Other Title:		Building Name:	
First Name: *		Building Number:	23
Last Name: *		Address 1 (Street): *	Mcintosh Patrick Place
Company/Organisation	GFS Consulting (Scotland) Ltd	Address 2:	
Telephone Number: *		Town/City: *	Monifieth
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	DD5 4LW
Fax Number:			
Email Address: *	jon@jfarchitect.co.uk		

Site Address Details

Planning Authority:

Angus Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Store at Panmure Hotel, Monifieth

Northing

732479

Easting

350064

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

436.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Residential dwelling at 2B Princes Street and Store at Former Panmure Hotel.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Bin store within curtilage of proposed dwelling.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

...

Address:

West Development Properties Limited Unit K, Software Centre, Gemini Crescent, Dundee, Scotland, DD2 1TY

Date of Service of Notice: *

11/02/2022

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: JON FRULLANI

On behalf of: GFS Consulting (Scotland) Ltd

Date: 11/02/2022

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr JON FRULLANI

Declaration Date: 14/02/2022

**Job 5686-2**

Store North-East of the Former Panmure Hotel,
Monifieth,
Angus.

Supporting Statement

This brief statement is prepared in support of the application to convert the Store to the North-East of the Former Panmure Hotel, Monifieth. The proposal is to convert the existing store to form a residential dwelling, contained within the footprint of the existing Store and utilising the space to the rear for private residential amenity. In order to facilitate these works, we are proposing alterations to one of the existing apartments within the Former Panmure Hotel. Our client has control over this property and is able to carry out these works as part of any approval.

The proposals are for a two bedroom property, similar to that of the recently approved application at 10A Princes Street, Monifieth (ref: 20/00720/FULL). It is proposed to locate two parking spaces to the rear of the property, accessed from the car park of the Former Panmure Hotel with the existing drop kerb to Princes Street raised to provide additional on-street parking within the area. It was previously stated that the narrowness of the plot is not characteristic of neighbouring development however the recently approved application at 10A Princes Street is consistent with our proposals. There was also a comment on the previous approvals stating the design bared little resemblance to the existing building however we believe the proposals attached address this comment.

It was also noted that the ancillary building was to be demolished to create amenity space as part of the application for the conversion of the Former Panmure Hotel. We have highlighted on the proposed site plan the amenity area which would remain and can confirm that this meets the previous requirements of the parks department in their response to a neighbouring application. With the revised proposals, we also comply with the window to window distances as advised by Angus Council and as we are converting the store, the minimum 100m2 private garden ground is achieved.

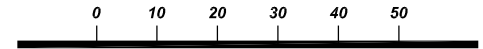
We hope you'll agree that with the revised proposals, we have addressed the previous concerns of the planning department while achieving a proposal that is consistent with a recently approved neighbouring application. We have also demonstrated how the apartments within the Former Panmure Hotel can maintain their levels of privacy and amenity.

The following drawings accompany this statement;

5686-2_P_301_-_Location Plan_A4
5686-2_P_302_-_Existing Site Plan_A1
5686-2_P_303_-_Proposed Site Plan_A1
5686-2_P_304_-_Existing Ground Floor Plan_A2
5686-2_P_305_-_Existing Elevations_A1
5686-2_P_306_-_Proposed Ground Floor Plan_A2
5686-2_P_307_-_Proposed Elevations_A1

