ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 4 MARCH 2024 SITE OF FORMER SEAFORTH HOTEL, DUNDEE ROAD, ARBROATH REPORT BY THE DIRECTOR OF LEGAL, GOVERNANCE & CHANGE

1. ABSTRACT

The Committee is asked to consider an application for a review of the decision taken by the planning authority in respect the refusal of planning permission for mixed use development comprising café and drive thru, application No 23/0558/FULL, at Site of Former Seaforth Hotel, Dundee Road, Arbroath.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

This Report contributes to the following local outcomes contained within the Angus Council Plan 2023-2028:

- Caring for our people
- Caring for our place

3. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) consider and determine if further procedure is required as detailed in at Section 4;
- (ii) if further procedure is required, the manner in which the review is to be conducted;
- (iii) if no further procedure is required:
 - (a) review the case submitted by the Planning Authority (Appendix 1); and
 - (b) review the case submitted by the Applicant (Appendix 2).

4. 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.

5. FINANCIAL IMPLICATIONS

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

6. RISK MANAGEMENT

There are no issues arising from the recommendations of this Report.

7. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising from the recommendations of this report.

8. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

An equality impact assessment is not required.

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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List of Appendices: Appendix 1 – Submission by Planning Authority Appendix 2 – Submission by Applicant

ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL APPLICATION NUMBER – 23/00558/FULL

APPLICANT - MUNGO PARK LTD & CW PROPERTIES

PROPOSAL & ADDRESS – MIXED USE DEVELOPMENT COMPRISING CAFÉ AND DRIVE THRU AT SITE OF FORMER SEAFORTH HOTEL DUNDEE ROAD ARBROATH

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Angus Council

Application Number:	23/00558/FULL
Description of Development:	Mixed use development comprising café and drive thru
Site Address:	Site Of Former Seaforth Hotel Dundee Road Arbroath
Grid Ref:	363496 : 740197
Applicant Name:	Mungo Park Ltd & CW Properties

Report of Handling

Site Description

The application site measures around 2400sqm and consists of part of a brownfield site which previously accommodated the Seaforth Hotel. Remnants of the original boundary walls of the original Seaforth House remain around the site but otherwise the site is clear. The site is located on the West Links which consists of a managed open space which runs from the harbour area of Arbroath at the east to the West Sands and is punctuated by a range of recreational uses (such as a cinema, children's indoor soft play area, arcades & amusements and a football ground). Other outdoor recreational activities including an outdoor play area, pitch & putt and children's carting are also found in the West Links Area.

Proposal

Planning permission is sought for the western part of the former Seaforth Hotel Site for the erection of a Starbucks café and associated drive thru facility. The proposed building would have a footprint of 189sqm (221sqm including service/bin area) and is of a fairly typical design for the type of building proposed. A mono pitched roof would rise from 3.1m at the rear (south) to 4.3m at the front (north), with a central brick projection to 7.3m in height to accommodate signage. Materials are proposed as grey panelling, a grey roof, timber or synthetic timber cladding and extensive areas of glazing, along with the central brick tower feature to accommodate signage.

The proposal also includes the formation of a new access, parking for 30 vehicles, cycle parking and landscaping. Foul drainage would be connected to the public drainage network, and surface water drainage would be dealt with on site utilising sustainable urban drainage (SUDS) scheme.

The submitted drawings indicate that the remainder of the 5600sqm former Seaforth Hotel site would be developed as a hotel as part of a separate planning submission.

The application has not been subject of variation.

Publicity

The nature of the proposal did not require the application be the subject of Neighbour Notification.

The application was advertised in the Dundee Courier on 1 September 2023 for the following reasons:

Neighbouring Land with No Premises

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

Relevant Planning History

17/01048/FULL for Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works was determined as "approved subject to conditions" on 1 June 2018.

19/00954/FULL for Erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works was determined as "Refused" on 1 May 2020 for the following reason(s):

- 1 The proposal is contrary to Policy A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the proposed roadside services facility is not a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2 The proposal is contrary to policies DS3 and A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a land mark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3 The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a roadside service facility would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Applicant's Case

The applicant has submitted the following information in support of the application:

Planning Statement – considers the proposal against the development plan and material considerations. The statement concludes that the proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.

Transport Assessment – indicates that the development site will be accessible by sustainable modes of travel and integrate well within the existing transport network with the introduction of additional non-car promoting measures. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users.

Flood Risk Assessment and Drainage Design (2017) - concludes that the development can be occupied and operated safely and that there will be no increase in the level of flood risk to the site or neighbouring sites as a result of the development.

Supplementary planning statement (3 October 2023) – indicates that in the applicant's view the proposal is compliant with NPF4. It suggests that the Angus Local Development Plan and associated Supplementary Guidance is out of date and therefore carries little weight in the consideration of the planning application.

Marketing information (8 November 2023) – indicates that the site has been marketed as a hotel development opportunity on numerous occasions over an approximate 17 year period. Whilst some interest has been shown over the period no party has ever concluded. Whilst it is not impossible that hotel interest will transpire in the future there is none at present. It provides an indicative site masterplan encompassing the remainder of the land allocation which it suggests shows that a 40-bedroom hotel could still be delivered on the balance of the allocated area. It opines that the proposed coffee shop and

drive thru would act as a catalyst for the development of the remainder of the site by delivering key infrastructure.

Consultations

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

Roads (Traffic) - Having considered the submitted Transport Assessment, there are no objections to the proposal, subject to a suitable condition to ensure the delivery of appropriate parking, including cycle parking.

Scottish Water - no objections

Environmental Health - no objections subject to an appropriate condition to ensure no noise related detriment to amenity is generated.

Archaeology Service - no objections

Scottish Environment Protection Agency - no comments

Flood Prevention Authority - There was no response from this consultee at the time of report preparation.

Angus Council - Economic Development Unit - There was no response from this consultee at the time of report preparation.

Representations

2 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 2 objected to the proposal and 0 supported the proposal.

The main points of concern were as follows:

- A global business should not be supported, a drive through coffee shop will impact on the environment in all aspects.
- Arbroath should not be treated as a drive through or truck stop.
- Support should be given to the local community which will in turn support the community.
- It would be good to see this type of development go above and beyond as a leading example of sustainable, accessible economic development for the area.
- Considering Arbroath is still developing the Places for Everyone scheme, it seems this development
 for a drive-thru is very much a backwards step. This area already prioritises vehicles to the point
 where it is a detriment to walk, cycle or wheel in the area (accessing West Links Park, Gayfield Park
 for example).
- Would like to see further work done to address sustainable travel in the plan i.e bike parking facilities
 on site, smart junctions and a report on the wider footprint of the area, in particular the expected
 impact on parking/ road areas to access Westlinks Park and the shared footpath/ cycle way on the
 Dundee Road.
- Would also like to see some work towards the impact this will have on sustainable and active tourism,
 whether this will be a benefit or a detriment to the beachfront. I've noted the NCN 1 has recently been
 included in new cycle tour routes (The Pictish Trail in particular), with Angus coming in for heavy
 criticism for lack of access through the area from users of the route.
- Considering the recent planning application for a retail park around the corner was called "against development policy", this is disappointing to see yet another drive-thru being prioritised.
- The Tayside and Central Scotland Regional Transport Strategy 2024- 2034 which acknowledges Angus and Tayside have a 11% increase on the rest of Scotland for car use. How would this

development impact on this?

Development Plan Policies

NPF4 – national planning policies

Policy 1 Tackling the climate and nature crises

Policy 2 Climate mitigation and adaptation

Policy 3 Biodiversity

Policy 9 Brownfield, vacant and derelict land and empty buildings

Policy 11 Energy

Policy 12 Zero waste

Policy 13 Sustainable transport Policy 14 Design, quality and place

Policy 15 Local living and 20 minute neighbourhoods

Policy 18 Infrastructure first

Policy 20 Blue and green infrastructure

Policy 22 Flood risk and water management

Policy 27 City, town, local and commercial centres

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

Policy DS1: Development Boundaries and Priorities

Policy DS2: Accessible Development

Policy DS3: Design Quality and Placemaking

Policy DS4: Amenity

Policy TC10: Roadside Facilities Policy TC17: Network of Centres

Policy TC20: Local Convenience Shops and Small Scale Retail

Policy PV6: Development in the Landscape Policy PV8: Built and Cultural Heritage Policy PV12: Managing Flood Risk Policy PV13: Resilience and Adaptation Policy PV15: Drainage Infrastructure Policy PV16: Coastal Planning

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.

In this case the development plan comprises: -

- National Planning Framework 4 (NPF4) (Adopted 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report. The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located within the development boundary of Arbroath. ALDP Policy DS1 states that all proposals will be expected to support delivery of the Development Strategy. It indicates that the focus of development will be sites allocated or otherwise identified for development within the local development plan, which will be safeguarded for the use(s) set out. It also indicates that 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.

The development strategy for Arbroath seeks to protect and enhance Arbroath's wide range of visitor assets and further develop tourism and recreation facilities and accommodation particularly along the seafront, redeveloping a number of sites and properties to support the Harbour and West Links. To that end, the application site is identified in the ALDP as an opportunity site (A7) for development for a hotel and possible complementary leisure, tourism or recreation use.

Opportunity Site A7 requires proposals to be in accordance with the approved Supplementary Guidance. The Supplementary Planning Guidance - Seaforth Hotel Site states that the preferred use for the site is a hotel or travel lodge type development. It indicates that other uses under Class 11 (assembly and leisure) may be acceptable where these complement existing provision of leisure or recreation facilities within the town.

The application seeks permission for a mixed use café and drive through development. A café and drive through is not a suitable hotel, leisure, tourism or recreation use. Furthermore, the proposal would compromise the ability to provide a land mark hotel or suitable alternative assembly or leisure development on the site, missing the opportunity to enhance Arbroath's range of visitor assets, and develop tourism and recreation facilities and accommodation along the West Links part of the seafront.

The proposed use is contrary to the Opportunity site A7 designation in the ALDP and the associated Supplementary Planning Guidance - Seaforth Hotel Site and would prejudice the Council's ability to deliver the Development Strategy for Arbroath. To this end, the proposal is also contrary to ALDP Policy DS1.

The physical characteristics of the proposed development also fall to be considered against development plan policies relating to design. Both NPF4 and the ALDP require development proposals to deliver a high design standard. Amongst other things they require consideration of local architectural styles, the drawing upon of 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. The Supplementary Planning Guidance indicates that this important seafront location presents a unique opportunity for regeneration with a vision to secure a land mark development that will complement the existing uses and be an attraction in its own right that enhances the wider area. The Supplementary Guidance articulates the Council's desire to secure a design solution which can make a positive contribution to this important seafront location.

The site occupies a prominent position on the south side of Dundee Road and previously occupied an art deco style hotel which was demolished following significant fire damage. The site sits within a significant expanse of open space lying between the residential area of Arbroath, located to the north of Dundee Road, and the sea front. This area is characterised by large areas of well-maintained open space, interspersed with leisure and tourism attractions and facilities. Most of these facilities are fairly utilitarian in their external appearance. Notwithstanding that, the Supplementary Guidance aspires to deliver a landmark development on this site that would enhance the sense of arrival to the town and the wider West Links area.

The standardised design of the proposed café and drive through, along with the associated array of signage and curtilage clutter that goes with national chain development of this nature would not constitute a design solution which draws upon existing landscape or townscape features that contribute positively to the character and sense of place in the surrounding area. It would not represent a land mark development that would be an attraction in its own right, and it would not make a positive contribution to this important seafront location. The redevelopment of the site in the manner proposed is contrary to development plan design policy, the A7 opportunity site designation and the associated Supplementary Guidance.

ALDP Policy TC17 and NPF4 Policy 27 establish the town centre first approach for commercial developments which will generate significant footfall. That approach seeks to direct such uses to the town centre. NPF4 27(d) indicates that drive-through developments will only be supported where they are specifically supported in the LDP. Further clarification on the application of Policy 27(d) is provided in a Chief Planner letter of 8 February 2023.

The application site is outwith the defined town centre and no information has been submitted to consider the impact of the development on the vibrancy, vitality, or viability of the town centre. While that impact may not be particularly significant, it is unquantified. The site is not allocated for drive-through development, or related retail or class 3 uses. The site is safeguard for hotel or assembly and leisure uses. The proposal does not attract support from the town centre first approach nor from NPF4 Policy 27(d).

While the submitted Transport Assessment indicates that the site is accessible by a range of modes of transport, and that the impact on the road network is acceptable, this does not address the fact that the drive through element of the development targets vehicular traffic only. NPF4 Policy 13 states that development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area. This must be balanced against the likelihood of the site attracting existing passing and linked trips, which the Transport Assessment states will constitute the majority of traffic movements, due to the location on the A92. On balance, it is not considered that the proposal would generate substantial levels of new traffic, and therefore does not significantly conflict with NPF4 Policy 13. The Roads Service has considered potential impact on the local road network and has offered no objection to the proposal subject to planning conditions to secure appropriate provision for multi modal parking.

The site is not subject of any designation for natural heritage and the proposal is unlikely to result in any significant direct or indirect impacts on the natural environment. The site is noted as being of archaeological interest having previously contained the art deco Seaforth Hotel. The building was demolished after fire damage and all that remains on site are some of the boundary walls. The archaeology service has previously commented that it doesn't anticipate any significant below ground archaeology is likely to survive and has advised that no archaeological mitigation is required. The proposal is unlikely to result in any significant impact on the cultural heritage.

The site is located within an area that is identified on SEPA flood maps as being at risk of surface water flooding. The application is supported by proposals for the management of foul and surface water drainage including arrangements for the sustainable management of surface water. The Council's Flood Prevention team have not commented, but previously offered no objection to the redevelopment of the site in relation to flooding and drainage.

In terms of contaminated land, the Environmental Health Service previously commenting on development on this site, offering no objection subject to a planning condition requiring a remedial strategy to mitigate any land contamination. This would be a suitable solution in this instance too.

The proposal is reasonably divorced from residential property and is unlikely to result in any significant impacts on residential amenity. The Environmental Health Service has suggested that planning conditions could be utilised to mitigate impacts associated with noise from plant or machinery.

It is acknowledged that the proposal would generate some employment which could work towards the aim of reducing inequalities in Arbroath. However, the proposal would provide a relatively small number of mostly low paid jobs. It would not diversify the offer currently available in Arbroath and may result in displacement of current spend/jobs in the area, including the town centre. The delivery of a hotel or other appropriate leisure use on the site could generate more jobs and could have greater economic benefit for the town and surrounding area.

It is also acknowledged that it would be beneficial for the site to be brought back into a purposeful use. NPF4 Policy 9 supports the sustainable re-use of brownfield sites. However, the site has been cleared and is not a significant blight on the surrounding area. The local development plan protects the site for a land mark development which is compatible with the recreation, leisure, and tourism function of the West Links area. The proposed development would not meet the aspirations of the policy and associated Supplementary Guidance and the benefit of redeveloping the site in the manner proposed does not outweigh the development plan requirement for the site to be safeguarded for hotel, leisure, tourism, or recreation use.

While the proposal conforms to some aspects of the development plan, the principle of the site being developed for a mixed-use café and drive through on land protected for hotel, leisure, tourism or recreation development is contrary to the development plan.

Turning to material considerations, the applicant's case is largely premised on the aspersion that the ALDP and the associated designation of the site is out of date, and therefore carries reduced material weight in the determination of planning applications. They also discount the materiality of the site-specific Supplementary Guidance that was prepared to guide and secure appropriate development at the site.

The ALDP remains the adopted local development plan. There is nothing in NPF4 which undermines the ALDP development strategy for Arbroath or the A7 opportunity site designation for a hotel and possible complementary leisure, tourism or recreation use. Furthermore, NPF4 Policy 27(d) does not support the development of a drive through proposal on a site identified for another purpose in the local development plan.

The applicant also contends that the proposal would support the visitor, tourism and recreational uses along the seafront and West Links part of Arbroath and would not prejudice the remainder of the site from delivering a future hotel development. They submit an indicative site masterplan in an attempt to illustrate this. The application is for a mixed-use café and drive through facility and does not include a hotel proposal. The indicative masterplan information submitted is not a reliable basis to be satisfied that adequate space would remain available for a hotel or other acceptable use on the remainder of the site. It is hard to see how the reduced area could deliver the type of land mark building envisaged by the site designation and associated supplementary guidance. The indicative masterplan information does not lend support to the proposal.

The application has attracted representations raising objections to the proposal. Those representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report. There is nothing in representations which alters the conclusions reached in the foregoing assessment.

The application proposes a mixed-use café and drive through development on a site which is explicitly identified for a hotel and possible complementary leisure, tourism or recreation use in the ALDP and associated supplementary guidance. While it is accepted that the site has been redundant for some time, this factor does not justify setting aside the aspiration for the site set out in policy and guidance. While NPF4 was adopted after the ALDP, there are no incompatibilities between the two that lend support to the proposal. The proposal is contrary to the development plan. There are no material considerations that justify approval of planning permission contrary to the provisions of the development plan.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general

AC1

interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Decision

The application is refused.

Reason(s) for Decision:

- 1. The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2. The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Notes:

Case Officer: Ben Freeman
Date: 17 November 2023

Appendix 1 - Development Plan Policies

NPF4 - national planning policies

Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
- i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats:
- ii. wherever feasible, nature-based solutions have been integrated and made best use of;
- iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 9 Brownfield, vacant and derelict land and empty buildings

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for

development or the proposal is explicitly supported by policies in the LDP.

- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 11 Energy

- a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:
- i. wind farms including repowering, extending, expanding and extending the life of existing wind farms:
- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;
- iv. small scale renewable energy generation technology;
- v. solar arrays;
- vi. proposals associated with negative emissions technologies and carbon capture; and
- vii. proposals including co-location of these technologies.
- b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.
- c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.
- e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:
- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
- ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable:
- iii. public access, including impact on long distance walking and cycling routes and scenic routes;
- iv. impacts on aviation and defence interests including seismological recording;
- v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- vi. impacts on road traffic and on adjacent trunk roads, including during construction;
- vii. impacts on historic environment;
- viii. effects on hydrology, the water environment and flood risk;
- ix. biodiversity including impacts on birds;
- x. impacts on trees, woods and forests;
- xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration:
- xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
- xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree

connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity.

Policy 12 Zero waste

- a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) Development proposals will be supported where they:
- i. reuse existing buildings and infrastructure;
- ii. minimise demolition and salvage materials for reuse;
- iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
- iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
- v. use materials that are suitable for reuse with minimal reprocessing.
- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
- provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross- contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.
- d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:
- i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;
- ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;
- iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
- iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
- v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
- vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
- i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
- ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.
- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
- ii. can demonstrate that a functional heat network can be created and provided within the site for

appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified:

- iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
- iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
- v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

Policy 13 Sustainable transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse

impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Policy 14 Design, quality and place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 15 Local living and 20 minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- o sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- o employment;
- o shopping;
- o health and social care facilities;
- o childcare, schools and lifelong learning opportunities:
- o playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- o publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 18 Infrastructure first

- a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.
- b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

Policy 20 Blue and green infrastructure

- a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.
- b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multifunctional and well integrated into the overall proposals.

- c) Development proposals in regional and country parks will only be supported where they are compatible with the uses, natural habitats, and character of the park.
- d) Development proposals for temporary open space or green space on unused or under- used land will be supported.
- e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

Policy 22 Flood risk and water management

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.
- b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.
- c) Development proposals will:
- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy 27 City, town, local and commercial centres

- a) Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.
- b) Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:
- i. will be supported in existing city, town and local centres, and
- ii. will not be supported outwith those centres unless a town centre first assessment demonstrates that:
- o all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable:
- o the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and
- o the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.
- c) Development proposals for non-retail uses will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. These uses include:

- i. Hot food takeaways, including permanently sited vans;
- ii. Betting offices; and
- iii. High interest money lending premises.
- d) Drive-through developments will only be supported where they are specifically supported in the LDP.