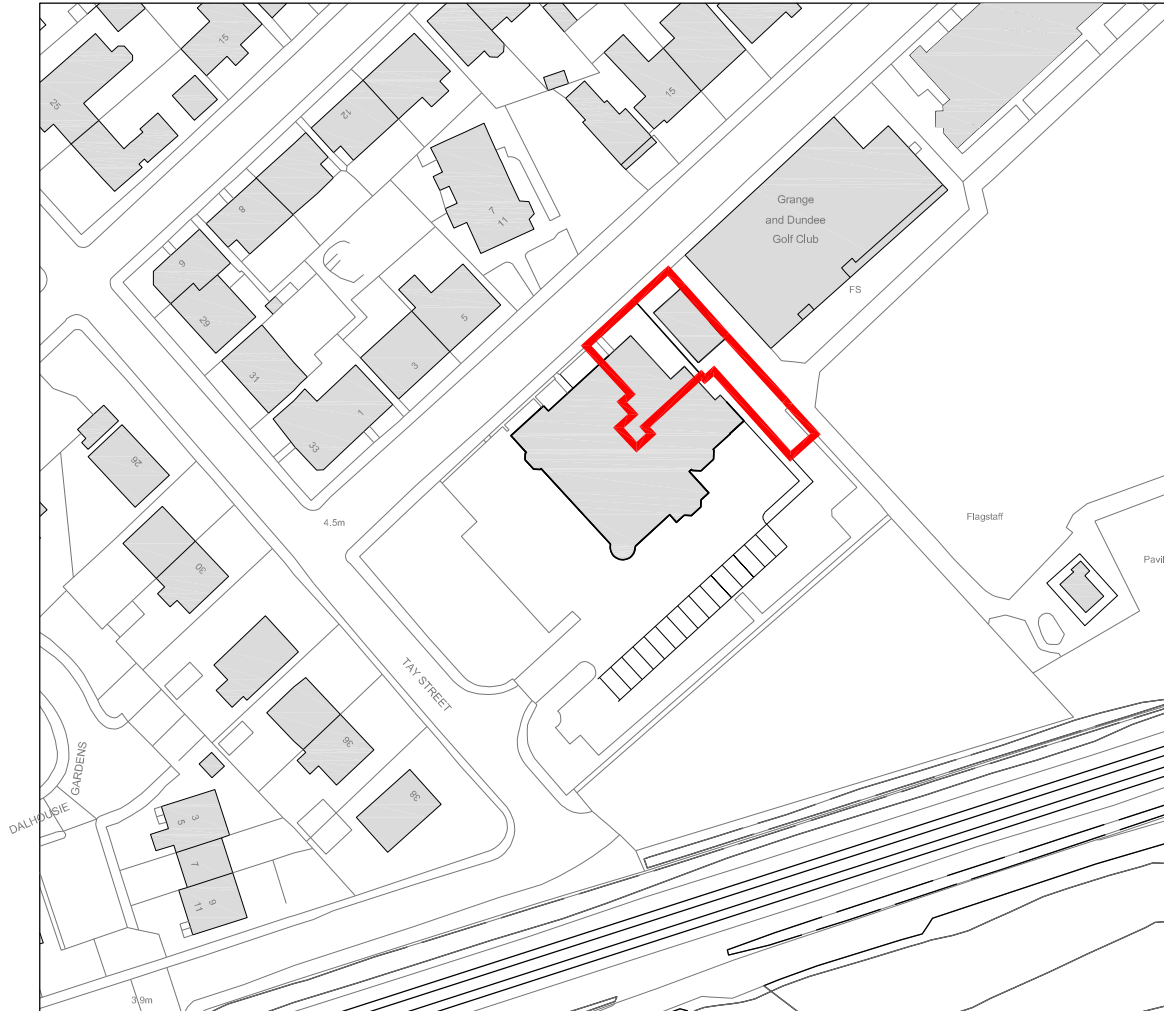
t: 01382 224 828 m: [REDACTED] e: jon@jfarchitect.co.uk

w: jfarchitect.co.uk f: facebook.com/jfarchitect a: 140 Perth Road, Dundee, DD1 4JW



SCALE 1:1250 (A4) LENGTHS SHOWN IN METRES

All dimensions and levels to be checked on site prior to the commencement of work. Architect to be informed of any discrepancies prior to the commencement of work. Unspecified dimensions are not to be scaled off this drawing. All dimensions are in millimetres unless stated otherwise. If any dimensions or details conflict please notify the Architect immediately. This drawing is to be used for **STATUTORY** purposes only. This is not a **CONSTRUCTION** drawing.