Town centre living

- e) Development proposals for residential development within city/town centres will be supported, including:
- i. New build residential development.
- ii. The re-use of a vacant building within city/ town centres where it can be demonstrated that the existing use is no longer viable and the proposed change of use adds to viability and vitality of the area.
- iii. The conversion, or reuse of vacant upper floors of properties within city/town centres for residential.
- f) Development proposals for residential use at ground floor level within city/town centres will only be supported where the proposal will:
- i. retain an attractive and appropriate frontage;
- ii. not adversely affect the vitality and viability of a shopping area or the wider centre; and
- iii. not result in an undesirable concentration of uses, or 'dead frontages'.
- g) Development proposals for city or town centre living will take into account the residential amenity of the proposal. This must be clearly demonstrated where the proposed development is in the same built structure as:
- i. a hot food premises, live music venue, amusement arcade/centre, casino or licensed premises (with the exception of hotels, restaurants, cafés or off licences); and/or
- ii. there is a common or shared access with licenced premises or other use likely to be detrimental to residential amenity.

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

0.6 ha of land at the Former Seaforth Hotel provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use. Development proposals should be in accordance with the approved Supplementary Guidance for this site updated as a Development Brief to reflect policies in this Local Development Plan. Surface water management measures may be required.

Proposals should provide supporting information including a Drainage Impact Assessment.

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 DS2: Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- o are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, laybys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- o appropriate planning obligations in line with Policy DS5 Developer Contributions.

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 TC10: Roadside Facilities

The provision of roadside facilities to meet the needs of road users will only be acceptable where they extend the range and quality of existing facilities.

On the A90(T), extended roadside facilities, including the provision for overnight lorry parking, will only be supported at the following existing facilities:

- o Brechin Castle Centre, which has direct access from the A935 to and from the A90(T);
- o Orchardbank Business Park, Forfar, at the junction with the A94; or
- o Stracathro Services.

New roadside facilities serving the A92 should be accommodated within existing development boundaries. Proposals in the open countryside will not be supported.

Policy TC17: Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

Policy TC20: Local Convenience Shops and Small Scale Retail

Within development boundaries, proposals for the development and improvement of local convenience shops* will not be subject to the sequential approach. Such proposals will be supported where they are not detrimental to the surrounding amenity and are in keeping with the townscape and pattern of development. Preference will be given to development proposals which effectively reuse or redevelop vacant or derelict land.

Outwith development boundaries, proposals for small scale retail development (around 500 m2) will only be supported where the proposal constitutes rural diversification and is ancillary to tourism, agricultural, equestrian, horticultural or forestry operations and where the proposal:

- o does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus;
- o is of a scale and nature in keeping with the character of the local landscape and pattern of development; and
- o is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, traffic levels, access or infrastructure.

Where planning permission is granted, conditions may be attached limiting the range of goods which can be sold.

*A local convenience shop is broadly defined as retailing drinks, tobacco, newspapers, magazines, food and confectionary which are purchased regularly for relative immediate consumption and measure 500 m2 gross floorspace or less and are located outwith defined town centre boundaries as identified within the Proposals Maps.

Policy PV6: Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- o the site selected is capable of accommodating the proposed development;
- o the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- o potential cumulative effects with any other relevant proposal are considered to be acceptable; and
- o mitigation measures and/or reinstatement are proposed where appropriate.

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation areas in Angus will be set out in a Planning Advice Note.

Policy PV8: Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits: and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully in order to preserve or enhance the character and setting of the listed building.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.

Policy PV12 : Managing Flood Risk

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

- o on the functional floodplain;
- o 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:

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

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o 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 PV13: Resilience and Adaptation

Development should not require an increase in the provision and / or maintenance of flood defences.

To increase resilience to the effects of climate change such as flood and drought, extreme weather events and rising sea levels Angus Council may require development proposals to incorporate adaptation measures including:

- o use of flood resistant materials and construction techniques;
- o removal of culverts and other engineering works where opportunity arises and avoidance of development over or requiring new culverts or other unnecessary engineering works unless there is no practical alternative:
- o minimising the area of impermeable surfaces by using permeable surfaces where possible for car parking and hard landscaping and where appropriate, green roofs and green infrastructure; and
- o natural flood management measures which reduce water flow and enhance biodiversity and the quality of the water environment. Such schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

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)

Policy PV16: Coastal Planning

The Coast is subject to natural and human pressures ranging from climate change to caravan parks. The environmental, economic and defensive role of the coast will be protected by Angus Council and development proposals will be assessed within the context of the Shoreline Management Plan (SMP) and relevant landscape capacity studies.

Development requiring new sea defences will not be supported and proposals should be directed to the

developed coast or be associated with existing development.

Within the undeveloped coast proposals will only be supported where there is:

- o a justifiable locational requirement for the development;
- o no conflict with designated or proposed marine heritage sites; and
- o no conflict with existing coastal protection works.

Areas liable to ground instability and at risk from current or future inundation as identified in the second SMP for Angus will be considered for managed realignment.

Angus Council will work with adjacent terrestrial and marine authorities as appropriate to promote coordinated coastal planning on and offshore and will consider development proposals within this context.

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.

Thursday, 24 August 2023



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 - <u>DevelopmentOperations@scottishwater.co.uk</u>
www.scottishwater.co.uk



Dear Customer.

Former Seaforth Hotel, Dundee Road, Arbroath, DD11 1QD

Planning Ref: 23/00558/FULL Our Ref: DSCAS-0092983-PSQ

Proposal: Mixed use development comprising café and drive thru

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. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

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

This proposed development will be fed from Lintrathen Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contact Development Operations.

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 <u>our Customer Portal</u>.

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 <u>our Customer Portal</u> 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-Domestic 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 launderettes. 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 5kg 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,

Ruth Kerr.

Development Services Analyst 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."

Ben Freeman

From: Planning South <Planning.South@sepa.org.uk>

Sent: 24 August 2023 10:27

To: PLNProcessing Cc: Ben Freeman

Subject: SEPA Ref: 10267 - 23/00558/FULL

OFFICIAL

Dear Ben Freeman

Town and Country Planning (Scotland) Acts
23/00558/FULL
Mixed use development comprising café and drive thru
Site Of Former Seaforth Hotel Dundee Road Arbroath

In line with the advice in the <u>Transitional Arrangements for National Planning Framework 4 letter</u>, issued by the Chief Planner, Fiona Simpson, on 8 February 2023, that "From 13 February, on adoption and publication by Scottish Ministers, NPF4 will form part of the statutory development plan, along with the LDP applicable to the area at that time and its supplementary guidance. NPF4 will supersede National Planning Framework 3 and Scottish Planning Policy (SPP) (2014). NPF3 and SPP will no longer represent Scottish Ministers' planning policy and should not therefore form the basis for, or be a consideration to be taken into account, when determining planning applications on or after 13 February", our position and advice given below is based on the NPF4 policy.

Thank you for the above consultation. Based on the information provided, it appears that this application falls below the thresholds for which SEPA provide site specific advice. Please refer to our consultation framework and standing advice, which is available on our <u>website</u>.

If after reading the standing advice you still require comments from SEPA on a specific matter, before reconsulting us please consider whether this case could be effectively dealt with in the regular Council/SEPA triage meeting.

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

Kind regards, Stephanie Balman Planning Officer

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.

Planning Consultation Response from Aberdeenshire Council Archaeology Service		
Planning Application	23/00558/FULL	
No		
Planning Officer	Ben Freeman	
Proposal	Mixed use development comprising café and drive thru	
Address	Site Of Former Seaforth Hotel Dundee Road Arbroath	
Grid Reference	NO63524018	

(a)	I OBJECT to the application for the reason(s) as stated below	
(b)	I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal	х
(c)	I have NO OBJECTIONS to the application subject to condition(s) and/or	

- (d) Further information is required in order to consider the application as set out
- Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

I have the following comments to make on the application:

comment(s) about the proposal as set out below

Further information required to consider the application

Contact: Claire Herbert

email address:

archaeology@aberdeenshire.gov.uk

Date: 31/08/2023

Phone No: 01467537717

Ben Freeman

From: Martin Petrie

Sent: 07 September 2023 15:22

To: Ben Freeman

Subject: FW: Planning Application Consultation 23/00558/FULL flare 553717

Attachments: ufm15_E-mail_-_Standard_Consultation.pdf

Hi Ben

I can now advise that I have had a chance to peruse the documents for this application and my thoughts are:

This application introduces a drive through coffee shop on the site of a former hotel and as such there is the potential for loss of residential amenity through odour and noise. The closest residential receptor is around 200 metres away, therefore I have few concerns with respect to this proposal but would recommend the undernoted conditions be attached to any consent.

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

Kind regards

Martin

Conditions

All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.

----Original Message-----

From: Linda Petrie < PetrieL@angus.gov.uk >

Sent: 22 August 2023 11:14

To: Martin Petrie <PetrieM@angus.gov.uk>

Subject: FW: Planning Application Consultation 23/00558/FULL flare 553717

Please see attached document.



Memorandum

Infrastructure & Environment Roads & Transportation

TO: DEVELOPMENT STANDARDS MANAGER, PLANNING

FROM: TRAFFIC MANAGER, ROADS

YOUR REF:

OUR REF: CH/AG/ TD1.3

DATE: 02 OCTOBER 2023

SUBJECT: PLANNING APPLICATION REF. NO. 23/00558/FULL - PROPOSED

ERECTION OF A CLASS 3 COFFEE SHOP WITH ANCILLARY DRIVE THRU

FACILITYAT QUEENS DRIVE, ARBROATH

I refer to the above planning application.

The National Roads Development Guide, adopted by the Council as its road standards, is relative to the consideration of the application and the following comments take due coanisance of that document.

The site is located on the south side of A92 Dundee Road, lying to the southwest of Arbroath Town Centre, immediately to the east of the West Links common area on the site of the former Seaforth Hotel.

The application is supported by a Transport Statement (TS), dated August 2023. The TS has considered the multi-modal transport links to and from the site. The statement concludes that the site is accessible to all modes of transport and that no mitigation measures are necessary on the public road network. The TS estimates that the proposal would generate 55 and 38 vehicle trips in the morning and afternoon peaks of which a large proportion will be pass-by trips already on the road network.

Access

The proposed development will be accessed directly from Queens Drive which previously served the Seaforth Hotel. The former site had an "in" and "out" facility, however, for the new development it is proposed to alter this arrangement to a single two-way access point. This access has been located such that it provides good separation from the adjacent junction onto the A92 and has good visibility sightlines.

The main access from Queens Drive onto the A92 is a standard priority junction with good visibility in both directions.

The TS includes swept path drawings which show that the appropriate service vehicles can safely access the development.

Parking

The council's parking standards for Cafes is one space per 5sq.m. Submitted drawing number SP-02 give a site area of 2412sq.m. A measurement of the building gives a total of 221sq.m. and the submitted drawing shows 30 parking spaces, eight of which are to be for EVs and two spaces are to be for disabled bays. A minimum of three disabled bays should be provided.

However there does not seem to be any provision for cycle parking but the TS clarifies that three new Sheffield Cycle Stands will be introduced adjacent to the unit frontage which will accommodate 6 bicycles.

I have considered the application in terms of the traffic likely to be generated by it, and its impact on the public road network. As a result, I do not object to the application but would recommend that any consent granted shall be subject to the following conditions:

That, prior to the occupation or use of the building, facilities for parking shall be provided within the site curtilage at the following rates.

Mode	Parking Provision
Bicycles	2 Spaces per 100sqm of GFA
Motorcycles	1 Space + 1 space per 20 car spaces
Disabled Bays	3
Cars	25

The provision for cyclists shall be conveniently located for the main public entrance to the development and shall be covered, lit and adequately signed.

Reason: to ensure that suitable parking arrangements are provided in a timely manner and in order to encourage multi-modal means of travel.

I trust the above comments are of assistance but should you have any queries, please contact Adrian Gwynne on extension 2036.

pp

Comments for Planning Application 23/00558/FULL

Application Summary

Application Number: 23/00558/FULL

Address: Site Of Former Seaforth Hotel Dundee Road Arbroath Proposal: Mixed use development comprising café and drive thru

Case Officer: Ben Freeman

Customer Details

Name: Mr Damian McCarthy

Address: 39 Arbroath

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: A global business should not be supported, a drive through coffee shop will impact on the environment in all aspects. Arbroath should not be treated as a drive through or truck stop. Support should be given to the local community which will in turn support the community, please do not turn it over to a faceless global industry.

Comments for Planning Application 23/00558/FULL

Application Summary

Application Number: 23/00558/FULL

Address: Site Of Former Seaforth Hotel Dundee Road Arbroath Proposal: Mixed use development comprising café and drive thru

Case Officer: Ben Freeman

Customer Details

Name: Mr Aaron McCarthy

Address: 44 Kinnaird Street Arbroath

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Dear Angus Council Planning department,

I'm generally for development of this site for economic benefits, however I would like to see an approach that address a more sustainable/ accessible approach. It would be good to see this type of development go above and beyond as a leading example of sustainable, accessible economic development for the area.

Considering Arbroath is still developing the Places for Everyone scheme, it seems this development for a drive-thru is very much a backwards step. This area already prioritises vehicles to the point where it is a detriment to walk, cycle or wheel in the area (accessing West Links Park, Gayfield Park for example).

I would like to see further work done to address sustainable travel in the plan i.e bike parking facilities on site, smart junctions and a report on the wider footprint of the area, in particular the expected impact on parking/ road areas to access Westlinks Park and the shared footpath/ cycle way on the Dundee Road.

I would also like to see some work towards the impact this will have on sustainable and active tourism, whether this will be a benefit or a detriment to the beachfront. I've noted the NCN 1 has recently been included in new cycle tour routes (The Pictish Trail in particular), with Angus coming in for heavy criticism for lack of access through the area from users of the route.

Considering the recent planning application for a retail park around the corner was called "against development policy", this is disappointing to see yet another drive-thru being prioritised.

AC8

I would also like to refer to the Tayside and Central Scotland Regional Transport Strategy 2024-2034 which acknowledges Angus and Tayside have a 11% increase on the rest of Scotland for car use. How would this development impact on this?

Many thanks, Aaron McCarthy





STARBUCKS®

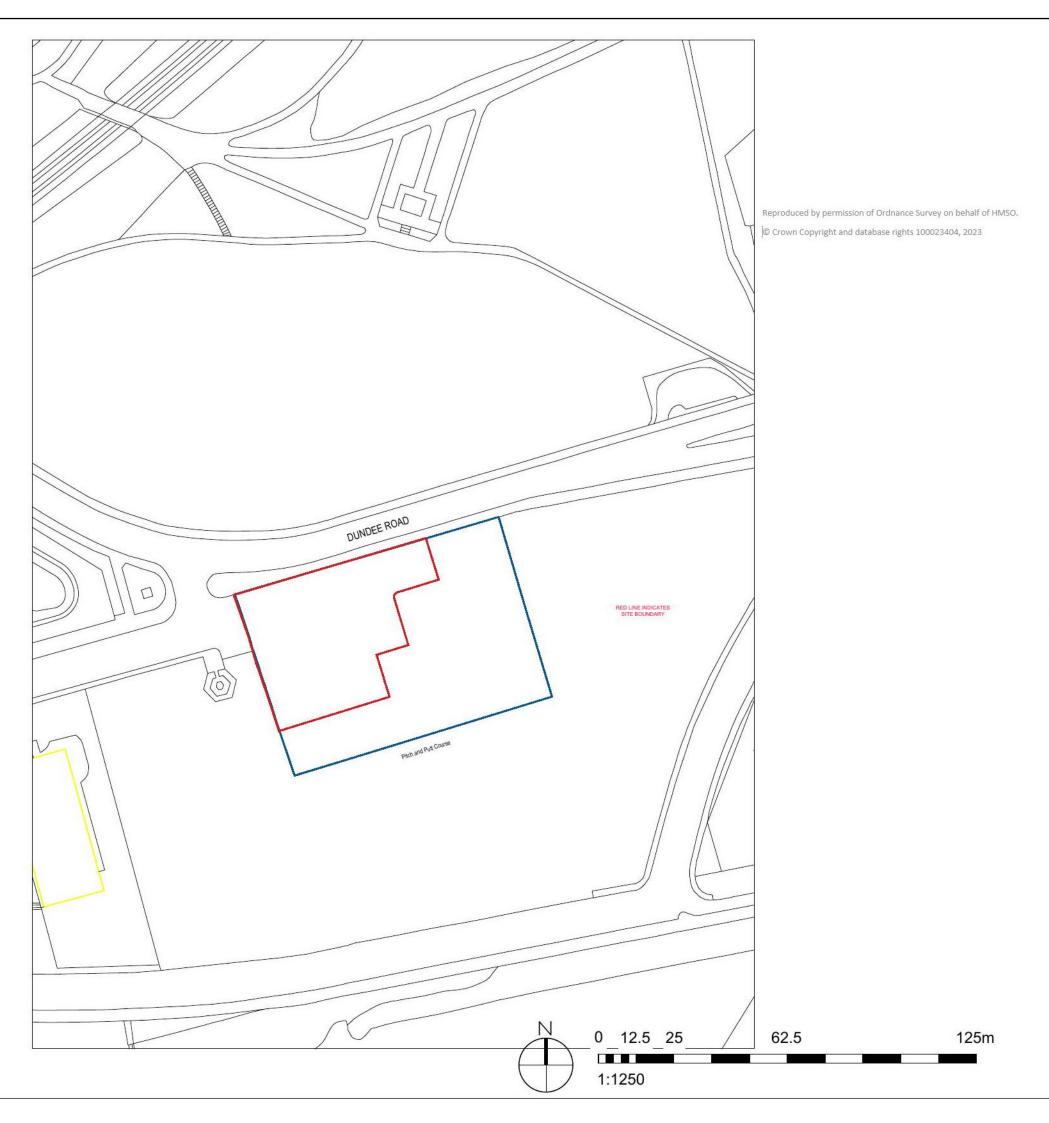
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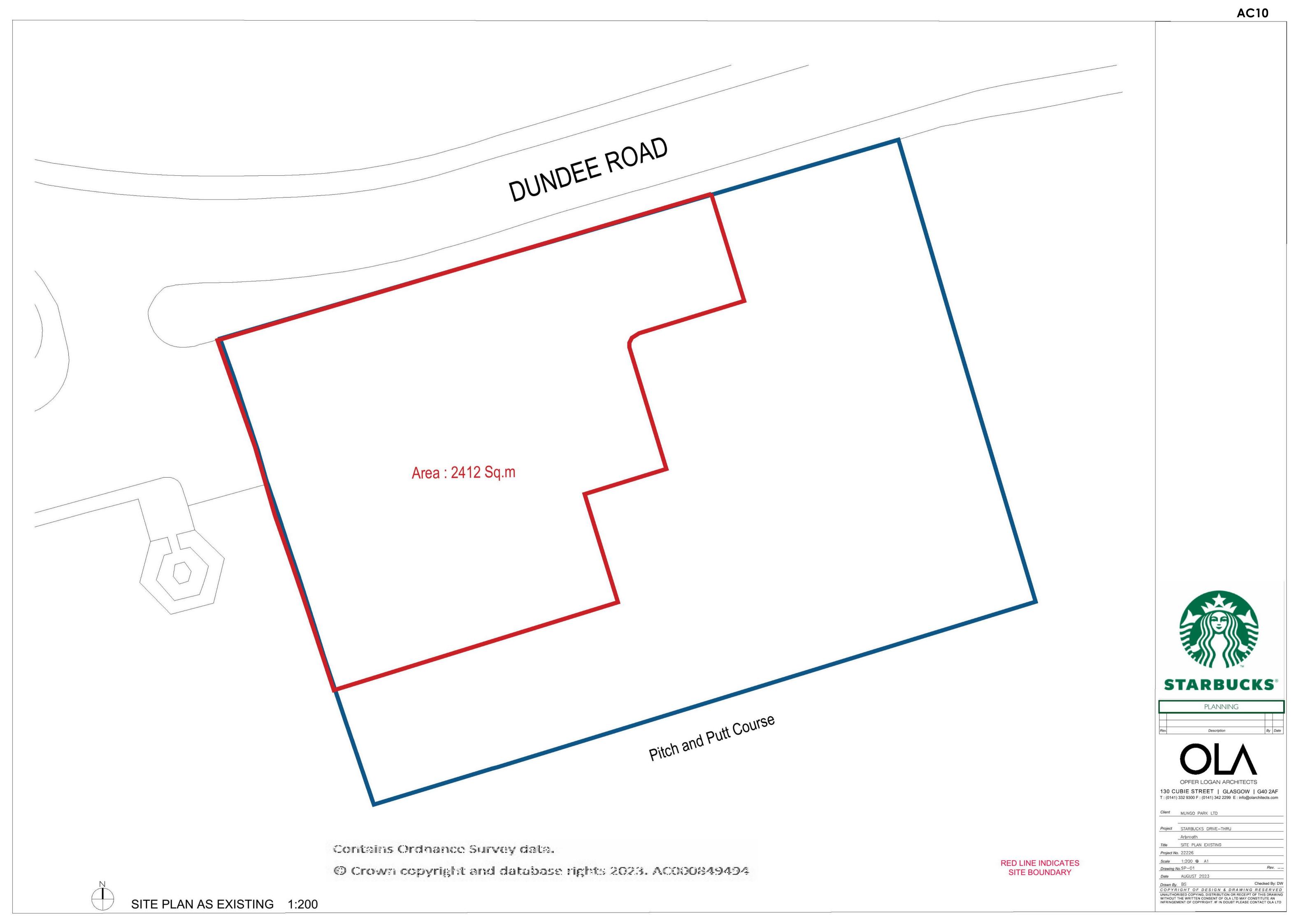


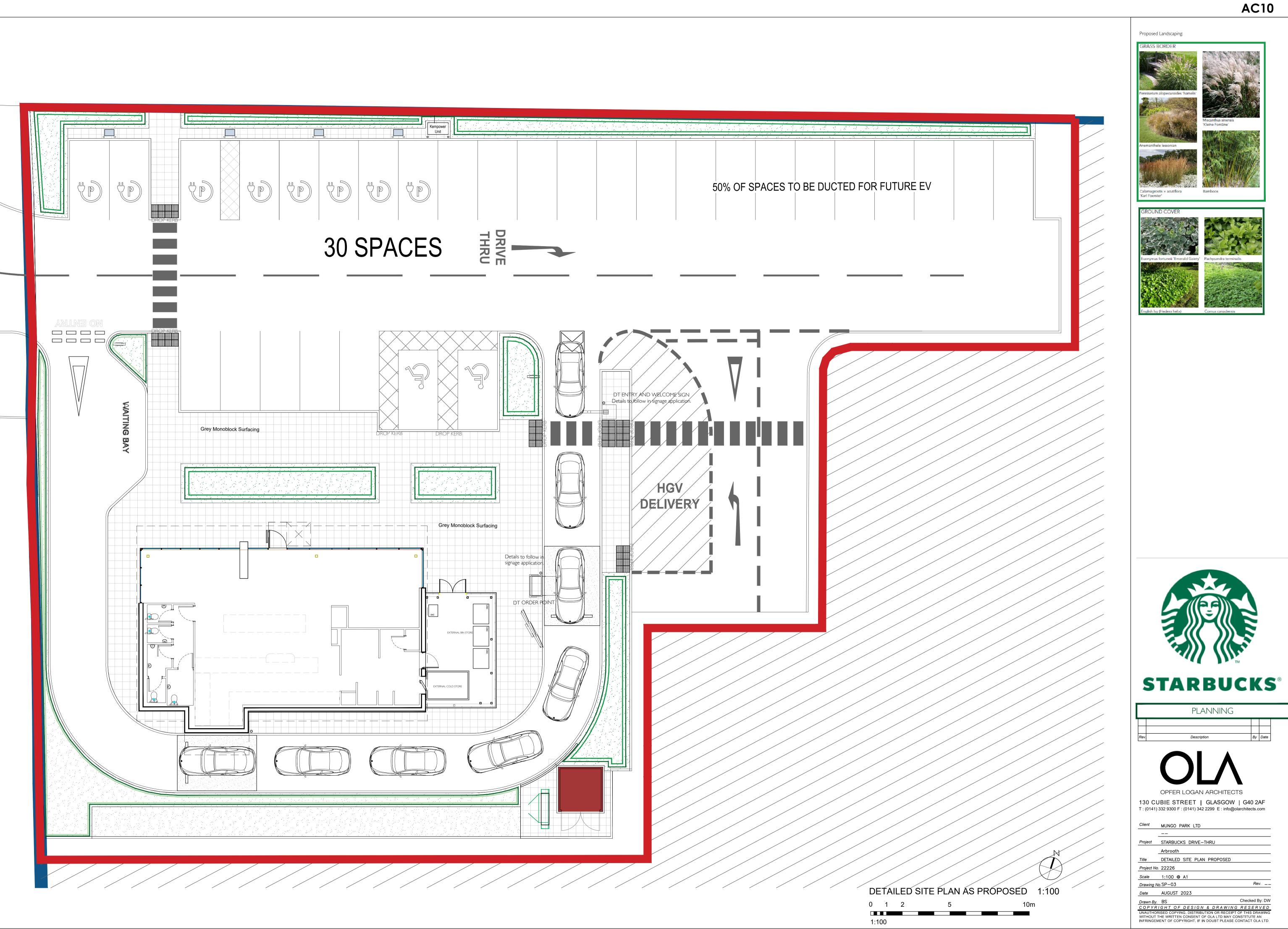
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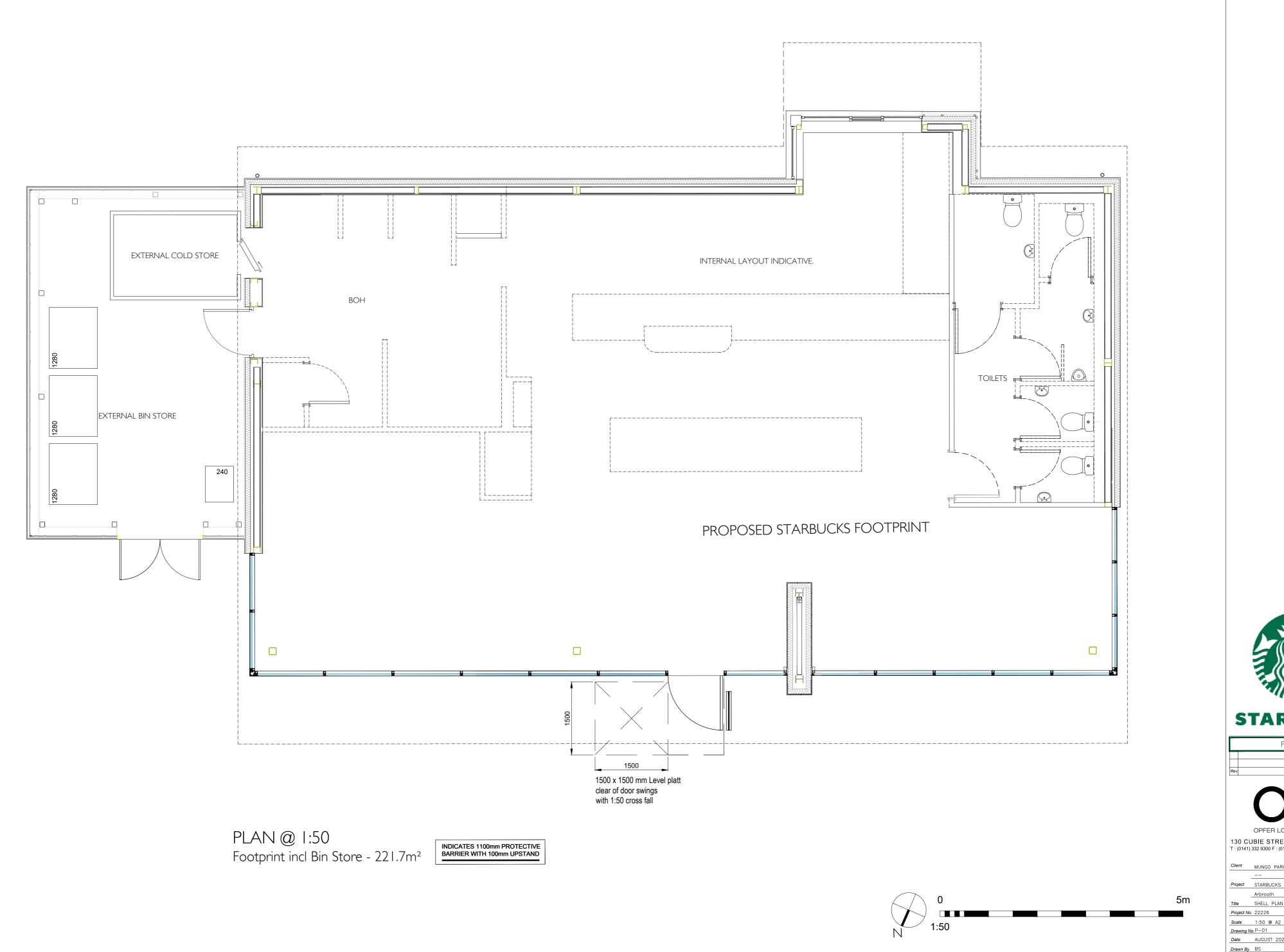
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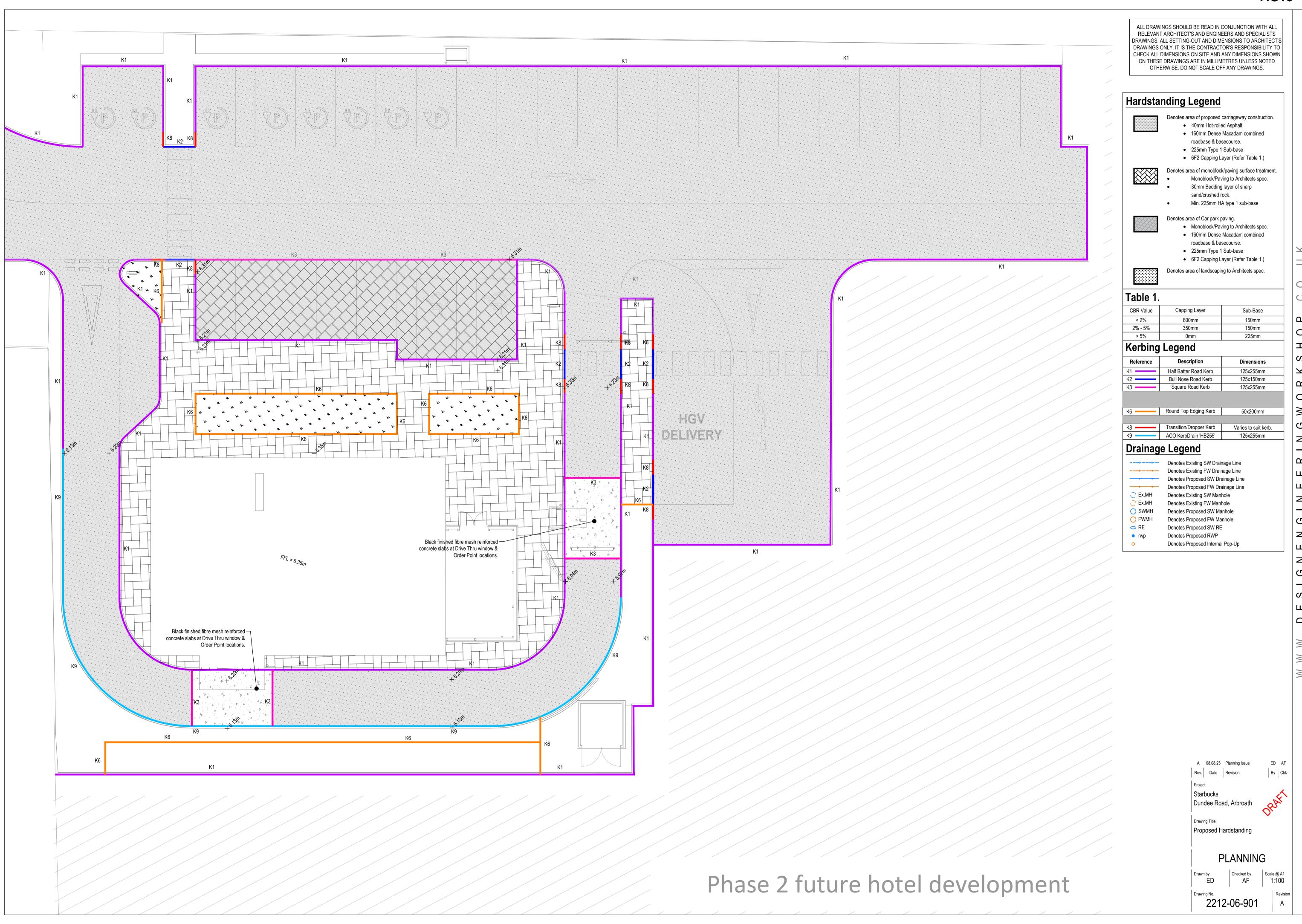
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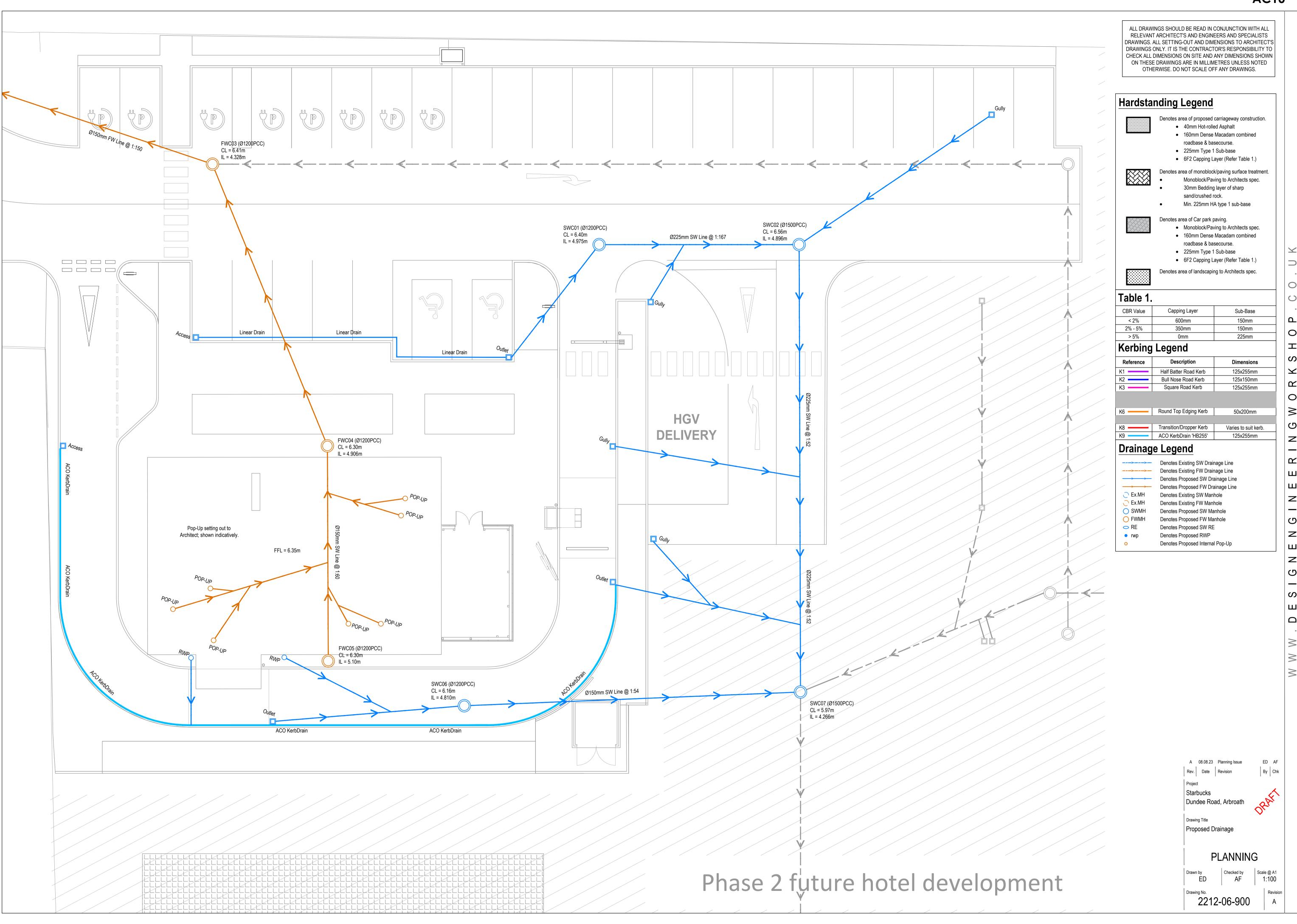
Client MUNGO PARK LTD Project STARBUCKS DRIVE-THRU

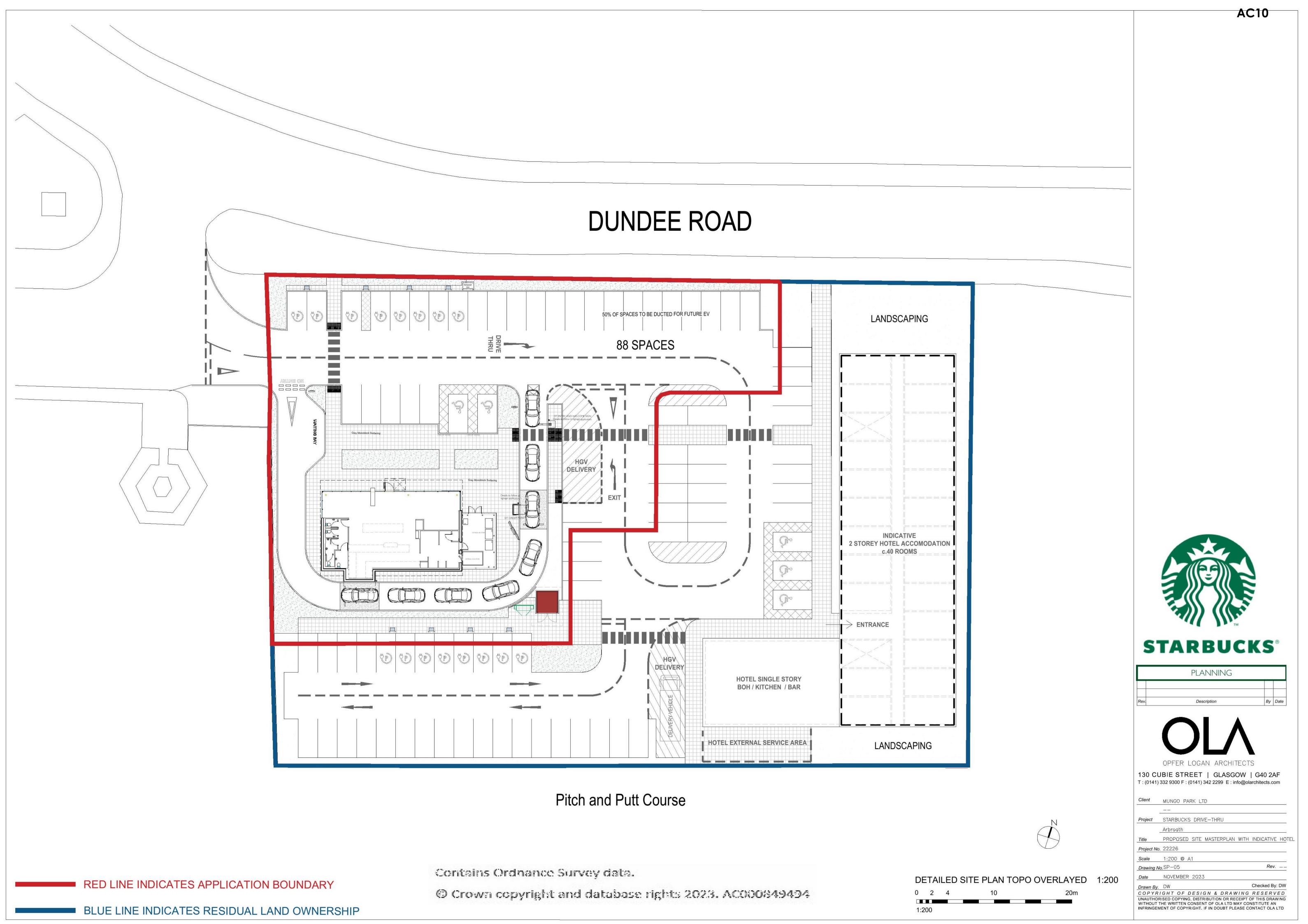
Title SHELL PLAN AS PROPOSED Project No. 22226

Date AUGUST 2023

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ANGUS COUNCIL

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



PLANNING PERMISSION REFUSAL REFERENCE: 23/00558/FULL

To Mungo Park Ltd & CW Properties c/o Opfer Logan Architects
Bharghav Somarouthu
130 Cubie Street
Glasgow
G40 2AF

With reference to your application dated 17 August 2023 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel Dundee Road Arbroath for Mungo Park Ltd & CW Properties

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

The reasons for the Council's decision are:-

- 1. The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2. The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Amendments:

The application has not been subject of variation.