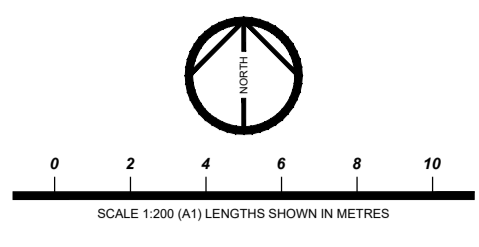
Revisions :

n/a

Notes :

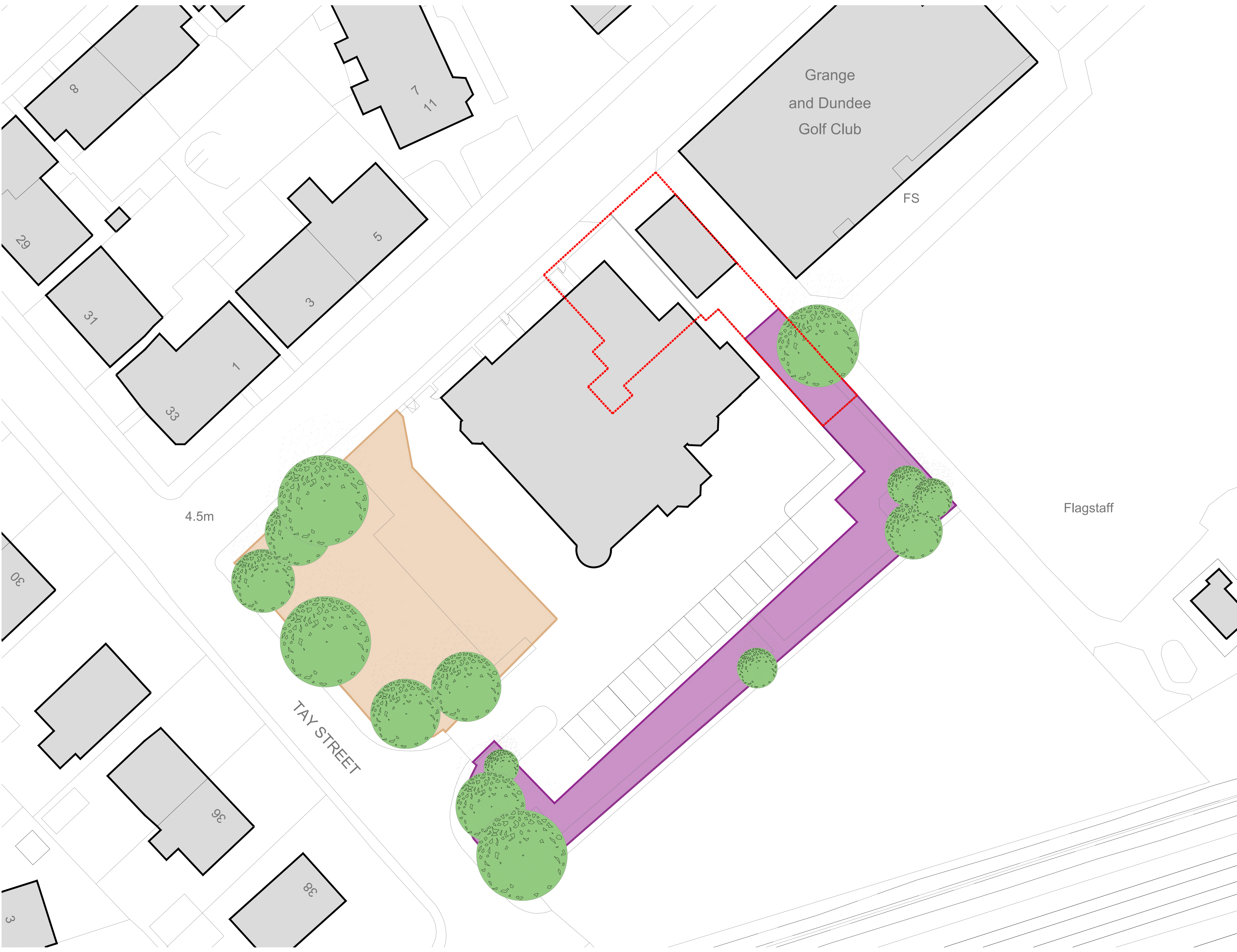
n/a

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Panmure Hotel, Tay Street, Monifeeth, DD5 4AX.		Drawing Title Location Plan	
		Issue Status Planning	Drawing No. 5686-2_P_301
Designer DS	Date Jan. 2022	Scale 1:1250 @ A4	Revision -
t: 01382 224828 m: 07808 726306 e: jon@jfrarchitect.co.uk w: jfrarchitect.co.uk f: facebook.com/jfrarchitect a: unit 5, district 10, greenmarket, dundee, dd1 4qb <small>this drawing is protected by copyright. It may not be reproduced in any form or by any means for any purpose, without getting prior written permission from Jon Frullani architect.</small>			