Dated this **20 November 2023**Jill Paterson
Service Lead
Planning and Sustainable Growth
Angus Council
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

The duration of any permission granted is set out in conditions attached to the permission. Where no conditions are attached the duration of the permission will be in accordance with sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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 AC11

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 Angus House Orchardbank Business Park Forfar DD8 1AN

Telephone 03452 777 780

E-mail: <u>planning@angus.gov.uk</u>
Website: www.angus.gov.uk



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
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with 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 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.



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 of the planning authority
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement 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 beginning with the date of this notice. The notice of review should be addressed to 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 website 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.



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FLOOD RISK ASSESSMENT

PUB RESTAURANT & LODGE DEVELOPMENT
DUNDEE ROAD
ARBROATH



JOB NO: 12008

DATE: 12th December 2017











DOCUMENT HISTORY

Revision	Description	Date
-	First Issue.	12.12.17

CONTENTS

1.	INTRODUCTION
2.	SITE LOCATION AND TOPOGRAPHY
3.	EXISTING GROUND CONDITIONS
4.	EXISTING DRAINAGE CHARACTERISTICS
5.	PROPOSED SCHEME
6.	SOURCES OF FLOODING
7.	MANAGING THE RISK OF FLOODING
8.	SURFACE WATER MANAGEMENT & DRAINAGE STRATEGY
9.	FOUL WATER DRAINAGE STRATEGY
10.	CONCLUSIONS11

APPENDICES

APPENDIX A: TOPOGRAPHICAL SURVEY

APPENDIX B: SCOTTISH WATER RECORDS & CORRESPONDENCE

APPENDIX C: SITE LAYOUT PLAN

APPENDIX D: SFRA & SHORELINE MANAGEMENT PLAN FLOOD MAPS

APPENDIX E: SOAKAWAY TEST RESULTS

APPENDIX F: PROPOSED DRAINAGE & FINISHED LEVEL LAYOUT

APPENDIX G: MICRODRAINAGE DESIGN RESULTS

APPENDIX H: DRAINAGE IMPLEMENTATION PLAN

APPENDIX I: DRAINAGE MAINTENANCE & MANAGEMENT PLAN

JOB NO:	12008	ISSUE NO:		ISSUE DATE:	12.12.17	Page 2 of 21
AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Cro	owther



1. INTRODUCTION

- 1.1 This report has been prepared by Simpson Associates on behalf of Marston's Inns & Taverns to accompany a planning application for a proposed pub restaurant and lodge development at Dundee Road, Arbroath.
- 1.2 The report considers the flood risk associated with the development proposals, which will comprise of a 150 cover pub restaurant and 24 bed lodge with associated car park, yard, garden, terrace and play area.
- 1.3 The report also details a strategy for the disposal of foul and surface water runoff that will generated by the development.
- 1.4 The report has been prepared in accordance with Scottish Planning Policy SPP7 Planning & Flooding, which provides advice on development and flood risk.

2. SITE LOCATION AND TOPOGRAPHY

2.1 The site is located at the western junction of Dundee Road and Queens Drive as shown on *Figure 1* below. The site is centred on Ordnance Survey grid reference NO635402 and co-ordinates X: 363518, Y: 740202, while the nearby post code is DD11 1QD.



Figure 1: Site Location

2.2 The site is approximately 0.56 hectares in area and is currently vacant. It is bounded by Dundee Road to the north, Queens Drive to the west and a pitch and put golf course to the south and east.

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AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Cro	owther



2.3 A topographical survey of the site is included in *Appendix A*. The survey shows the site to vary in level from a contour level of approximately 7.00mAOD along the north-eastern boundary to a contour level of approximately 5.50mAOD along the south-western boundary.

3. EXISTING GROUND CONDITIONS

- 3.1 A geo-environmental report ref. SHF.413.003.GE.R.001.A has been prepared to accompany a planning application and includes a site investigation, which reports the ground conditions at the site to comprise topsoil between 0.1 to 0.7m in thickness overlying a layer of Made Ground between 0.1 to 1.7m in thickness consisting of gravelly sand and gravelly sandy clay with occasional coal, concrete, ash, and brick fragments. The Made Ground was underlain by Raised Marine Deposits between 0.5 to >2.0m in thickness consisting of clayed/silty sand and gravel.
- 3.2 An isolated area of groundwater was encountered within the south-western part of the site during site works at a depth of 2.00mbgl.
- 3.3 No evidence of contamination that would warrant the need for remediation was identified on site or from chemical testing results.
- 3.4 BRE 365 soakage testing carried out during the site investigation established a soakage rate of 3.42x10⁻⁴. Therefore, it is proposed to discharge surface water runoff from the development to ground via infiltration drainage techniques.

4. EXISTING DRAINAGE CHARACTERISTICS

- 4.1 The site is currently undrained. The nearest drainage infrastructure is shown on Scottish Water's Sewer Records included in *Appendix B*.
- 4.2 The records show a combined sewer along the sites northern boundary. The surveyed route of the sewer is shown on the topographical survey included in *Appendix A*.

5. PROPOSED SCHEME

- 5.1 The development proposals comprise of a 150 cover pub restaurant and 24 bed lodge with associated car park, yard, garden, terrace and play area. A car park, yard, garden, terrace and play area also form part of the development proposals.
- 5.2 Vehicle access would be gained from Queens Drive while pedestrian access would be gained from Dundee Road.
- 5.3 A plan showing the overall site layout is included in *Appendix C*.

6. SOURCES OF FLOODING

6.1 Angus Council have produced a Strategic Flood Risk Assessment (SFRA), which is dated February 2015 and provides details of sources of flood risk within the local area. The flood risk associated with sources of flooding identified within the report has been reviewed under the headings below.

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Tidal / Fluvial Flooding

- 6.2 The Scottish Environment Protection Agency (SEPA) has derived indicative flood maps of Scotland, from which it is possible to initially identify whether a site is located within an area that is at risk of tidal / fluvial flooding. The maps, which are available on SEPA's website, categorise land as being within areas at little or no risk of flooding, low to medium risk of flooding and medium to high risk areas of flooding.
- 6.3 The definitions of the Flood Zones extracted from Scottish Planning Policy SPP7 Planning & Flooding are described below:
 - Little or no risk area Annual probability of watercourse, tidal or coastal flooding: less than 0.1% (1:1000).
 - Low to medium risk area Annual probability of watercourse, tidal or coastal flooding: in the range 0.1% 0.5% (1:1000 1:200)
 - Medium to high risk area Annual probability of watercourse, tidal or coastal flooding: greater than 0.5% (1:200)
- 6.4 The flood zone map in *Figure 2* below has been taken from SEPA's website and shows the site and surrounding area to be located outside of low to high risk areas of fluvial / tidal flooding. Therefore, the site is assessed to be in an area at little or no risk of tidal / fluvial flooding.

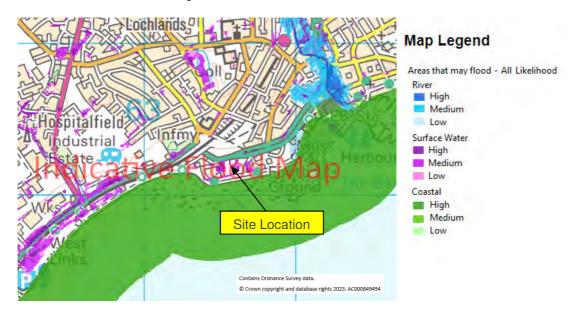


Figure 2: SEPA Indicative Flood Map

- 6.5 This corresponds with advice contained in Angus Council's SFRA, which identifies the site to be allocation A7 and not at risk of tidal / fluvial flooding. The associated map and table extracted from the SFRA is included in *Appendix D*.
- 6.6 Flood maps extracted from the Angus Shoreline Management Plan SMP2 are also included in *Appendix D*, which identify the site to not be at risk of coastal flooding / erosion.

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Surface Water Flooding

6.7 SEPA have modelled locations along critical flow paths and areas situated in topographic depressions, which could flood following an extreme rainfall event when drainage capacity has been exceeded. Figure 3 below shows a surface water flood risk map taken from the SEPA's website with the approximate location of the site identified.



Figure 3: SEPA Indicative Surface Water Flood Map

- 6.8 Figure 3 shows the south-western part of the site to be at low to medium risk of surface water flooding. This area is the sites natural low point and flooding would be linked to the accumulation of overland runoff from the wider site for a severe rainfall event.
- 6.9 To manage the risk from surface water flooding it is recommended that the buildings floor level is raised above surrounding areas with finished levels designed to convey flood flows away from buildings.
- 6.10 Whilst the site does not appear to be at significant risk of surface water flooding new development can increase the volume and rate at which surface water runoff is discharged from a site, which can cause an increase in surface water flood risk both on the site and elsewhere within the catchment. It is recommended that Sustainable Urban Drainage Systems (SUDS) are used to minimise the rate of discharge, volume and environmental impact of surface water runoff to ensure that the development can be occupied and operated safely and that there will be no increase in the level of surface water flood risk to the site or neighbouring sites because of the development.

Groundwater Flooding

6.11 SEPA has derived indicative groundwater flood maps, which shows where groundwater could influence the duration and extent of flooding from other sources.

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Figure 4: SEPA Indicative Groundwater Flood Map

- 6.12 Figure 4 shows a groundwater flood risk map taken from the SEPA's website, which indicates the site to be some distance from an area where groundwater flooding could influence the duration and extent of flooding from other sources.
- 6.13 Further to this *Section 3* identified that monitoring undertaken as part of an intrusive site investigation recorded a minimum groundwater level of 2.00m bgl in the southwestern part of the site.
- 6.14 Based on the above and the fact that no subterranean (basement) development is proposed, which would generally be most at risk of flooding from this source, the development is assessed to not be at risk of groundwater flooding.

Sewer Flooding

- 6.15 Scottish Water have confirmed that the existing combined sewer can accommodate foul water flows from the development but surface water should not be discharged to the sewer unless under exceptional circumstances it could be demonstrated that there were no reasonable alternative destinations available for the disposal of surface water runoff. Correspondence received from Scottish Water is included in *Appendix B*.
- 6.16 Further to the above the site plan in *Appendix C* shows that the building would set back beyond the 3.0m stand-off distance associated with the combined sewer located along the northern boundary and so would not impact on the structural integrity of the sewer.

Flooding from Artificial Sources

6.17 Flooding from artificial sources, is most likely to result from burst water mains or from infrastructure failure in an artificial watercourse or water body, i.e. canals or other water features such as reservoirs. These systems are maintained, improved and regularly inspected by the Canal and River Trust (canals), Scottish Water (water

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- mains) and SEPA (water bodies). Therefore, flood risk from these sources is generally considered to be low.
- 6.18 Indicative flood maps associated with large reservoirs that hold over 25,000 cubic meters of water are available on the SEPA's website. The maps help to identify areas that could potentially be affected by reservoir flooding and display a realistic worst case scenario of the largest area that may be flooded if a reservoir were to fail and release the water it holds.
- 6.19 The Reservoir Flood Map in *Figure 5* below taken from the SEPA's website shows the site to be located some distance from an area that could be affected by reservoir flooding, therefore, the development is not considered to be at risk of flooding from this source.



Figure 5: EA Reservoir Flood Map

- 6.20 There are no canals in the immediate surrounding area, therefore, the development is not considered to be at risk of flooding from this source.
- 6.21 Flood patterns associated with burst water mains would be similar to surface water flood patterns and it is considered that proposals for management of surface water flood risk would adequately address the risk of flooding from a burst watermain.

7. MANAGING THE RISK OF FLOODING

- 7.1 Section 6 of this report has established the site to be generally at low risk of flooding from all sources. However, it was identified that new development could increase the volume and rate at which surface water runoff is discharged from the site, which could cause an increase in surface water flood risk both on the site and elsewhere within the catchment.
- 7.2 It is possible to prevent such an increase in surface water flood risk by using Sustainable Urban Drainage Systems (SUDS), which would help to minimise the rate of discharge, volume and environmental impact of surface water runoff. The following

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section of this report sets out a strategy for the management of surface water runoff from the development using SUDS.

8. SURFACE WATER MANAGEMENT & DRAINAGE STRATEGY

Surface Water Disposal

8.1 The hierarchy for disposal of surface water runoff is summarised in *Table 1* below with an assessment of each methods suitability also provided.

Table 1: Surface Water Runoff Destination Assessment

Surface Water Runoff Destination	Assessment
Into the ground (infiltration)	Soakaway tests carried out on the site recorded an infiltration rate of between 1.7m/hr to 2.4m/hr. The soakaway test results are included in <i>Appendix E</i> . The infiltration rate would permit the disposal of surface water to ground by means of infiltration and given groundwater levels were not found to be high by a site investigation, infiltration drainage techniques are assessed to be appropriate for the disposal of surface water runoff.
To a surface water body	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a surface water body.
To a surface water sewer, highway drain, or another drainage system	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a surface water sewer, highway drain, or another drainage system.
To a combined sewer	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a combined sewer.

Sustainable Urban Drainage Systems (SUDS)

8.2 It is proposed to discharge surface water runoff from the development to ground via infiltration drainage techniques. Within the drainage strategy it is necessary to consider the use of SUDS, which encompass a wide range of drainage techniques intended to minimise the rate of discharge, volume and environmental impact of runoff and include; green roofs / rainwater harvesting; soakaways / infiltration systems; infiltration trenches and filter drains; permeable paving; swales and basins; ponds and wetlands. *Table 2* below provides an assessment of each methods suitability.

Table 2: SUDS Assessment

System	Assessment
Green Roofs	A pitched roof profile is proposed, which is appropriate to the site and its context, therefore, the use of green roofs is not considered suitable for the management of surface water runoff.
Rainwater Harvesting	Rainwater harvesting is unlikely to contribute to a reduction in surface water runoff volumes as the nature of the development would have limited requirement for recycled rainwater. Therefore,

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	rainwater harvesting has not been considered as part of the surface water drainage strategy for the development.
Swales, basins, ponds and wetlands.	The site falls in a south-westerly direction and an infiltration basin is considered appropriate in this part of the site to treat and attenuate runoff prior to allowing surface water to infiltrate into the underlying soils.
Filter Drains	Filter drains are assessed to be appropriate to intercept, retain, and treat precipitation prior to discharging surface water runoff to the infiltration basin.

- 8.3 Based on the assessment in *Table 2*, a surface water drainage scheme has been developed for the site and is shown on the proposed drainage layout included in *Appendix F* with a description of the proposals provided below.
 - Roof water is shown to discharge via a network of underground pipework to an infiltration basin located in the south-western part of the site,
 - Car park runoff is shown to discharge via trapped road gullies to a gravel filled filter drain, which would in turn discharge to the infiltration basin.

Hydraulic Analysis

8.4 The infiltration basin has been designed using the source control facility in the MicroDrainage software package based on the average infiltration rate of 2.1m/hr recorded by a soakaway tests. Design results for a variety of storm events up to and including the 1 in 200 year storm return period with 40% allowance for increase in peak rainfall intensity over the lifetime of the development are included in *Appendix G*. The design results confirm that the infiltration basin would store and attenuate surface water flows for all analysed storm events with no surface water flooding identified.

Exceedance

8.5 In the event that the capacity of the surface water drainage network was exceeded, site levels would allow surface water to be channelled away from the proposed pub restaurant / lodge building and towards the infiltration basin in the south-west corner of the site as shown on the finished level scheme included in *Appendix F*. Further to this the ground floor level of the pub restaurant / lodge building would be raised above surrounding levels, which would adequately address any further risk from exceedance of the capacity of the surface water drainage system.

Water Quality

- 8.6 Where surface water is likely to be contaminated, effective management is required to prevent negative impacts on the receiving water quality and/or protect downstream drainage systems including sewers.
- 8.7 CIRIA report C753 "The SUDS Manual" sets out requirements for delivering appropriate levels of treatment to surface water runoff using SUDS. Table 3 below identifies that the proposed SUDS components would have a total pollution mitigation index equal to or exceeding the recommended pollution hazard index thus confirming the SUDS components would provide suitable treatment to surface water runoff.

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Table 3: Surface Water Treatment

Use	Pollution Hazard Index		Pollution Hazard Index SUDS			Mitigation Index		
	TSS	Metals	TPH	Component	TSS	Metals	TPH	
Roof (Pub)	0.3	0.2	0.05	Porous sub- base	0.4	0.4	0.4	
Car Park (Pub)	0.5	0.4	0.4	Permeable Paving	0.5	0.4	0.4	

Amenity & Biodiversity

8.8 The proposed infiltration basin would provide amenity and biodiversity benefits by providing a habitat for local plants and wild life.

Implementation

8.9 It is recommended that the surface water drainage system is implemented in accordance with the SUDS Implementation Plan included in *Appendix H* with the Contractors Construction Health and Safety Plan to incorporate the measures proposed in plan.

Management & Maintenance Plan

8.10 It is recommended that the surface water drainage system is maintained in accordance with the SUDS Maintenance Plan included in *Appendix I*. The Plan should be incorporated into the site Operation and Maintenance Manual.

9. FOUL WATER DRAINAGE STRATEGY

- 9.1 Scottish Water have confirmed that the existing combined sewer can accommodate foul water flows from the development. Correspondence received from Scottish Water is included in *Appendix B*.
- 9.2 A foul water drainage scheme has been developed for the site on this basis and is shown on the proposed drainage layout plan included in *Appendix F*. The drainage layout plan shows foul water runoff from the development to be discharged to the combined sewer via a traditional network of below ground pipework.

10. CONCLUSIONS

- 10.1 The site is not located in an area at risk of tidal or fluvial flooding. The site was also assessed to be at low risk of flooding from most other sources considered in the Strategic Flood Risk Assessment available on Angus Council's website.
- 10.2 Soakaway tests carried out on the site recorded an average infiltration rate of 2.1m/hr. The infiltration rate would permit the disposal of surface water to ground by means of infiltration and given groundwater levels were not found to be high by a site investigation, infiltration drainage techniques are assessed to be appropriate for the disposal of surface water runoff.
- 10.3 A drainage scheme has been prepared for the development that allows for surface water runoff to be discharged to ground using Sustainable Urban Drainage Systems (SUDS) in the form an infiltration basin. The infiltration basin would ensure that runoff

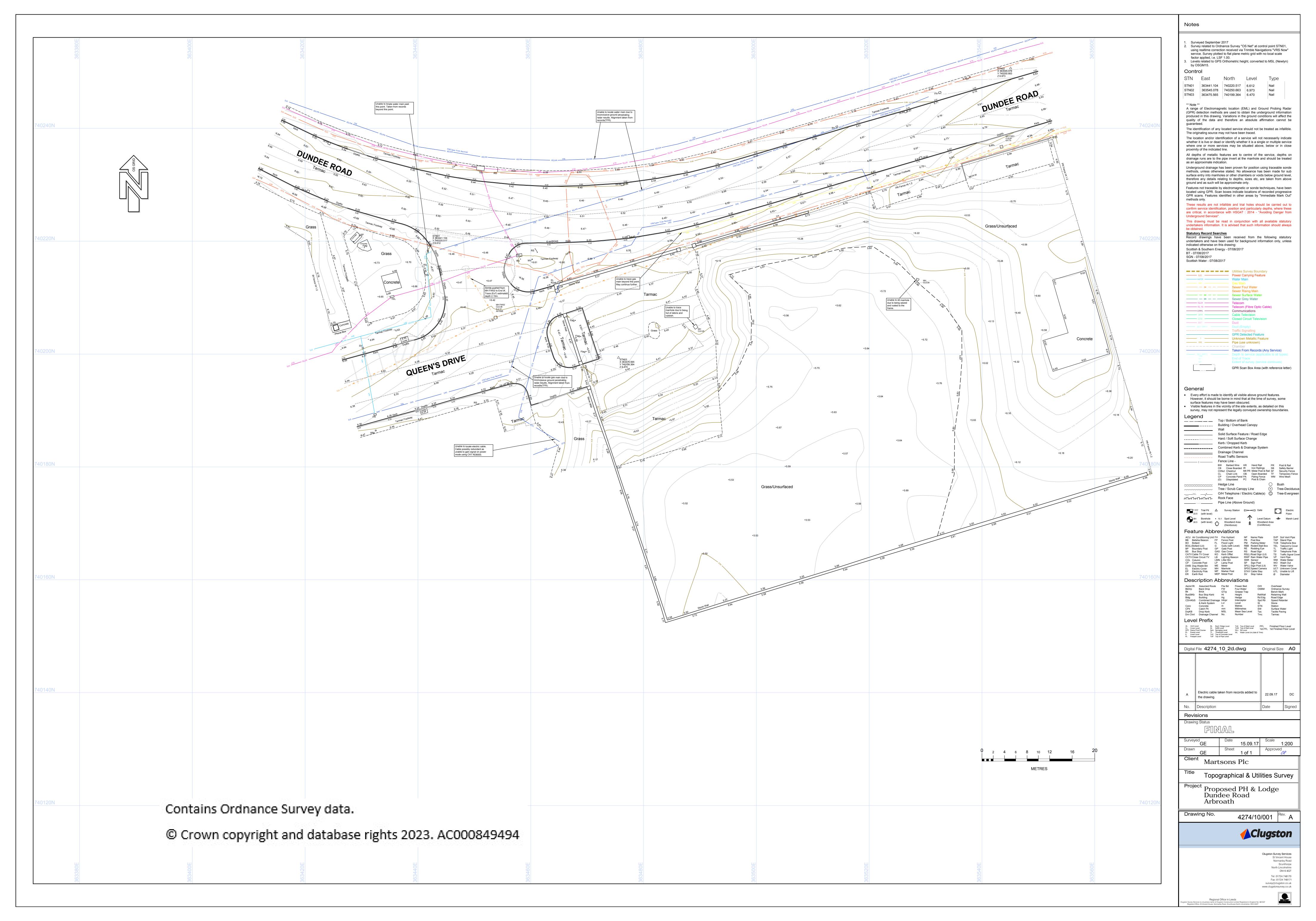
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- is appropriately treated and attenuated on site up to and including a 1 in 200 year plus 40% climate change event.
- 10.4 Scottish Water have confirmed that a combined sewer, located along the sites northern boundary, could accommodate foul water flows from the development.
- 10.5 In terms of flood risk it is concluded that the development can be occupied and operated safely and that there will be no increase in the level of flood risk to the site or neighbouring sites as a result of the development.

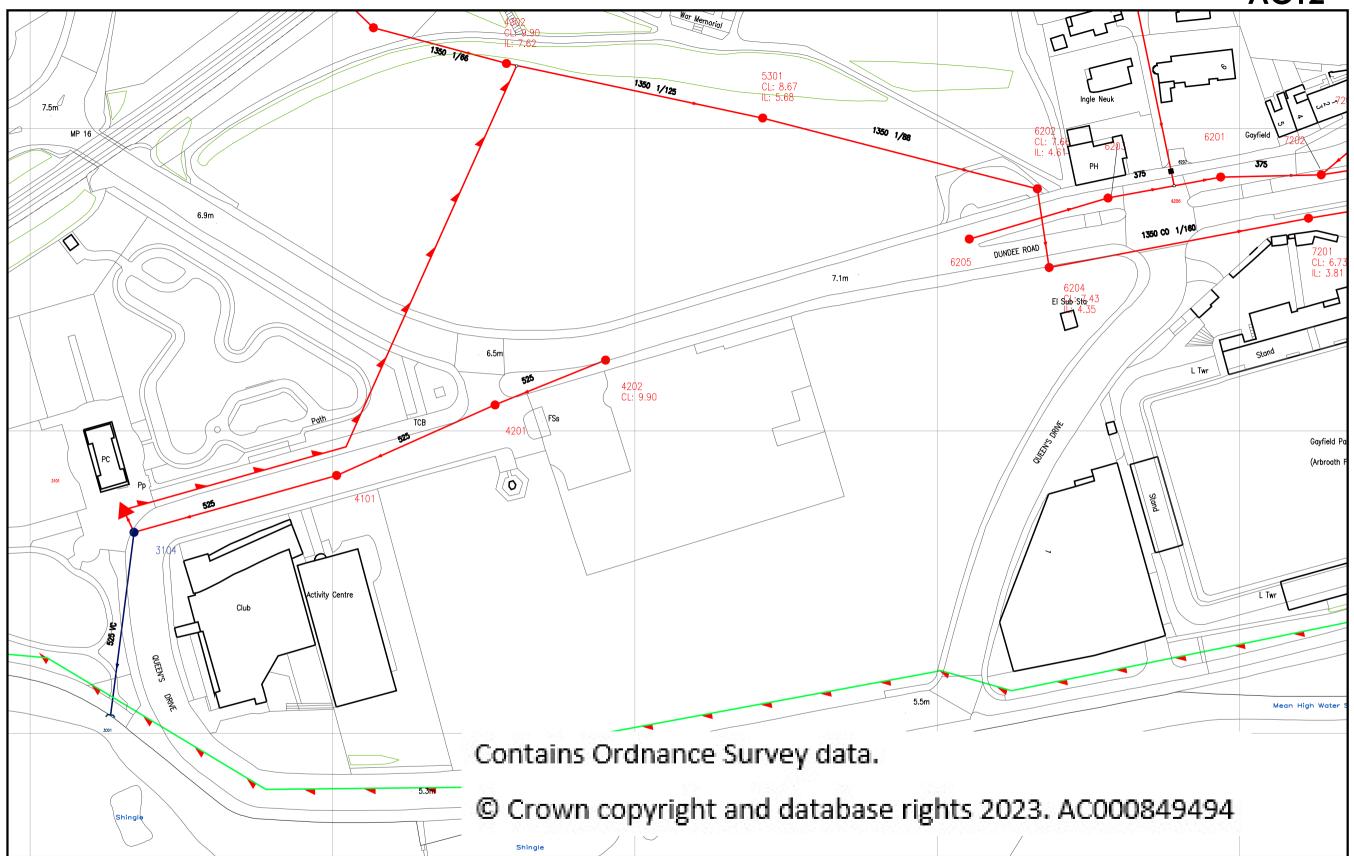
JOB NO:	12008	ISSUE NO:		ISSUE DATE:	12.12.17	Page 12 of 21
AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Crowther	

APPENDIX A
TOPOGRAPHICAL SURVEY



APPENDIX B SCOTTISH WATER RECORDS & CORRESPONDENCE

AC12





The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 07/08/2017

Seaforth Hotel, Dundee Road, Arbroath
Waste Water

Scale:

1:1250

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30th August 2017

Simpson Associates 8 Friday Street Henley-on-Thames Oxfordshire RG9 1AH Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Free phone Number - 0800 389 0379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Mr Singh,

DD11 Abroath Dundee Rd Land south Seaforth Hotel Pre-Development Enquiry Application – Capacity Review Our Ref: 749473

Thank you for your application regarding the above proposed development. Please note our reference number, which should be quoted on all future correspondence.

Following a capacity review we can now confirm the following:

Assessment of capacity at our treatment works:

- There is currently sufficient capacity in the Lintrathen Water Treatment Works to service your development.
- There is currently sufficient capacity in the Hatton PFI Waste Water Treatment works to service your development.
- Please note this is a foul only gravity connection. No discharge of surface water to combined sewer permitted.

Assessment of our network:

 There are no issues currently identified within our water and wastewater network that would adversely affect the demands of your development.

Please note:

Foul connection to connect to existing combined sewer.

- All surface water to be managed onsite. If a SUDS outlet is necessary, then
 attenuated discharge limited to 5 l/s to watercourse would require approval from
 SEPA and Local Authority. No discharge to the combined sewer permitted.
- Foul and surface water to be separated within the development. No build over of any existing sewer. All in accordance with Sewers for Scotland 3rd Ed.

General notes:

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public main. Any property which cannot be adequately serviced using this pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws.
- Scottish Water is unable to reserve capacity therefore connections to the water and wastewater networks can only be granted on a first come first served basis.
 For this reason we will review our ability to serve the development on receipt of an application to connect.
- Please be advised that Scottish Water will only accept surface water into the
 combined network under exceptional circumstances. In the consideration of any
 development, if due diligence has been carried out in fully investigating the
 available options for surface water drainage and if all of these options are
 subsequently deemed unreasonable to pursue, the remaining alternative options
 can then be considered for approval to allow the development to proceed.

Next steps:

You will require to apply for technical approval for your waste water/water infrastructure from our technical design team. In order to apply for technical approval you will need to apply through a licensed provider.

All non domestic connections required as of 1st April 2008 will need to be submitted via a licensed provider. For further details on the licensed providers available at present please go to www.scotlandontap.gov.uk for information on market separation etc.

On agreement of any quote issued by your Licensed Provider, certain procedural elements of the actual request for connection have altered under market competition. You should be aware that approximately **35 business days** notice will have to be supplied to your Licensed Provider for connection requests made from mid-February 2008 onwards.

I trust that the above is acceptable however, if you have any questions relating to the above do not hesitate to contact me at the above address

Yours sincerely

Megan Innes Technical Analyst Megan.Innes2@scottishwater.co.uk

APPENDIX C SITE LAYOUT PLAN



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MARSTONS PLC

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STACKED 150 COVER PUB RESTAURANT & 24 BED LODGE
DUNDEE ROAD ARBROATH

Drawing
SITE LAYOUT

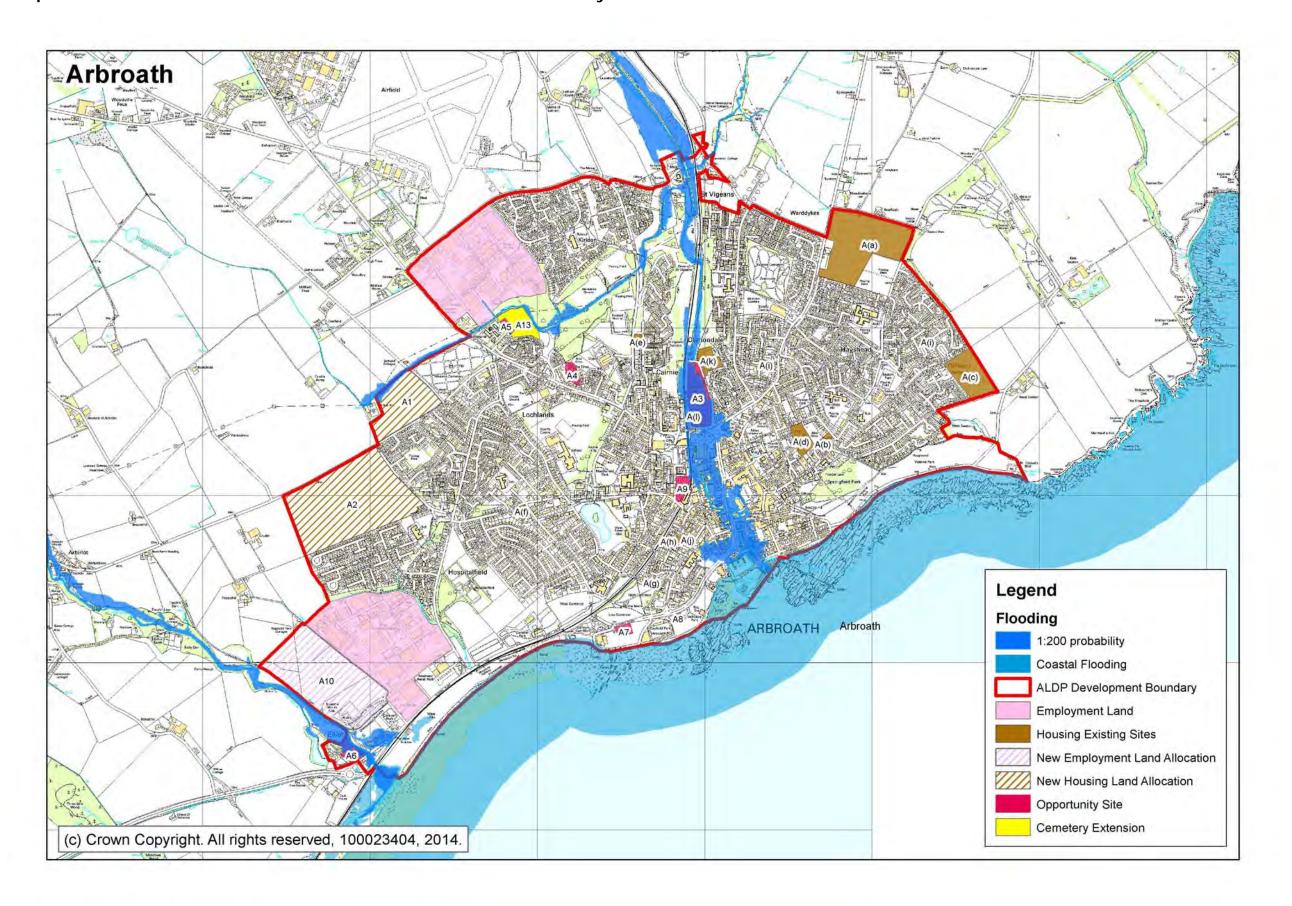


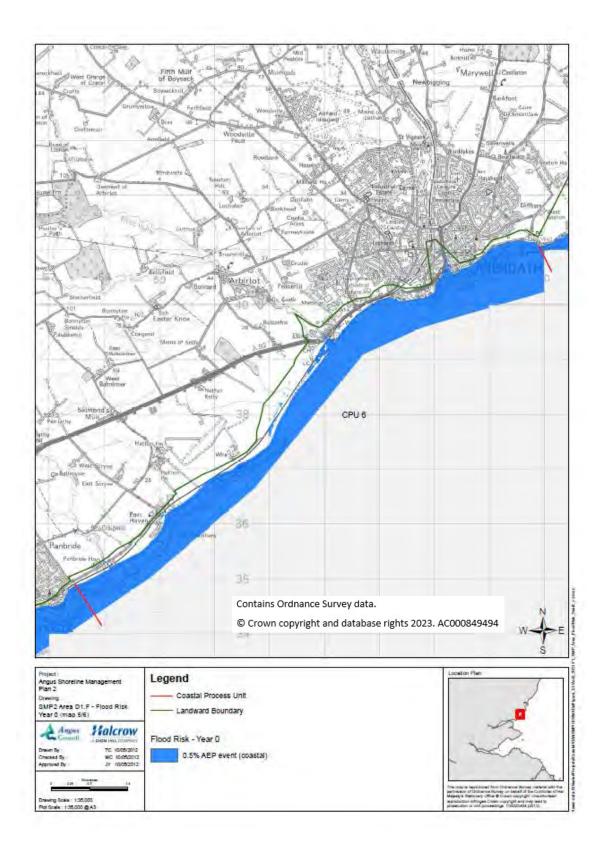
APPENDIX D SFRA & SHORELINE MANAGEMENT PLAN FLOOD MAPS

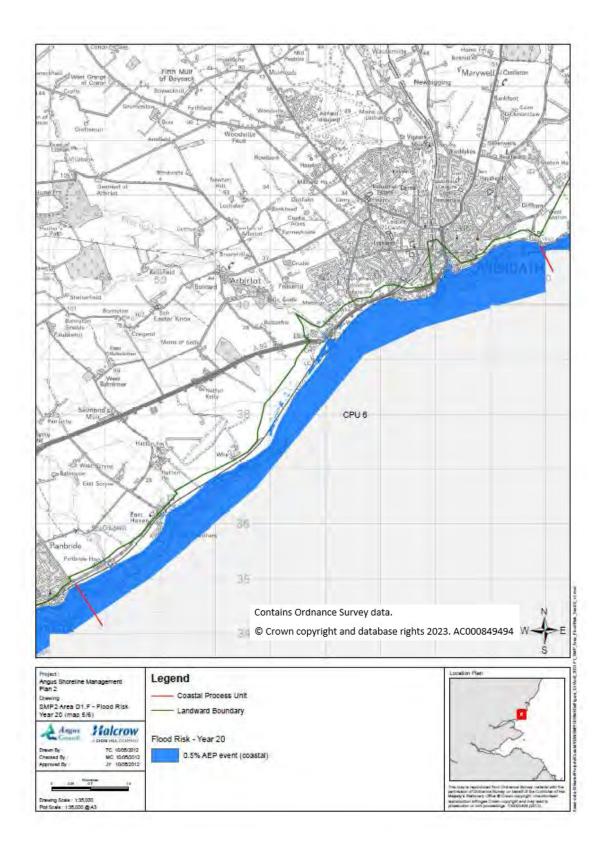
New ALDP allocations

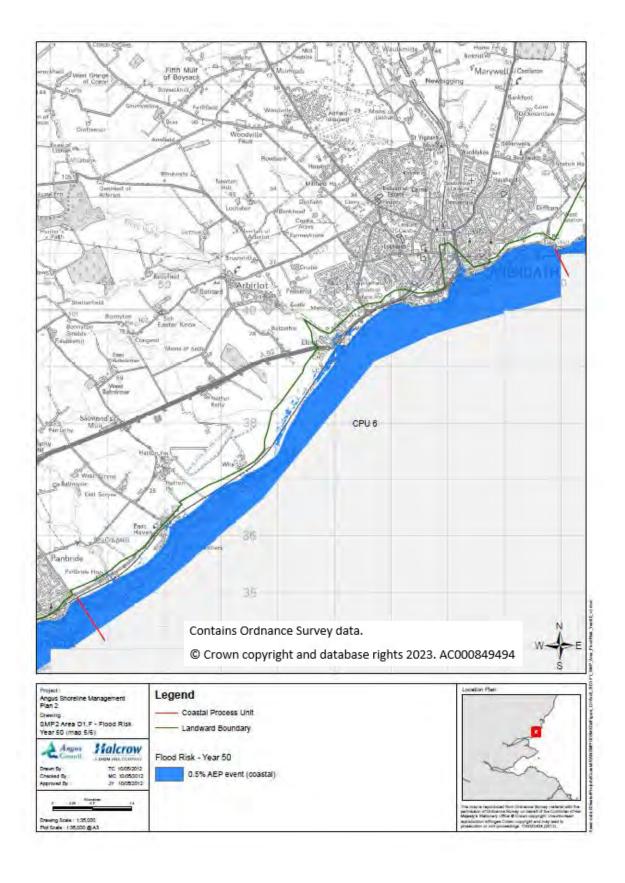
Site ref	Site name	Greenfield or Brownfield	Use	Fluvial	Surface	Coastal	SEPA Comments	F/Def	FRA	Res	STATUS/LA ACTION
A1	Crudie Acres, East Muirlands Road	G/F	Hsg	yes	yes	no		n/k	no	poss	ALDP - Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan required
A2	Crudie Farm, Arbirlot Road West (Phase 1)	G/F	Hsg	no	no	no		n/k	no	poss	ALDP - Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan required
A7	Former Seaforth Hotel	B/F	Opp	no	no	no		n/k	no	no	Redevelopment site – development management will consult with the FPA and apply ALDP policy.
A8	Former Ladyloan Primary School	B/F	Opp	no	ne	no		n/k	no	no	Redevelopment site – development management will consult with the FPA and apply ALDP policy
A13	Western Cemetery Extension	G/F	Cem	yes	yes	no		n/k	no	no	Peripheral within landscaped not burial area.