All dimensions and levels to be checked on site prior to the commencement of work. Approval to be obtained from any relevant authority prior to the commencement of work. Unapproved dimensions are not to be used off the drawing. All dimensions are in millimetres unless stated otherwise. If any dimensions or details conflict please notify the Architect immediately. This drawing is to be used for STATUTORY purposes only. This is not a CONSTRUCTION drawing.

ITEM 7








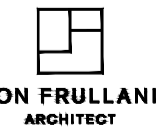
Revisions :

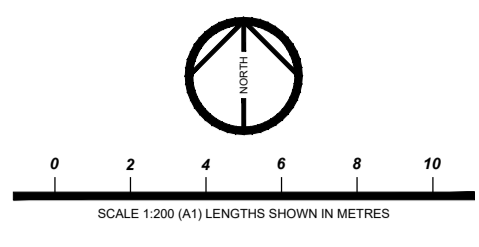
n/a

Notes :

n/a

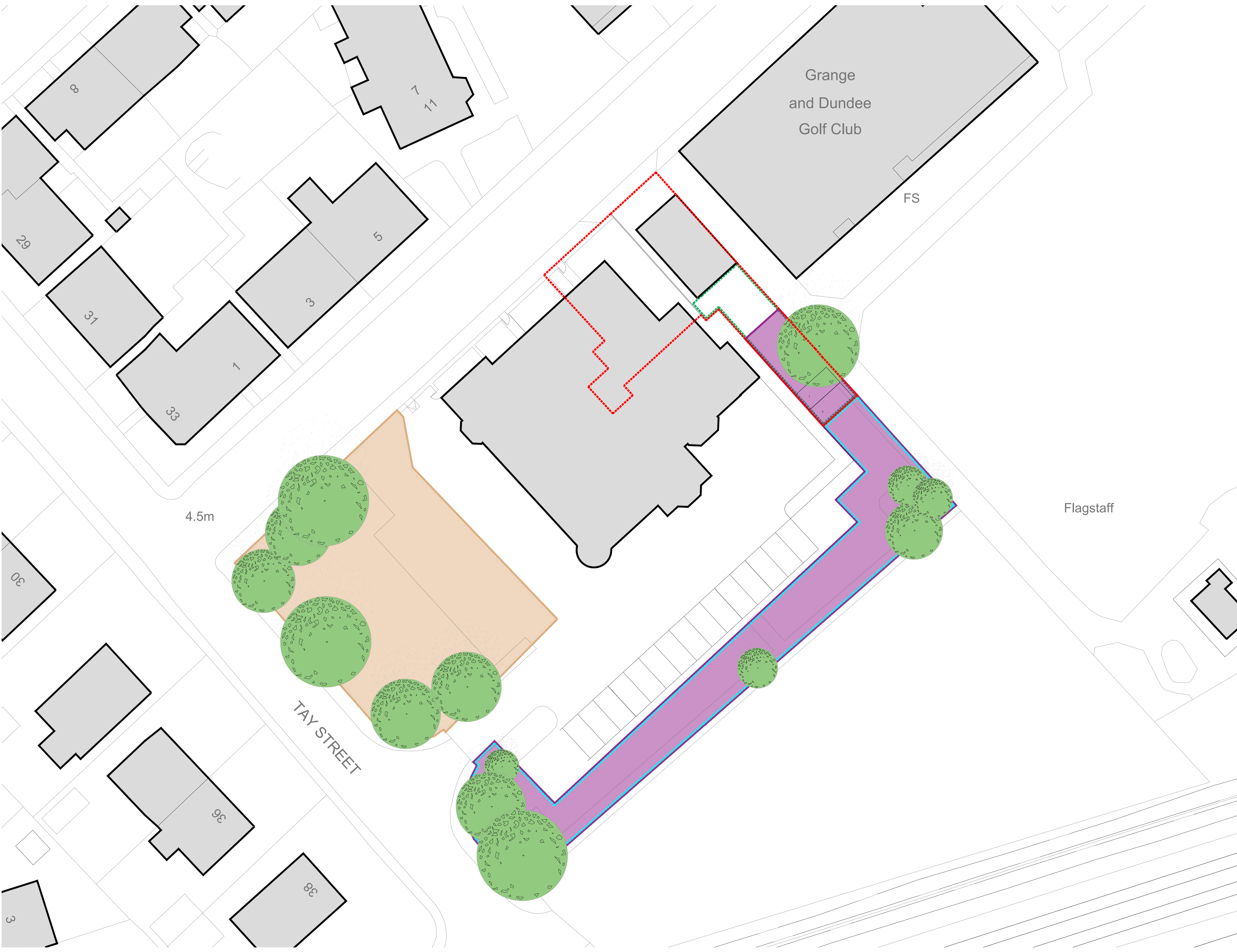
-  Application Site
-  Land Under Applicant's Ownership
-  Tree Preservation Order 2021 No2 A1
-  Tree Preservation Order 2021 No2 A2
-  Existing drip kerb to be raised thus providing additional on-street parking