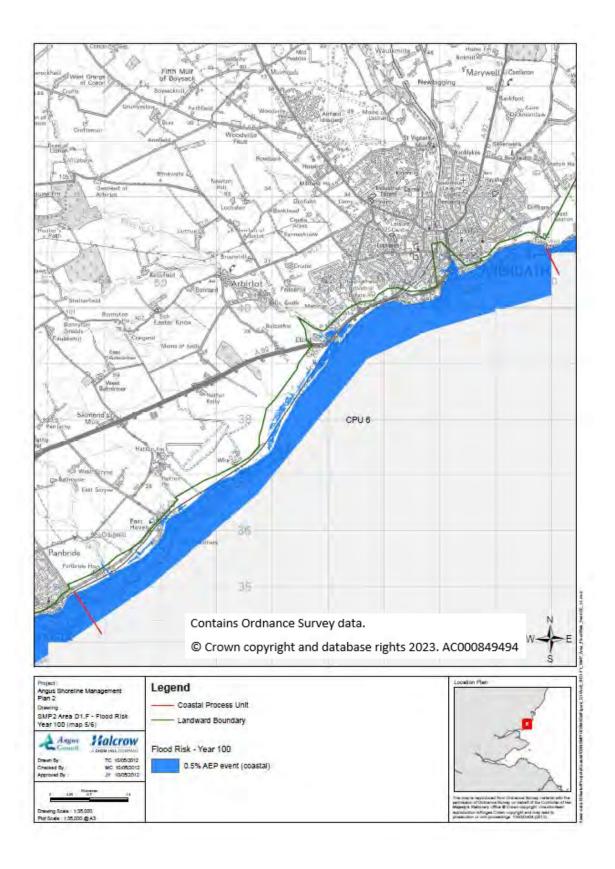
Map 2 ALDP sites / allocations in Arbroath with Coastal and 1:200 year fluvial flood data











APPENDIX E SOAKAWAY TEST RESULTS

ers

Tel: 0141 772 2789
Web: <u>www.ersremediation.com</u>

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath		
Contract No.:	0916-024		
Engineer:	GL		
Date:	09/11/2017		

Checked By: GA

133

136

142 147 151

Time Vs Depth Measurement
Time (min) Depth (cmbGL)

0.25

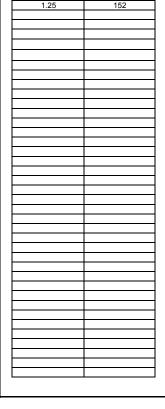
0.5 0.75

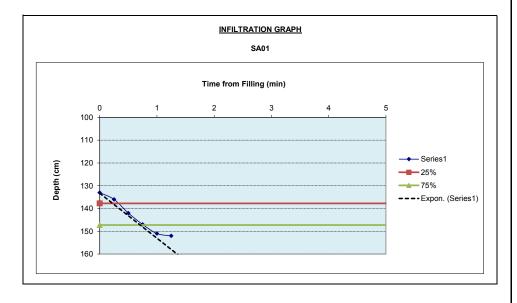
Marstons, Arbroath	TP/SA No. SA01		\01	
0916-024	Pit Dimensions			
GL	Width (m)	Length (m)	Depth (m)	
09/11/2017	0.80	1.50	1.52	
	 Infil	tration Run N	lo.	
GA	1	of	3	

Time (Start): 08:29:00					
Time (End):	08:30:00				
Notes					

Infiltration Calculation						
MEASUREMENT	UNIT	VALUE	UNIT			
Maximum Wet Depth	Wd (max)	0.19	m			
Length of Trial Pit	L	1.60	m			
Width of Trial Pit	Wd (max)	0.80	m			
Depth 75%	d75	1.38	m			
Depth 25%	d25	1.47	m			
Average Wet Width of Wet	d50	0.10	m			
Average Wet Depth (50%)	d	1.43	m			
Time for 75%	t75	0.3	min			
Time for 25%	t25	0.9	min			
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.011	m ³			
Mean Surface Area through which Outlflow Occurs	ap50	1.736	m ²			
Time for the Outflow between 75% & 25%	tp75%-25%	0.6	min			

INFILTRATION RATE f 6.11E-04 m/s





ers

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Web: www.ersremediation.com

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath		
Contract No.:	0916-024		
Engineer:	GL		
Date:	09/11/2017		

Date:	09/11/2017
Checked By:	GA

TP/SA No. SA01							
Pit Dimensions							
Width (m)	Length (m)	Depth (m)					
0.80	1.50	1.52					
Infiltration Run No.							
2	of	3					

Time (Start):	09:08:00
Time (End):	09:10:00
	Notes

Time Vs Depth Measurement Time (min) Depth (cmbGL)			
rime (min)	129		
0	129		
0.25	133		
0.5	137		
0.75	140		
11	144		
1.25	148		
1.5 1.75	150 152		
1.75	152		
	+		
	+		
	 		
-			

Infiltration Calculation							
MEASUREMENT	UNIT	VALUE	UNIT				
Maximum Wet Depth	Wd (max)	0.23	m				
Length of Trial Pit	L	1.60	m				
Width of Trial Pit	Wd (max)	0.80	m				
Depth 75%	d75	1.35	m				
Depth 25%	d25	1.46	m				
Average Wet Width of Wet	d50	0.12	m				
Average Wet Depth (50%)	d	1.41	m				
Time for 75%	t75	0.4	min				
Time for 25%	t25	1.1	min				
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.013	m ³				
Mean Surface Area through which Outlflow Occurs	ap50	1.832	m ²				
Time for the Outflow between 75% & 25%	tp75%-25%	0.8	min				
INFILTRATION RAT	E f	5.23E-04	m/s				

INFILTRATION GRAPH SA01 Time from Filling (min) 2 3 100 110 → Series1 Depth (cm) 120 25% -----75% The state of the s 130 ---- Expon. (Series1) 140 150 160

Checked By:



Tel: 0141 772 2789
Web: <u>www.ersremediation.com</u>

Time Vs Depth Measurement

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

GA

TP/SA No.	SA01			
Pit Dimensions				
Width (m)	Length (m)	Depth (m)		
0.80	1.50 1.52			
Infiltration Run No.				
3	of	3		

Time (Start):	9:46:00 AM
Time (End):	9:48:00 AM
	Notes

Time (min) 0	Depth (cmbGL)
0	Depth (cmbGL) 128
0.25	131
0.5	135
0.25 0.5 0.75	131 135 139
1	143
1.25	145
1.5	148
1.5 1.75 2	148 151 152
1.73	151
	152
	+
	+
	Î
	1
-	+
	1

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.24	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.34	m
Depth 25%	d25	1.46	m
Average Wet Width of Wet	d50	0.12	m
Average Wet Depth (50%)	d	1.40	m
Time for 75%	t75	0.4	min
Time for 25%	t25	1.3	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.014	m ³
Mean Surface Area through which Outlflow Occurs	ap50	1.856	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	0.8	min
INFILTRATION RATE	f	4.93E-04	m/s

Checked By:



Tel: 0141 772 2789
Web: <u>www.ersremediation.com</u>

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath		
Contract No.:	0916-024		
Engineer:	GL		
Date:	09-11-17		

TP/SA No.	SA02		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.71	
Infiltration Run No.			
1	of	3	

Time (Start):	12:31:00 PM
Time (End):	12:33:00 PM
	Notes

	Measurement	Time Vs Depth
_)	Depth (cmbGL)	Time (min)
	142	0
	144	0.25
	151	0.5
	154	0.75
	156	1
	161	1.25
	165	1.5
	170	1.75
\neg		
-		
-		
_		
_		

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.29	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.49	m
Depth 25%	d25	1.64	m
Average Wet Width of Wet	d50	0.15	m
Average Wet Depth (50%)	d	1.57	m
Time for 75%	t75	0.5	min
Time for 25%	t25	1.4	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.017	m ³
Mean Surface Area through which Outlflow Occurs	ap50	1.976	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	0.9	min
INFILTRATION R	ATE f	5.14E-04	m/s

INFILTRATION GRAPH SA02 Time from Filling (min) 100 110 120 → Series1 Depth (cm) 25% 130 75% 140 ---- Expon. (Series1) 150 160 170

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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

Contract Name:	Marstons, Arbroath			
Contract No.:	0916-024			
Engineer:	GL			
Date:	09-11-17			

TP/SA No.	SA02		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.71	
Infiltration Run No.			
2	of	3	

Time (Start):	1:04:00 PM
Time (End):	1:06:00 PM
	Notes

Time Vs Dept	h Measurement
Time (min)	Depth (cmbGL)
0	138
0.25	141
0.5	145
0.5 0.75	149
1	152
1.25	157
1.5	161
1.75	165
2	168
2 2.25	171
•	

Infiltration Calculat	ion		
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.33	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.46	m
Depth 25%	d25	1.63	m
Average Wet Width of Wet	d50	0.17	m
Average Wet Depth (50%)	d	1.55	m
Time for 75%	t75	0.6	min
Time for 25%	t25	1.7	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.019	m ³
Mean Surface Area through which Outlflow Occurs	ap50	2.072	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	1.1	min
INFILTRATION R	ATE f	4.69E-04	m/s

INFILTRATION GRAPH SA02 Time from Filling (min) 100 110 120 → Series1 Depth (cm) 25% 130 75% THE STATE OF THE S ---- Expon. (Series1) 140 150 160 170



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Time Vs Depth Measurement

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

0916-024 GL	
GL 00 11 17	
00 11 17	
09-11-17	
CV.	
	GA

TP/SA No.	SA02		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.71	
Infiltration Run No.			
3	of	3	

Time (Start):	1:47:00 PM
Time (End):	1:50:00 PM
	Notes

Time (min)	Depth (cmbGL)
0	131
0.25 0.5 0.75	135 138 141
0.5	138
0.75	141
1	144
1.25	147
1.5	150
1.75	153
2	156
2.25	159
2.5	161
2.75	164
3	168
3.25	171
	
i e	1

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.40	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.41	m
Depth 25%	d25	1.61	m
Average Wet Width of Wet	d50	0.20	m
Average Wet Depth (50%)	d	1.51	m
Time for 75%	t75	0.8	min
Time for 25%	t25	2.4	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.023	m ³
Mean Surface Area through which Outlflow Occurs	ap50	2.240	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	1.7	min
INFILTRATION RATE	f	3.42E-04	m/s

INFILTRATION GRAPH SA02 Time from Filling (min) 100 110 120 Depth (cm) → Series1 130 The state of the s -----25% 140 ____75% 150 ----Expon. (Series1) 160 170 180



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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

Contract Name.	Mai Storis, Arbitatir	
Contract No.:	0916-024]
Engineer:	GL	٦
Date:	09-11-17	٦
		Ξ
Checked By:	GÂ	

TP/SA No.	SA	.03
Pi	t Dimensions	;
Width (m)	Length (m)	Depth (m)
0.80	1.60	1.69
Infil	tration Run N	lo.
1	of	3

Time (Start):	10:28:00 AM
Time (End):	10:29:00 AM
	Notes

0.75	169

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.16	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.57	m
Depth 25%	d25	1.65	m
Average Wet Width of Wet	d50	0.08	m
Average Wet Depth (50%)	d	1.61	m
Time for 75%	t75	0.3	min
Time for 25%	t25	0.6	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.009	m ³
Mean Surface Area through which Outlflow Occurs	ap50	1.664	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	0.4	min
INFILTRATION RATE	f	8.31E-04	m/s

INFILTRATION GRAPH SA03 Time from Filling (min) 100 110 120 → Series1 Depth (cm) ------25% 130 75% 140 ----Expon. (Series1) 150 160 170



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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

Contract Name:	Marstons, Arbroath	TP/SA I
Contract No.:	0916-024	
Engineer:	GL	Width (
Date:	09-11-17	0.80
Checked By:	GA	2

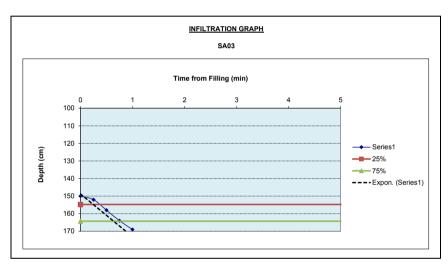
TP/SA No.	SA	.03
Pi	t Dimensions	;
Width (m)	Length (m)	Depth (m)
0.80	1.60	1.69
Infil	tration Run N	lo.
2	of	3

Time (Start):	11:12:00 AM
Time (End):	11:13:00 AM
	Notes

0.75	164
0.75 1	164 169
	109
	1
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	1
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	1
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UNIT Wd (max) L Wd (max) d75	VALUE 0.19 1.60 0.80	m m m
L Wd (max)	1.60 0.80	m
	0.80	
		m
d75		
	1.55	m
d25	1.64	m
d50	0.10	m
d	1.60	m
t75	0.3	min
t25	0.8	min
p75%-25%	0.011	m ³
ap50	1.736	m ²
p75%-25%	0.5	min
	d50 d t75 t25 p75%-25% ap50	d50 0.10 d 1.60 t75 0.3 125 0.8 p75%-25% 0.011 ap50 1.736

INFILTRATION RATE f 7.37E-04 m/s





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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

Contract Name:	Maistons, Arbitatin
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17
Checked By:	GA

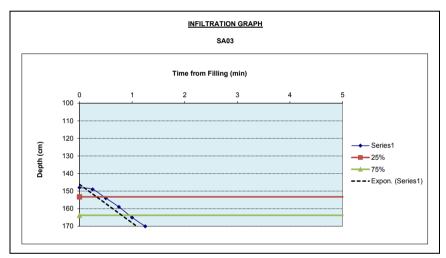
TP/SA No.	SA03					
Pi	Pit Dimensions					
Width (m)	Length (m)	Depth (m)				
0.80	1.60	1.69				
Infiltration Run No.						
3	of	3				

Time (Start):	11:54:00 AM				
Time (End): 11:55:00 AM					
	Notes				

Time vs Depti	Measurement
Time (min)	Depth (cmbGL)
0	148
0.25	149
0.5	154
0.75	159
1	165
1.25	170
	-
	1
	1
	
	-
	-

UNIT	VALUE	
	VALUE	UNIT
Wd (max)	0.21	m
L	1.60	m
Wd (max)	0.80	m
d75	1.53	m
d25	1.64	m
d50	0.11	m
d	1.59	m
t75	0.4	min
t25	1.0	min
Vp75%-25%	0.012	m ³
ap50	1.784	m ²
tp75%-25%	0.6	min
	d75 d25 d50 d t75 t25 Vp75%-25% ap50	Wd (max) 0.80 d75 1.53 d25 1.64 d50 0.11 d 1.59 t75 0.4 t25 1.0 Vp75%-25% 0.012 ap50 1.784

INFILTRATION RATE f 6.77E-04 m/s



APPENDIX F PROPOSED DRAINAGE & FINISHED LEVEL LAYOUT



AC12

DRAINAGE LEGEND

TRAPPED ROAD GULLY

SURFACE WATER INSPECTION CHAMBER FOUL WATER INSPECTION CHAMBER

FOUL WATER DRAINAGE

SURFACE WATER MANHOLE FOUL WATER MANHOLE

3.0m STAND OFF ZONE FOR BUILDINGS / STRUCTURES TO EXISTING FOUL SEWER

SITE BOUNDARY

LEVELS LEGEND

PROPOSED FINISHED FLOOR LEVEL PROPOSED LEVEL

EXISTING LEVEL PROPOSED GRADIENT 1 in 24.5

PROPOSED BANK AT MAX. SLOPE OF 1 IN 3

B DRAWING UPDATED TO SUIT LATEST ARCHITECTS PLAN REF. 4434/P404D. DRAWING UPDATED TO SUIT LATEST ARCHITECTS PLAN REF. 4434/P404C. REVISION

PRELIMINARY

DRAWING TITLE

FINISHED LEVEL & DRAINAGE LAYOUT

PROJECT

Project Number 12008

DUNDEE ROAD ARBROATH



T.01491 576221 (CIE)

London, Henley-on Thames, Gloucester and Exeter
 Drawn
 Ch'kd
 Scales
 Date

 G.S.C
 G.S.C
 1:200@A1
 OCT 2017

Purpose of Issue INFORMATION

12008-SK03

APPENDIX G MICRODRAINAGE DESIGN RESULTS

Simpson Associates		Page 1
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micco
Date 12.12.17	Designed by G.S.C.	Designation
File INFILTRATION BASIN.SRCX	Checked by	Dialilage
Micro Drainage	Source Control 2015.1	

Summary of Results for 200 year Return Period (+40%)

Half Drain Time : 30 minutes.

	Stor	m	Max	Max	Max	Max	Status
	Even	t	Level	Depth	Infiltration	Volume	
			(m)	(m)	(1/s)	(m³)	
15	min	Summer	5.380	0.980	26.8	57.9	O K
30	min	Summer	5.496	1.096	30.9	72.7	O K
60	min	Summer	5.565	1.165	33.5	82.4	O K
120	min	Summer	5.563	1.163	33.4	82.2	O K
180	min	Summer	5.530	1.130	32.2	77.4	O K
240	min	Summer	5.491	1.091	30.7	71.9	O K
360	min	Summer	5.416	1.016	28.1	62.3	O K
480	min	Summer	5.351	0.951	25.8	54.5	O K
600	min	Summer	5.295	0.895	23.9	48.3	O K
720	min	Summer	5.245	0.845	22.3	43.1	O K
960	min	Summer	5.162	0.762	19.7	35.3	O K
1440	min	Summer	5.041	0.641	16.1	25.5	O K
2160	min	Summer	4.923	0.523	12.8	17.6	O K
2880	min	Summer	4.844	0.444	10.8	13.2	O K
4320	min	Summer	4.740	0.340	8.3	8.5	O K
5760	min	Summer	4.675	0.275	6.8	6.1	O K
7200	min	Summer	4.630	0.230	5.8	4.6	ОК
8640	min	Summer	4.597	0.197	5.1	3.7	ОК
10080	min	Summer	4.572	0.172	4.5	3.0	ОК
15	min	Winter	5.443	1.043	29.0	65.7	O K

	Stor	m	Rain	Flooded	Time-Peak	
	Even	t	(mm/hr)	Volume	(mins)	
				(m³)		
15	min	Summer	94.523	0.0	16	
30	min	Summer	67.289	0.0	25	
60	min	Summer	45.327	0.0	42	
120	min	Summer	29.089	0.0	76	
180	min	Summer	22.241	0.0	110	
240	min	Summer	18.315	0.0	142	
360	min	Summer	13.893	0.0	204	
480	min	Summer	11.397	0.0	266	
600	min	Summer	9.766	0.0	326	
720	min	Summer	8.604	0.0	388	
960	min	Summer	7.041	0.0	510	
1440	min	Summer	5.305	0.0	750	
2160	min	Summer	3.996	0.0	1104	
2880	min	Summer	3.265	0.0	1468	
4320	min	Summer	2.452	0.0	2200	
5760	min	Summer	1.998	0.0	2936	
7200	min	Summer	1.704	0.0	3656	
8640	min	Summer	1.496	0.0	4400	
10080	min	Summer	1.340	0.0	5136	
15	min	Winter	94.523	0.0	16	

Simpson Associates		Page 2
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Designation
File INFILTRATION BASIN.SRCX	Checked by	Dialilade
Micro Drainage	Source Control 2015.1	•

Summary of Results for 200 year Return Period (+40%)

	Storm Event		Max Level (m)	Max Depth (m)	Max Infiltration (1/s)	Max Volume (m³)	Status
30	min V	Winter	5.563	1.163	33.4	82.2	ОК
60	min N	Winter	5.625	1.225	35.8	91.5	O K
120	min V	Winter	5.598	1.198	34.7	87.3	O K
180	min N	Winter	5.539	1.139	32.5	78.7	O K
240	min V	Winter	5.479	1.079	30.3	70.4	O K
360	min N	Winter	5.372	0.972	26.5	56.9	O K
480	min N	Winter	5.282	0.882	23.5	47.0	O K
600	min N	Winter	5.208	0.808	21.1	39.6	O K
720	min N	Winter	5.146	0.746	19.2	33.9	O K
960	min N	Winter	5.048	0.648	16.3	26.0	O K
1440	min N	Winter	4.917	0.517	12.7	17.3	O K
2160	min N	Winter	4.800	0.400	9.7	11.1	O K
2880	min N	Winter	4.728	0.328	8.0	8.0	O K
4320	min N	Winter	4.641	0.241	6.0	4.9	O K
5760	min N	Winter	4.589	0.189	4.9	3.5	O K
7200	min N	Winter	4.554	0.154	4.2	2.6	O K
8640	min N	Winter	4.528	0.128	3.7	2.0	O K
10080	min V	Winter	4.508	0.108	3.3	1.6	O K