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Pennine Hotel, Tay Street, Montfeth,		Existing Site Plan	
Drawn By DGS 44X	Checked By -	Drawing No. 5885-2_P_302	Revision No. -
Designer DS	Date Jan 2022	Scale 1:200 @ A1	Version -



All dimensions and levels to be checked on site prior to the commencement of work. All levels to be checked at any stage prior to the commencement of work. Unchecked dimensions are not to be relied on for the drawing. All dimensions are in millimetres unless stated otherwise. If any dimensions or details conflict please notify the Architect immediately. This drawing is to be used for STATUTORY purposes only. This is not a CONSTRUCTION drawing.

ITEM 8



Revisions :
 a DS 09.06.2022 Revisions to Windows
 Notes :
 n/a

- Application Site
- Residential Amenity Zone (Proposed Dwelling)
- Residential Amenity Zone (Existing Flatted Dwellings)
- Tree Preservation Order 2021 No2 A1
- Tree Preservation Order 2021 No2 A2
- Existing drop kerbs to be raised thus providing additional on-street parking

Project: Conversion and alterations		 JON FRULLANI ARCHITECT
Client: Store at Parramatta Hotel		
Address: Tay Street, Murrumbidgee, NSW		Drawing No: 5086-2_P-303
Drawing Title: Proposed Site Plan		Drawing No: 5086-2_P-303
Drawing No: 5086-2_P-303		Drawing Title: Proposed Site Plan
Designer: DS	Date: Jan 2022	Scale: 1:200 @ A1
Project No: 5086-2_P-303		Project Name: Store at Parramatta Hotel