	Stor	m	Rain	Flooded	Time-Peak
	Even	t	(mm/hr)	Volume	(mins)
				(m³)	
30			67.289	0.0	26
60	min	Winter	45.327	0.0	46
120	min	Winter	29.089	0.0	82
180	min	Winter	22.241	0.0	116
240	min	Winter	18.315	0.0	148
360	min	Winter	13.893	0.0	212
480	min	Winter	11.397	0.0	274
600	min	Winter	9.766	0.0	336
720	min	Winter	8.604	0.0	396
960	min	Winter	7.041	0.0	512
1440	min	Winter	5.305	0.0	750
2160	min	Winter	3.996	0.0	1104
2880	min	Winter	3.265	0.0	1468
4320	min	Winter	2.452	0.0	2196
5760	min	Winter	1.998	0.0	2912
7200	min	Winter	1.704	0.0	3632
8640	min	Winter	1.496	0.0	4352
10080	min	Winter	1.340	0.0	5136

Simpson Associates		Page 3
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Desipago
File INFILTRATION BASIN.SRCX	Checked by	Diamage
Micro Drainage	Source Control 2015.1	'

Rainfall Details

Return Period (years) 200 Cv (Summer) 0.750
Region Scotland and Ireland Cv (Winter) 0.840
M5-60 (mm) 14.000 Shortest Storm (mins) 15
Ratio R 0.250 Longest Storm (mins) 10080
Summer Storms Yes Climate Change % +40

Time Area Diagram

Total Area (ha) 0.415

Time (mins) Area From: To: (ha)

Simpson Associates		Page 4
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Desipago
File INFILTRATION BASIN.SRCX	Checked by	Dialilacie.
Micro Drainage	Source Control 2015.1	_

Model Details

Storage is Online Cover Level (m) 6.000

Infiltration Basin Structure

Invert Level (m) 4.400 Safety Factor 5.0 Infiltration Coefficient Base (m/hr) 2.10000 Porosity 1.00 Infiltration Coefficient Side (m/hr) 2.10000

Depth (m)	Area (m²)						
0.000	10.9	0.700	81.0	1.400	186.3	2.100	0.0
0.100	18.8	0.800	93.8	1.500	204.2	2.200	0.0
0.200	27.3	0.900	107.4	1.600	222.8	2.300	0.0
0.300	36.6	1.000	121.8	1.700	0.0	2.400	0.0
0.400	46.6	1.100	136.8	1.800	0.0	2.500	0.0
0.500	57.3	1.200	152.6	1.900	0.0		
0.600	68.8	1.300	169.1	2.000	0.0		

APPENDIX H DRAINAGE IMPLEMENTATION PLAN



DRAINAGE IMPLEMENTATION PLAN

PUB RESTAURANT & LODGE DEVELOPMENT DUNDEE ROAD, ARBROATH

- 1.1. This SUDS Implementation Plan sets out measures to be implemented during construction of the surface water drainage system for the scheme to ensure the site and areas downstream are protected from runoff during construction of the development. It is recommended that the plan is incorporated into the Contractors Construction Health and Safety Plan with the development carried out in accordance with the measures proposed.
- 1.2. During construction, it is normal practice for a drainage system to be installed at an early stage in the programme. However, it is not always possible to ensure that new impermeable areas created as part of the development are immediately connected to the new drainage system.
- 1.3. To ensure areas downstream of the development are protected during construction of the development it is recommended that the following management measures are implemented during construction:
 - Protective coverings should be used to help prevent runoff stripping material stockpiles.
 - Plant and wheel washing should take place in a designated location. The area should be tanked and not allowed to discharge into the drainage system or infiltrate into the ground. Effluent should be treated as contaminated waste and disposed off site by a licensed waste management operator.
 - Surfaces used as access roads and storage areas during construction should be swept regularly to prevent the accumulation of dust and mud.
 - Should groundwater be encountered in excavations such water should not be discharged to the drainage system until the amount of suspended solids has been reduced though the controlled use of skips or tanks, which will act as stilling basins.
 - To prevent contamination associated with the use of oils and hydrocarbons during construction, the Contractor should ensure that the following precautionary measures are employed during construction:
 - Regular maintenance of machinery and plant.
 - Use of drip travs.
 - Regular checking of machinery and plant for oil leaks.
 - Use of correct storage facilities.
 - Regular checks for signs of wear and tear on tanks.
 - Specific procedures are followed when refuelling.
 - Use of a designated area for refuelling.
 - Emergency spill kit to be located near refuelling area.
 - Regular emptying of bunds.
 - Tanks should be located in secure areas to stop vandalism.

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AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Crowther	



- 1.4. The above measures would help to ensure that untreated construction runoff would not be discharged to the surface water drainage system.
- 1.5. Should the infiltration basin be constructed at an early stage of the programme to assist in managing construction runoff, topsoil and seeding of the basin should not take place until site works have been completed. During the construction period, the surface of the basin should be lined with a sacrificial geotextile filter fabric, which would help to trap silt and prevent it from washing into the underlying soils.
- 1.6. During construction, all components of the drainage system should be constructed in accordance with relevant drawings, specifications and manufacturer's guidelines. Further to this Building Control should visit site on a regular basis to inspect completed works and ensure that the drainage system is installed correctly.

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AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Crowther	

APPENDIX I DRAINAGE MAINTENANCE & MANAGEMENT PLAN



DRAINAGE MAINTENANCE & MANAGEMENT PLAN

PUB RESTAURANT & LODGE DEVELOPMENT DUNDEE ROAD, ARBROATH

- 4.1 This Drainage Maintenance and Management Plan provides details of the plan proposed for maintenance and management of the drainage system associated with the scheme.
- 4.2 On occupation of the development, the maintenance and management plan should be incorporated into the sites Operation and Maintenance Manual with the as-built drainage system operated and maintained in accordance with the regime set out in the tables below.

Table 1: Below Ground Drainage System - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency
Decivier	Remove all litter and debris from external hard landscaped areas and adjacent landscaping, which may pose a risk to the performance of the system.	Monthly.
Regular maintenance	Remove build-up of sediment / silt in catchpits and dispose of oils / petrol residues using safe standard practices. Stabilise and mow adjacent landscaped areas and remove weeds.	
Remedial actions	Repair or rehabilitate inlet and outlets to ensure they are in good condition and operating as designed. Remediate any landscaping, which has raised to within 50mm of the level of adjacent	As required.
Monitoring	hard landscaping. Check of all inlets / outlets for blockages or evidence of physical damage with any necessary remedial action or clearance carried out if required.	On a monthly basis for the first 3 months of operation, thereafter every 6 months & following severe rainfall events.
	Inspect all surfaces for ponding, or silt accumulation. Record areas where water is ponding for more than 48 hours and carry out any remedial work deemed necessary.	After severe storms.

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AUTHOR:	G. Crowther	OFFICE:	Henley	CHECKED BY:	G. Crowther	



Table 2: Grease Separator - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency
Regular maintenance	Chambers should be desludged (grease / sediment removed) by vacuum tanker to remove sediment or grit from the bottom of the unit and accumulated grease from the surface.	Every 3, 6 or 12 months depending on site conditions (or following poor performance).
Remedial actions	Repair of erosion damage, or damage to the separator.	As required.
Monitoring	Separator repairs. Inspection of the separator for build up of grease and sediment.	Every 3, 6 or 12 months depending on site conditions (or following poor performance).

Table 3: Gravel Filter Drains - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency	
	Litter and debris removal from trench surface, access chambers and pretreatment devices.	Monthly (or as required).	
Regular maintenance	Trimming of any roots that may be causing blockages.	Annually (semiannual the first year).	
	Remove weeds on the trench surface.	Monthly (at start, then as required)	
Occasional	Removal of sediment from pre-treatment devices.	Every 6 months.	
Maintenance	Remove tree roots or trees that grow close to the trench.	As required.	
	Clear perforated pipework of blockages.	As required.	
Remedial actions	Inspect inlets, outlets and inspection points for blockages, clogging, standing water and structural damage.	Monthly	
Monitoring	Inspect pre-treatment systems, inlets, trench surfaces and perforated pipework for silt accumulation. Establish appropriate silt removal frequencies.	Every 6 months.	

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Table 4: Infiltration Basin - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency		
	Litter, debris and trash removal.	Monthly.		
Regular	Grass cutting – for landscaped areas and access routes.	Monthly during growing season, or as required.		
maintenance	Grass cutting – meadow grass in and around basin.	Half yearly (spring – before nesting season, and autumn).		
	Manage other vegetation and remove nuisance plants.	Monthly (at start, then as required).		
Occasional	Re-seed areas of poor vegetation growth.	Annually, or as required.		
Maintenance	Prune and trim trees and remove cuttings.	_		
Walliteriance	Remove sediment from pre-treatment system when 50% full.			
	Repair of erosion or other damage by reseeding or re-turfing.			
	Realignment of rip-rap.			
Remedial	Repair/rehabilitation of inlets, outlets and overflows.	As required.		
actions	Rehabilitate infiltration surface using scarifying and spiking techniques if performance deteriorates.	-		
	Re-level uneven surfaces and reinstate design levels.			
	Inspect inlets, outlets and overflows for blockages, and clear if required.			
Monitoring	Inspect banksides, structures, pipework, etc for evidence of physical damage.	Monthly.		
	Inspect infiltration surfaces for compaction and ponding.			
	Inspect inlets and pre-treatment systems for silt accumulation. Establish appropriate silt removal frequencies.	Every 6 months.		

- 4.3 The Site Manager should ensure that the Maintenance Contractor tasked with carrying out any maintenance works provides a risk assessment and method statement that adopts best practice health and safety policies for maintenance personnel throughout the duration of any maintenance works. Measures may include:
 - Ensure the use of safe systems of work and procedures are followed.
 - Certificated operatives only to be used for all confined space entry.
 - Ensure appropriate ppe is worn at all times including the use of safety goggles, ear defenders and other relevant equipment when using high pressure jetting.
 - Do not work in weather conditions where flooding or surging is likely.
 - Erect barriers where appropriate and provide adequate lighting.

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- No operations to be carried out by operatives working alone.
- Time maintenance to not conflict with other on-site activities.
- Method statement to be prepared and approved prior to entry into confined space.

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Planning Statement

In respect of application for Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath

On Behalf of Mungo Park

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Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Director.



Limitations

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Executive Summary

This Statement supports an application for planning permission for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.

The application site is brownfield having formerly accommodated a hotel, which was demolished following fire damage in 2006, and the site has remained vacant and undeveloped since. The site is surrounded by leisure, tourism and recreation uses in the form of Arbroath FC ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts, and the site is allocated in the Angus Local Development Plan as providing an opportunity for a hotel and possible complementary leisure, tourism or recreation uses.

The application proposal is for a commercial leisure/food and drink use that will complement and support the existing surrounding uses and which, together with these other uses, is within the scope of the uses that are supported by the Plan allocation, and the proposed development will also positively contribute to the range and viability of the leisure/tourism/recreational uses that prevail and are already in place. The proposal is also only for development over part of the former Seaforth Hotel site and the remaining part will be available for a second phase hotel development.

This Statement demonstrates that the application proposals meet all of the relevant requirements of the recently adopted National Planning Framework 4 (NPF4) and will contribute towards tackling climate change; protection and enhancement of biodiversity and soils; will deliver a high-quality of design which achieves the Six Qualities of Successful Places; which is appropriate and will make a positive contribution to the visual amenity and attractiveness of the site and the surrounding area.

When these matters are all taken together the Statement duly demonstrates that the application proposals will contribute towards Arbroath and the wider Angus Council area being a Sustainable, Liveable and Productive Place.

This Statement also demonstrates that the application proposals accord with the allocation effecting the former Seaforth Hotel site in the Local Development Plan, and with all other relevant policies in the Plan.

Taking all of these considerations together, this Statement demonstrates that the application proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.

1.0 Introduction

- 1.1 This Statement has been prepared on behalf of Mungo Park for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.
- The application site comprises a vacant site, which formerly accommodated the Seaforth Hotel. It is understood that the former hotel was subject of a fire in 2006 and that the site has been vacant following the subsequent demolition of the fire damaged building. The site is situated on the south side of Dundee Road with West Links Golf Course immediately adjacent on all other sides, and with Gayfield/Arbroath FC ground and Pleasureland in close proximity to the east and various tourist/leisure/recreational uses to the west.
- 1.3 The application proposal is for a freestanding single storey building extending to 189sqm which will accommodate a coffee shop use with an ancillary drive thru lane and servery hatch/window, with cycle parking and 30 car parking spaces, as well as appropriate hard and soft landscaping around the building. The building is of contemporary design with significant areas of glazing, timber and cladding. The development will be accessed from Queens Drive.
- 1.4 Since the former hotel was demolished there have been a number of planning applications for redevelopment of the site, one of which was submitted in 2006 and included for the development of a new hotel and which was refused, and one which was submitted in 2017 and included for a hotel and a pub/restaurant and which was approved.
- 1.5 The most recent application was made in 2019 for the erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works (app. ref. 19/00954/FULL). Although this application was refused it is significant to the consideration of the application that is subject of this Statement to note that the Angus Council Planning Department Report of Handling included the following statement:

"The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre."

This statement establishes that the Planning Department considered that the principle of a coffee shop with drive thru facility was acceptable on this site, and that is further emphasised by the fact that the reasons that were given by the Council for the application being refused do not include reference to the drive thru coffee shop.

1.7 The application that is subject of this Statement is for the development of part of the former Seaforth Hotel site, and this is intended as a first phase of development with a second phase to follow and which will be for the development a new hotel. The phase 1 development will deliver the key site infrastructure in the form of access, internal road and service connections, and those elements allied to the drive thru coffee shop itself will act as a catalyst to support the attractiveness of the site and to make it more viable for the remainder of the site to accommodate a future hotel development.

2.0 National Planning Framework 4 (NPF4)

- 2.1 This Statement will consider the application proposals against the relevant policies contained within NPF4, and in that context it is relevant to note that the Chief Planner published a letter with advice on transitional arrangements for NPF4 to provide clarity on certain matters, including that Local Development Plans (LDPs) which have already been adopted will continue to be part of the development plan and "for avoidance of doubt" existing LDP land allocations are maintained.
- 2.2 The letter also explains that NPF4 is to be read and applied as a whole, that some conflict between policies is to be expected, and that factors for and against developments are to be weighed up in the exercise of planning judgment by the decision maker.
- 2.3 The letter also sets out specific advice on certain NPF4 policies, and confirms that whilst Policy 1 (Tackling the Climate and Nature Crisis) prioritises the climate and nature crisis "in all decisions" that it is for the decision-maker to determine whether the significant weight to be applied tips the balance in favour of or against a proposal on the basis of its positive or negative contribution to the climate and nature crisis.
- With regards to Policy 2 (Climate Mitigation Adaptation) the Chief Planner letter confirms that there is no single accepted methodology for calculating and/or minimising emissions, and that the emphasis is on reducing emissions as far as possible and that there are no defined thresholds that require different levels of information.
- 2.5 Similarly, the Chief Planner letter also recognises relative to Policy 3 (Biodiversity) that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and that it is for the decision maker to take into account the policies in NPF4 as a whole when considering whether there is an opportunity for the development to contribute to the enhancement of biodiversity.
- 2.6 The letter also includes specific coverage to Policy 27(d) and drive through developments, and says that (our underlining):

"During the Parliamentary scrutiny of the draft NPF4, there was some debate about the meaning and application of Policy 27(d), which states that "drive-through developments will only be supported where they are specifically supported in the LDP". The intention of this policy was to ensure that this type of development is considered as an integral part of the wider development plan, and is not (as has been erroneously reported) a moratorium or ban on such developments.

In applying policy 27(d) and whether such developments are supported, planning authorities may regard wider uses that are compatible with the drive through function to be included, as

there is no single class of development that this relates to and may sometimes be considered as sui generis. Suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink, depending on the nature of the proposal involved in each case. In looking at the potential impact of the development as a whole, as always, decisions will depend on the facts and circumstances of each individual case and regard should be given to wider policies within NPF4, including those relating to reducing emissions that contribute to climate change and to wider policies that aim to improve town centres and support local living.

Looking forward, we will include guidance on drive throughs and the relationship to Policy 27(d) within the forthcoming local development plan guidance, which will be published this spring to support implementation of the new arrangements for LDPs."

2.7 This Statement duly considers the following NPF4 policies as being relevant to the application proposals:

Sustainable Places

- Policy 1 'Tackling the Climate and Nature Crises'
- Policy 2 'Climate Mitigation and Adaptation'
- · Policy 3 'Biodiversity'
- Policy 9 'Brownfield, vacant and derelict land and empty buildings'
- Policy 11 'Energy'
- Policy 12 'Zero Waste'
- Policy 13 'Sustainable Transport'

Liveable Places

- Policy 14 'Design, Quality and Place'
- Policy 15 'Local Living and 20 Minute Neighbourhoods'
- Policy 18 'Infrastructure First'
- Policy 20 'Blue and Green Infrastructure'
- Policy 22 'Flood Risk and Water Management'

Productive Places

Policy 27 'City, town, local and commercial centres'

Sustainable Places

- 2.8 **Policy 1 'Tackling the Climate and Nature Crises'** establishes that when considering all development proposals, significant weight will be given to the global climate and nature crises. The intent of the policy is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. Policy 1 establishes an over-arching statement of policy intent which then runs through the other NPF4 Policies.
- 2.9 Policy 2 'Climate Mitigation and Adaptation' requires proposals to achieve the following:
 - Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
 - Development proposals will be sited and designed to adapt to current and future risks from climate change.
 - Development proposals to retrofit measures to existing developments that reduce emissions
 or support adaptation to climate change will be supported.
- 2.10 The supporting text for Policy 2 explains that the intent of the policy is to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 2.11 The over-riding purpose of the application proposals is to provide a Class 3 coffee shop that is proximate and within easy walking and cycling distance of a local resident population, as well as tourists and other visitors to Arbroath. The proposed building has been specifically designed to be energy efficient and to meet and exceed the current building regulations, and the proposals include for native planting in landscaped areas throughout the site, and the selected species mix will seek to maximise biodiversity.
- 2.12 To further support sustainability, the proposals include for electric vehicle charging infrastructure in line with Building Standards requirements, and the site is within easy walking and cycling distance of residential areas and other facilities that already attract visitors to the area.
- 2.13 Taking the above considerations together, the application proposals duly meet with the principle and over-arching requirements Policy 1 and Policy 2 of NPF4.
- 2.14 Policy 3 'Biodiversity' sets out the following criteria which development proposals require to take into consideration:
 - a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
 - b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where

it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

ii. wherever feasible, nature-based solutions have been integrated and made best use of:

iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;

iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and

v. local community benefits of the biodiversity and/or nature networks have been considered.

- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.
- 2.15 As set out, the application site formerly accommodated the Seaforth Hotel, which was demolished in c. 2006 due to fire damage, and as the site has been vacant since then it duly qualifies as undeveloped brownfield land. The site, in its current state, is judged to be species poor and to have a low ecological/biodiversity value, and as the proposals include for native planting in landscaped areas the result will be enhancement to the biodiversity value of the site.

- 2.16 The development will therefore not have a material and/or adverse impact on biodiversity and as the proposals will deliver long-term biodiversity benefits the application complies with Policy 3 of NPF4.
- 2.17 Policy 9 'Brownfield, vacant and derelict land and empty buildings' establishes that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. The application site is brownfield/already developed land and is allocated for development in the Local Development Plan, and the proposal therefore constitutes the sustainable reuse of brownfield land which is already earmarked for development, and so duly complies with Policy 9.
- 2.18 Policy 11 'Energy' seeks to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. The policy states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported.
- 2.19 Although this policy seems to be primarily targeted towards energy developments, the proposed building has been designed to incorporate sustainable materials and construction technologies and to be energy efficient, and electric vehicle charging points and cycle parking will be provided. The application proposals therefore align with the spirit and intent of Policy 11.
- 2.20 Policy 12 'Zero Waste' requires that development proposals seek to reduce, reuse, or recycle materials in line with the waste hierarchy. It explains that development proposals will be supported where they:
 - reuse existing buildings and infrastructure;
 - minimise demolition and salvage materials for reuse;
 - minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
 - use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
 - use materials that are suitable for reuse with minimal reprocessing.
- 2.21 As previously set out, the application seeks to redevelop brownfield/already developed land, and the proposals will give rise to limited waste during the construction phase and the occupied development will accommodate typical arrangements for storage and collection of commercial waste associated with a coffee shop use, and for these reasons the application is in line with the requirements, spirit and intent of Policy 12.
- 2.22 Policy 13 'Sustainable Transport' establishes that:

"Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;

- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits

can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance."