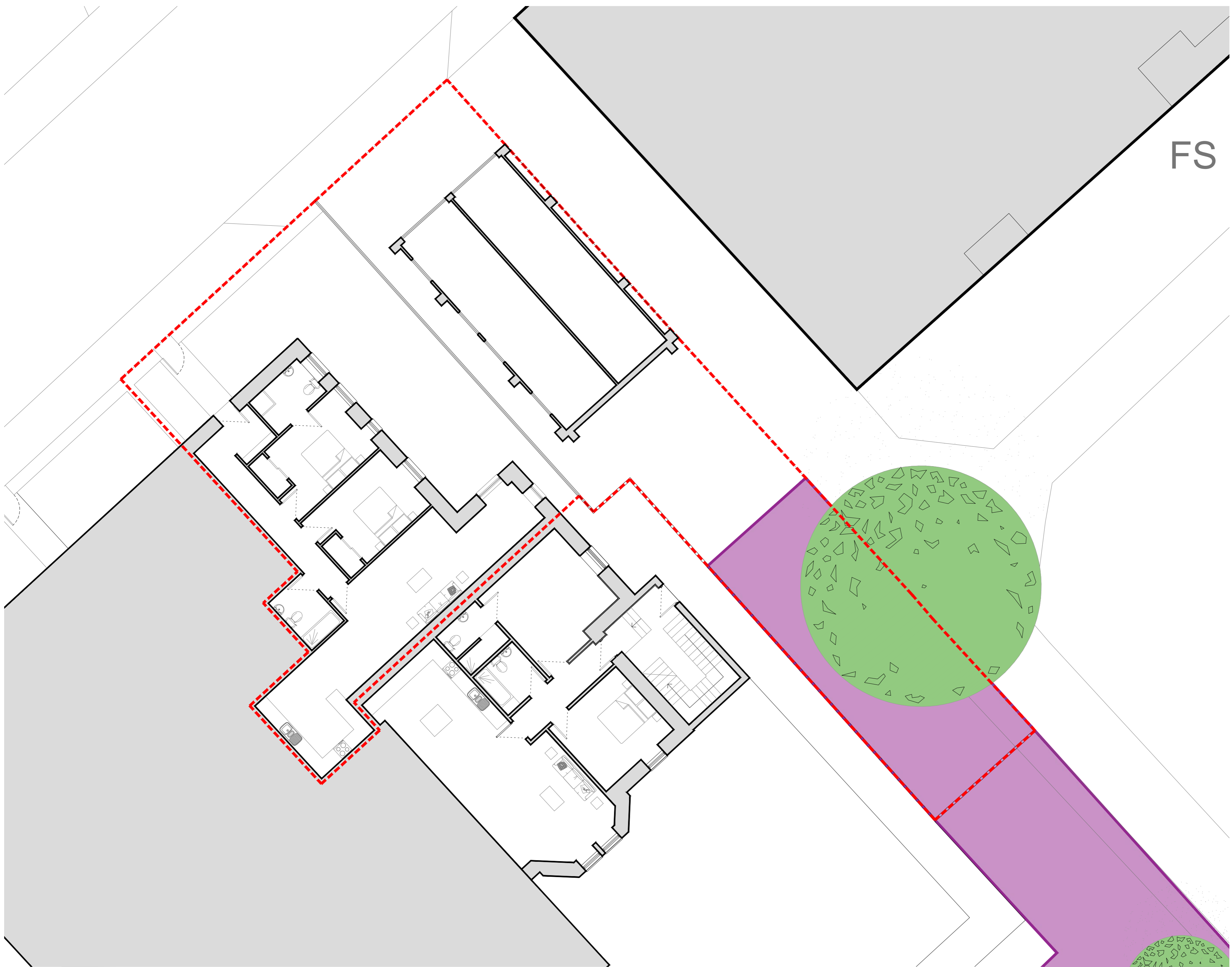


SCALE 1:100 (A2) LENGTHS SHOWN IN METRES

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ITEM 9



Revisions :

n/a

Notes :

n/a



Application Site



Land Under Applicants Ownership



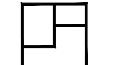
Residential Amenity 125m2



Tree Preservation Order 2021 No2 A2



Existing drop kerb to be raised thus providing additional on-street parking

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Panmure Hotel, Tay Street, Monifieth, DD5 4AX.		Drawing Title Existing Ground Floor Plan	
Designer DS		Issue Status Planning	Drawing No. 5686-2_P_304
Date Jan. 2022	Scale 1:100 @ A2	Revision -	

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 uk: 01382 224828, 01382 224829, 01382 224830, 01382 224831, 01382 224832, 01382 224833, 01382 224834, 01382 224835, 01382 224836, 01382 224837, 01382 224838, 01382 224839, 01382 224840, 01382 224841, 01382 224842, 01382 224843, 01382 224844, 01382 224845, 01382 224846, 01382 224847, 01382 224848, 01382 224849, 01382 224850, 01382 224851, 01382 224852, 01382 224853, 01382 224854, 01382 224855, 01382 224856, 01382 224857, 01382 224858, 01382 224859, 01382 224860, 01382 224861, 01382 224862, 01382 224863, 01382 224864, 01382 224865, 01382 224866, 01382 224867, 01382 224868, 01382 224869, 01382 224870, 01382 224871, 01382 224872, 01382 224873, 01382 224874, 01382 224875, 01382 224876, 01382 224877, 01382 224878, 01382 224879, 01382 224880, 01382 224881, 01382 224882, 01382 224883, 01382 224884, 01382 224885, 01382 224886, 01382 224887, 01382 224888, 01382 224889, 01382 224890, 01382 224891, 01382 224892, 01382 224893, 01382 224894, 01382 224895, 01382 224896, 01382 224897, 01382 224898, 01382 224899, 01382 224900, 01382 224901, 01382 224902, 01382 224903, 01382 224904, 01382 224905, 01382 224906, 01382 224907, 01382 224908, 01382 224909, 01382 224910, 01382 224911, 01382 224912, 01382 224913, 01382 224914, 01382 224915, 01382 224916, 01382 224917, 01382 224918, 01382 224919, 01382 224920, 01382 224921, 01382 224922, 01382 224923, 01382 224924, 01382 224925, 01382 224926, 01382 224927, 01382 224928, 01382 224929, 01382 224930, 01382 224931, 01382 224932, 01382 224933, 01382 224934, 01382 224935, 01382 224936, 01382 224937, 01382 224938, 01382 224939, 01382 224940, 01382 224941, 01382 224942, 01382 224943, 01382 224944, 01382 224945, 01382 224946, 01382 224947, 01382 224948, 01382 224949, 01382 224950, 01382 224951, 01382 224952, 01382 224953, 01382 224954, 01382 224955, 01382 224956, 01382 224957, 01382 224958, 01382 224959, 01382 224960, 01382 224961, 01382 224962, 01382 224963, 01382 224964, 01382 224965, 01382 224966, 01382 224967, 01382 224968, 01382 224969, 01382 224970, 01382 224971, 01382 224972, 01382 224973, 01382 224974, 01382 224975, 01382 224976, 01382 224977, 01382 224978, 01382 224979, 01382 224980, 01382 224981, 01382 224982, 01382 224983, 01382 224984, 01382 224985, 01382 224986, 01382 224987, 01382 224988, 01382 224989, 01382 224990, 01382 224991, 01382 224992, 01382 224993, 01382 224994, 01382 224995, 01382 224996, 01382 224997, 01382 224998, 01382 224999, 01382 225000

ITEM 10



South West Elevation



South East Elevation



North East Elevation



North East Elevation



North West Elevation

Revisions :
n/a
Notes :
n/a

Project		Conversion and alterations	
Client		Store of Furniture Hotel	
Address		Tay Street, Morwell,	
EIRIS 4NLC		5088-02_P_205	
Designer		Date	
DS		Jan, 2022	
Scale		1:100 @ A1	
Number		-	
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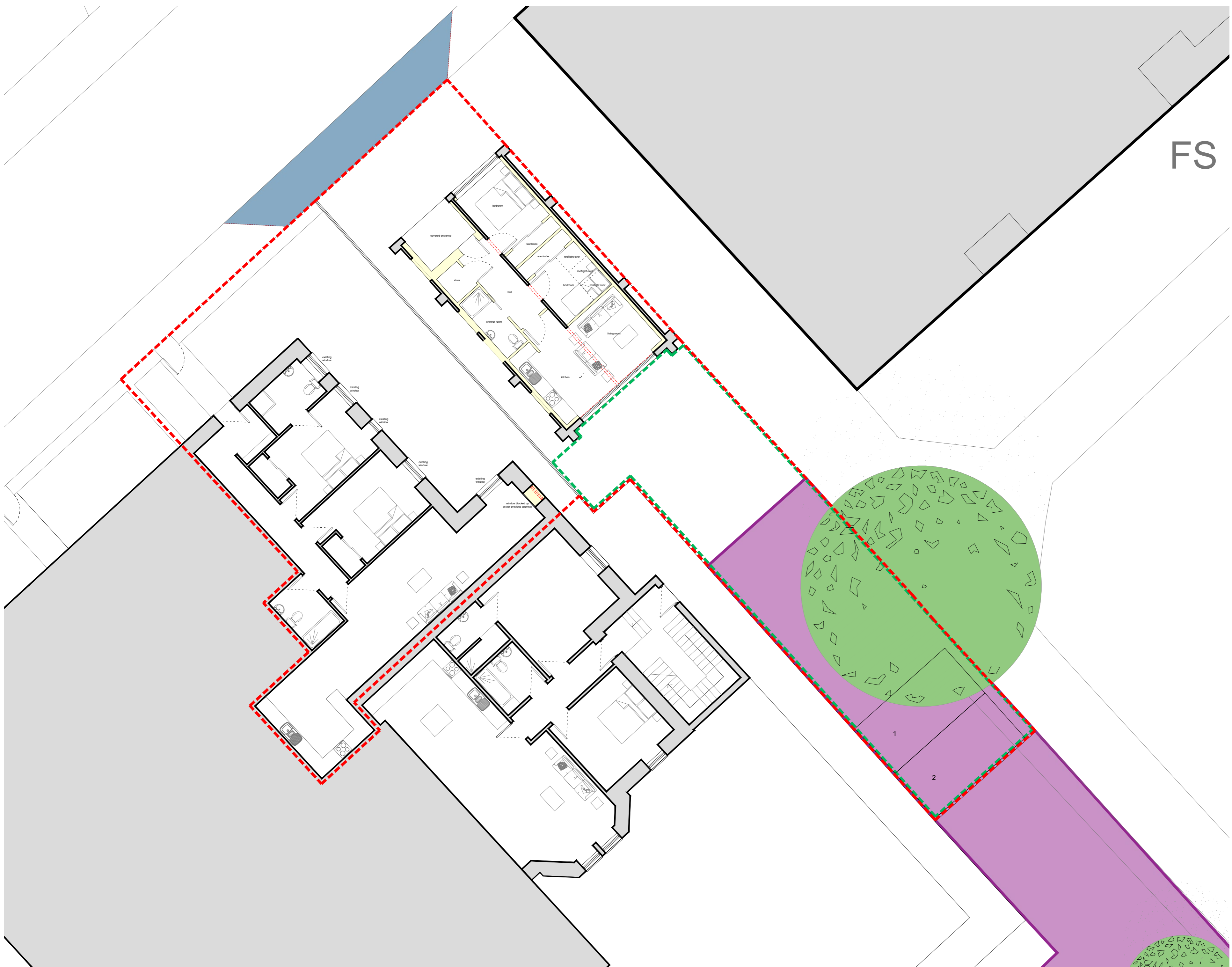


0 1 2 3 4 5
SCALE 1:100 (A2) LENGTHS SHOWN IN METRES

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ITEM 11



Revisions :

- a DS 09.06.2022 Revisions to Windows

Notes :

n/a



Application Site



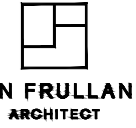
Residential Amenity
125m2



Tree Preservation
Order 2021 No2 A2



Existing drop kerb to be
raised thus providing
additional on-street parking

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client -			
Address Store at Panmure Hotel, Tay Street, Monifieth, DD5 4AX.		Drawing Title Proposed Ground Floor Plan	Drawing No. 5686-2_P_306
Designer DS	Date Jan. 2022	Scale 1:100 @ A2	
<small> t: 01382 224828 m: 07808 726306 e: jon@frullani.co.uk w: frullani.co.uk f: facebook.com/frullani s: unit 5, district 10, greenmarket, Dundee, DD1 4QP No drawing is protected by copyright, it may not be reproduced in any form or by any means for any purpose without written permission from the author and/or architect. </small>			

ITEM 12



South West Elevation



South East Elevation



North East Elevation



North East Elevation



North West Elevation

- Revisions :**
a DS 09.06.2022 Revisions to Windows
- Notes :**
n/a
- Materials :**
Former Stone
Base course
Red brick to match existing base course
Render to match existing
Timber lining (painted anthracite grey)
- Windows and doors**
Timber double glazed (painted anthracite grey)
- Apartment alterations**
External walls
Timber lining (painted anthracite grey)
- Windows**
Existing windows to be re-used

Project Conversion and alterations		 JON FRULLANI ARCHITECT	
Client			
Address Stone at Paternoster House, Tay Street, Murrells,		Drawing Title Proposed Elevations	Issue Date
DS05-4N3		Planning	5086-2_P_307
Designer DS	Date Jan. 2022	Scale 1:100 @ A1	Revision a
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