- 2.23 The application is supported by a Transport Statement, prepared by ECS. The Statement comments on the site benefiting from an extant planning policy which establishes that the principle of redevelopment of the site, and that by association with that travel movements are anticipated and accepted. The Statement refers to the proposed coffee shop being positioned adjacent to the proposed internal spine road and the remainder of the site with the drive thru lane circulating around the southern elevation of the building, and that vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north, and the remainder of the site will be retained to allow a hotel development to come forward to further align with the Local Development Plan allocation. The Statement includes an assessment of the development proposals relative to all sustainable modes of travel, and demonstrates that the current walking, cycling and public transport provision in the area is sufficient to accommodate the expected future demand from the proposed use. The Statement also confirms that measures will be introduced to enhance sustainable travel by the provision of connections to the footway network, cycle parking provision and by implementation of a Travel Plan. The assessment of the local road network supports access to the development, the car parking proposals and the drive thru lane design, and concludes that the traffic generation from the proposed use can be accommodated and will have no detriment to existing road users or cause additional delay nor require any physical mitigation.
- 2.24 In light of the considerations and findings set out in the Transport Statement it is duly concluded that the application proposals meet the requirements of Policy 13.

Liveable Places

- 2.25 **Policy 14 'Design, Quality and Place'** establishes that development proposals will be supported where they are consistent with six qualities of successful places, which are:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency.
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable: Supporting commitment to investing in the long-term value of buildings, streets
 and spaces by allowing for flexibility so that they can be changed quickly to accommodate
 different uses as well as maintained over time.
- 2.26 The proposed development has been deliberately sited to complement and help facilitate the future development of the remainder of the site for hotel use, and planting and boundary treatment will enhance the appearance and setting of the development. The proposed building is contemporary and typical of modern coffee shops, and has form, height, design detail, site layout, materiality and colour palette that are all sensitive and appropriate to the location and setting, helping to ensure the integration of the proposal in the context. When these matters are taken together it is clear that the proposed development will meet the requirement to be healthy, pleasant, connected, distinctive, sustainable and adaptable, and therefore meets the requirements of Policy 14.
- 2.27 Policy 15 'Local Living and 20 minute neighbourhoods' establishes that development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods, including local access to sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks; employment; shopping; health and social care facilities; childcare, schools and lifelong learning opportunities; playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities; publicly accessible toilets; affordable and accessible housing options, ability to age in place and housing diversity.
- 2.28 The application site is in a central location within Arbroath, and is in close proximity to residential areas. The site is also centrally located relative to several immediately surrounding leisure/recreational uses, including the Arbroath FC/Gayfield ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts. All of these existing uses result in the site being

located in an area where leisure/recreational uses predominate and as many of these uses include commercial elements they result in the character of the area being semi-commercial.

- 2.29 The introduction of a coffee shop use here will not only complement the future hotel development that is intended for the remainder of the former Seaforth Hotel site but it will also complement, support, and be compatible with the various existing leisure/recreational/commercial uses that surround the site. The introduction of a coffee shop into an area, which already attracts activity and accommodates commercial tourism and leisure uses, will serve to support the delivery of a 20-minute-neighbourhood by contributing towards the provision of a range services in a concentrated area which are within walking and cycling distance of each other, and also of Arbroath residents and residential holiday locations, thereby reducing the need for residents and visitors to travel to more distant locations by non-sustainable means. The application duly meets the principle expectations and requirements of Policy 15.
- 2.30 Policy 18 'Infrastructure First' establishes that proposals which provide, or contribute to, infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported, and that the impacts of development proposals on infrastructure should be mitigated.
- 2.31 The application is supported by a suite of technical supporting information, which include coverage to matters such as drainage and transport, and these indicate that all essential infrastructure exists or will be provided in association with the implementation of the development and/or will not be impacted, and the application proposals are therefore judged to be in accordance with Policy 18.
- 2.32 Policy 20 'Blue and Green Infrastructure' establishes that development proposals which result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The policy also establishes that development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported and, where appropriate, this will be an integral element of the design that responds to local circumstances.
- 2.33 The application proposals do not impact any existing blue or green infrastructure, and take a positive and proactive approach to the delivery of blue and green infrastructure and so will not bring about the fragmentation or net loss of existing networks. Whilst the site is judged to have very limited ecological value the proposals include for planting to support biodiversity enhancement. In overall terms the proposals will have a positive rather than a negative impact and will not fragment or adversely impact green or blue infrastructure, thereby demonstrating that the requirements of Policy 20 are met.
- Policy 22 'Flood Risk and Water Management' aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. The policy explains that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- essential infrastructure where the location is required for operational reasons;
- water compatible uses;
- · redevelopment of an existing building or site for an equal or less vulnerable use; or.
- redevelopment of previously used sites in built up areas where the LDP has identified a need
 to bring these into positive use and where proposals demonstrate that long-term safety and
 resilience can be secured in accordance with relevant SEPA advice.
- 2.35 Policy 22 adds that in such cases, it will be demonstrated by the applicant that:
 - · all risks of flooding are understood and addressed;
 - there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
 - the development remains safe and operational during floods;
 - · flood resistant and resilient materials and construction methods are used; and
 - future adaptations can be made to accommodate the effects of climate change.
- 2.36 The application site is allocated for development and whilst the SEPA Flood Map shows the site as being potentially affected by some limited surface water flooding this is accounted for in the drainage proposals that accompany the application, and with the proposed drainage measures in place it is judged that the proposals will not have an adverse impact and do not contravene the requirements of Policy 22.

Liveable Places

- 2.37 Policy 27 'City, town, local and commercial centres' establishes that development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported. Although the application site is not within a town or local centre, as identified in the Local Development Plan, it is embedded within an area where tourism, leisure and recreational uses predominate and which are visited by residents and tourists, and it is considered that the introduction of a coffee shop will improve the vitality and viability of the area, increase the mix of uses, and complement and support these existing adjacent uses.
- 2.38 Notwithstanding that, as mentioned, whilst Policy 27 (d) of NPF4 establishes that "Drive-through developments will only be supported where they are specifically supported in the LDP" the Chief Planner's letter relative to Transitional Arrangements confirms that the policy does not constitute a moratorium or ban on drive through developments and that "suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink". As mentioned above and in other preceding parts of this Statement, the application site is situated in an area where commercial tourism, leisure and recreational uses predominate and which is affected by a Local Development Plan allocation that supports the development of complementary leisure, tourism or recreation uses. It is our position that it duly follows that the site has already been judged by the Council to be suitable and appropriate for complementary commercial uses such as Class 3, and that serves to demonstrate that the site is a 'suitable location' for Class 3 and drive through use, and that the proposal duly complies with policy 27 (d).

3.0 Angus Local Development Plan (2016)

- 3.1 The Angus Local Development Plan was adopted in 2016, and although the Plan technically became out-of-date in 2021 (i.e. five years after adoption) meaning that the policies therein have more limited less weight than the more recent policies in NPF4, the Plan and policies do nevertheless remain relevant.
- 3.2 The Proposals Map associated with the Plan shows the application site as being within the Arbroath settlement boundary and more specifically identified as an Opportunity Site (ref. A7) which:

"provides an opportunity for a hotel and possible complementary leisure, tourism or recreation uses"

- 3.3 The Plan also makes reference to a Development Brief, and that surface water management measures and a drainage assessment report may be required.
- 3.4 As set out in the preceding Statement, this application is seeking planning permission for the first phase of development on the former Seaforth Hotel site, and with the first phase acting as a catalyst to help attract and support the viability for a second phase hotel development on the balance of the site.
- Notwithstanding that, the proposed Class 3 coffee shop with ancillary drive thru will be complementary, not only to the future hotel use, but also to the already existing leisure, tourism and recreation uses that surround the site, thereby demonstrating that the proposal satisfies the requirement of the Opportunity designation in the adopted Plan as it is a 'complementary leisure, tourism and recreation use'.
- 3.6 The other policies of the adopted Plan that could be judged to be applicable are Policy DS1 (Development Boundaries and Priorities), Policy DS2 (Accessible Development) Policy DS3 (Design Quality and Placemaking), Policy DS4 (Amenity), Policy TC10 (Roadside Facilities), Policy TC17 (Network of Centres), Policy PV6 (Development in the Landscape), Policy PV8 (Built and Cultural Heritage), Policy PV12 (Managing Flood Risk), Policy PV15 (Drainage Infrastructure), Policy PV16 (Coastal Planning) and Policy PV18 (Waste Management in New Development).
- 3.7 Albeit application 19/00954/FULL, as previously referenced, was refused permission it is notable that the Reasons for Refusal only include reference to Policies A7, DS3 and DS1, with the rationale behind the Reasons appearing to be largely premised on the scheme that was being proposed not providing for or protecting the potential for the development of a hotel on the former Seaforth Hotel site, and as the roadside facilities element was not judged to be an appropriate use or of appropriate appearance. The application that is subject of this Statement is only for development over part of the former Seaforth Hotel site and so the potential for the development of a new hotel is not prejudiced by this proposal, but rather the potential is assisted by the first phase coffee shop development providing some of the core site infrastructure required to support a hotel development.

AC13

- 3.8 Beyond that, the Report of Handing relative to 19/00954/FULL establishes that a coffee shop with drive thru is, in itself, an appropriate form of development for this site and is judged to be unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre.
- 3.9 Taking all of that together, allied to the fact that Policies DS1, DS2, DS3, DS4, TC10, TC17, PV6, PV8, PV12, PV15, PV16 and PV18 establish equivalent requirements to several of the aforementioned Policies of NPF4, and so for the same reasons set out relative to the policies of NPF4 it follows that the proposal meets the requirements of the Local Development Plan policies.

4.0 Conclusions

- 4.1 The preceding Statement supports an application for planning permission for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.
- 4.2 The application site is brownfield having formerly accommodated a hotel, which was demolished following fire damage in 2006, and the site has remained vacant and undeveloped since. The site is surrounded by leisure, tourism and recreation uses in the form of Arbroath FC ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts, and the site is allocated in the Angus Local Development Plan as providing an opportunity for a hotel and possible complementary leisure, tourism or recreation uses.
- 4.3 The application proposal is for a commercial leisure/food and drink use that will complement and support the existing surrounding uses and which, together with these other uses, is within the scope of the uses that are supported by the Plan allocation, and the proposed development will also positively contribute to the range and viability of the leisure/tourism/recreational uses that prevail and are already in place. The proposal is also only for development over part of the former Seaforth Hotel site and the remaining part will be available for a second phase hotel development.
- This Statement demonstrates that the application proposals meet all of the relevant requirements of the recently adopted National Planning Framework 4 (NPF4) and will contribute towards tackling climate change; protection and enhancement of biodiversity and soils; will deliver a high-quality of design which achieves the Six Qualities of Successful Places; which is appropriate and will make a positive contribution to the visual amenity and attractiveness of the site and the surrounding area.
- 4.5 When these matters are all taken together the Statement duly demonstrates that the application proposals will contribute towards Arbroath and the wider Angus Council area being a Sustainable, Liveable and Productive Place.
- 4.6 This Statement also demonstrates that the application proposals accord with the allocation effecting the former Seaforth Hotel site in the Local Development Plan, and with all other relevant policies in the Plan.
- 4.7 Taking all of these considerations together, this Statement demonstrates that the application proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.





Proposed Starbucks Drive Thru Coffee Unit, Dundee Road, Arbroath

Transport Statement

August 2023

ECS Transport Planning Limited

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Client Name: Mungo Park Ltd

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Comments

Comments

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1. Introduction

- 1.1. ECS Transport Planning Limited has been commissioned by Mungo Park Ltd to produce a Transport Statement (TS) in support of planning application for a Starbucks drive thru coffee unit with associated access, parking and servicing facilities on a site adjacent to Dundee Road, Arbroath.
- 1.2. Planning permission is sought to develop a new class 3 coffee shop with drive-thru facility to the south of Dundee Road, Arbroath. The proposed new unit will be a freestanding, single storey drive thru coffee outlet. Access to the site will be taken from a new priority junction with Queen's Drive.
- 1.3. The Transport Statement forms part of a comprehensive submission to Angus Council (AC) in support of a detailed planning application. It examines the key transportation issues and access opportunities associated with all modes of travel for a drive thru development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, if required.
- 1.4. The findings of this study, which support the proposals, are based on a review of the existing site and surrounding travel opportunities, while also taking cognisance of Transport Scotland's "Transport Assessment Guidance". Consideration has also been given to the requirements of local and national government planning policies, including the Scottish Government document 'National Planning Framework 4' (NPF4); however, as the site currently benefits from an extant planning consent policy compliance has already been established.
- 1.5. The subsequent chapters of this report are structured as follows:-
 - Development Proposals;
 - Transport Policy;
 - Sustainable Accessibility;
 - Existing & Future Traffic Conditions; and,
 - Summary & Conclusions.

2. Development Proposals

Existing Site & Surrounding Area

2.1. The site lies adjacent to the A92, Dundee Road, which provides the main route into, and through, Arbroath. The site is bounded to the north by the A92, to the west by Queen's Drive and to the south and east by West Links Park. The location of the site, in a local context, is highlighted in red within Figure 1, below.

Figure 1: Site Location



- 2.2. The development site is located within the grounds of the former Seaforth hotel. The Seaforth hotel was originally built as a private house in the 1820's and converted to a hotel in 1934. The hotel had 19 rooms, a leisure centre, two function rooms and a heated swimming pool. The hotel underwent some renovation work in 1996 however a mysterious fire burnt it to the ground in 2006. The remains of the hotel were demolished in 2006 and the site has remained vacant ever since. The site therefore has a long established history of traffic and people movement associated with the hotel, pool and function rooms.
- 2.3. Figures 2 & 3, overleaf, present the site in its current form. Figure 2 displays a view of the site looking north form Queen's Drive, with Figure 3 looking east from Dundee Road.

Figure 2: View of Site Looking North

Figure 3: View of Site Looking East



- 2.4. The site is located to the west of the town centre adjacent to West Links Golf Course, Gayfield Park and amenity space such as High & Low Common as well as Inchcape Park. There is a large residential population immediately to the north of the site and Red Lion Holiday Park a short distance to the west which bounds Westway Retail Park on the western boundary of the settlement.
- 2.5. The site benefited from previous planning approval for a mixed-use development comprising of a hotel and pub/restaurant including car parking. The approval (ref 17/01048/FULL) was granted in 2018. A subsequent application for a petrol filling station and drive thru was not approved due to the lack of a hotel given the site is allocated for a hotel use within the Local Development Plan (LDP).

Proposed Development

Development & Access Overview

- 2.6. It is proposed to develop a 189m² Gross Floor Area (GFA) coffee drive thru unit with associated parking which will occupy the western area of the developable area, adjacent to Queen's Drive. The drive thru unit will be positioned adjacent to the spine road which will serve the unit and the remainder of the site with the drive thru lane circulating around the southern elevation of the building.
- 2.7. Vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north.
- 2.8. The layout of the proposed development, including internal operation, is indicated on the Opfer Logan Architects Ltd Site Plan 22226_SP 02 & 03 contained within Appendix A.
- 2.9. The remainder of the site will be retained to allow a hotel use to be promoted as per the aspiration of the Angus Council LDP allocation.

Development Parking Provision

2.10. The SCOTS National Roads Development Guide does not detail drive thru restaurants as a specific land use within the parking standards section. Nonetheless, café's and restaurants are specified with a ratio of

1 space per 5msq of gross floor space. However, it is generally accepted that this parking ratio is overestimation as it was previously applied to public floor area (PFA) in earlier version of similar guidance. The PFA of the proposed unit is 95sqm which allows for a maximum parking provision of 19 based on PFA and 38 spaces based on GFA.

- 2.11. The proposals include 30 parking spaces which will be provided as 8 EV, 20 standard and 2 disabled spaces which is considered to be ample for the proposed use.
- 2.12. As part of the proposals 3 new Sheffield Cycle Stands will be introduced adjacent to the unit frontage which will accommodate 6 bicycles.

Servicing Arrangements

2.13. ECS drawing 23075-001 contained within Appendix B indicates servicing and refuse collection can be accommodated without compromising the operation of the existing road network. The service vehicle will enter the site via the new access and route to the internal junction located to the east of the current development layout. The vehicle will then reverse in to the dedicated loading area adjacent to the unit to unload prior to exiting the site in a forward gear. Servicing will be undertaken outwith peak operating times to minimise customer / delivery vehicle interaction.

3. Local & National Transport Policy

- 3.1. The planning system is used to make decisions about the future development and use of land in our towns, cities and countryside. It considers where development should happen and how development affects its surroundings. The system balances different interests, including transport, to make sure that land is used and developed in a way that creates high quality, sustainable places.
- 3.2. To inform this process, National and Local Government have developed a series of policy documents / statements and guidance in terms of transportation. As most forms of transport are fundamental to modern life, whether moving people to school, work, shopping or recreation, the integration of transport and land use is a key element to support economic growth, as well as, social inclusion. In reducing Scotland's carbon footprint, the promotion of public transport is seen as key for new developments with walking and cycling taking an important role.
- 3.3. The following provides an overview of the current national / central and local government policies and guidelines, which the development proposals and site will be reviewed against within this report.

National / Central Government Transport Planning Policy

National Transport Strategy (NTS2)

3.4. The White Paper 'The Future of Transport: A Network for 2030, Executive Summary, Paragraph 6' states that the following:

This Strategy advocates a Vision for Scotland's transport system, that will help create great places – a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors. It sets out Priorities to support that Vision: reduces inequalities; takes climate action; helps deliver inclusive economic growth; and improves our health and wellbeing. Within these Priorities there is greater focus on reducing inequalities and taking climate action to ensure we address the key challenges we face.

This Transport Strategy is for all of Scotland, recognising the different needs of our cities, towns, remote and rural areas and islands. It draws heavily on the latest evidence and has been developed through a collaborative approach involving a wide range of partners. An extensive engagement exercise comprising individuals, businesses and third sector organisations has been essential to its development. A consultation on the draft Strategy has also been carried out, with views invited from individuals and organisations across Scotland. The responses have played a key role in informing the content of the Strategy.

The Strategy presents our Vision for Scotland's transport system over the next 20 years, which is: We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

Our Vision is underpinned by four Priorities, each with three associated Outcomes. The Vision, Priorities and Outcomes are at the heart of the Strategy and will be the basis upon which we take decisions and evaluate the success of Scotland's transport policies going forward.

Our Vision

We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

Reduce Inequalities

- Will provide fair access to services we need
- Will be easy to use for all
- Will be affordable for all

Take Climate Action

- Will help deliver our net-zero target
- Will adapt to the effects of climate change
- Will enable greener, cleaner choices

Helps Deliver Inclusive Economic Growth

- Will get people and goods where they need to get to
- Will be reliable, efficient and high quality
- Will use beneficial innovation

Improves Our Health and Wellbeing

- Will be safe and secure for all
- Will enable us to make healthy travel choices
- Will help make our communities great places to live

While the Priorities can be complementary, it is recognised that there can also be tensions between transport policies and these may need to be carefully managed. We must aim for economic growth that is inclusive, where there are opportunities for all to participate and benefit. Growth, also, must not have net adverse impacts on our climate or affect people's health through poorer air quality. When planning transport, decision makers will need to consider how their decisions will impact across all of the Vision, Priorities and Outcomes.

National Planning Framework 4

Sustainable Transport

Policy Intent:

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy Outcomes:

- Investment in transport infrastructure supports connectivity and reflects place-based approaches and local living.
- More, better, safer and more inclusive active and sustainable travel opportunities.
- Developments are in locations which support sustainable travel.

Policy 13

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.

- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be

demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Local Living and 20 minute neighbourhoods

Policy Intent:

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Policy Outcomes:

- · Places are planned to improve local living in a way that reflects local circumstances.
- A network of high-quality, accessible, mixed-use neighbourhoods which support health and wellbeing, reduce inequalities and are resilient to the effects of climate change.
- New and existing communities are planned together with homes and the key local infrastructure including schools, community centres, local shops, greenspaces, health and social care, digital and sustainable transport links.

Policy 15

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- · employment;
- shopping;
- health and social care facilities;
- · childcare, schools and lifelong learning opportunities;
- · playgrounds and informal play

opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;

- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Planning Advice Note 75: Planning for Transport

3.5. Planning Advice Note (PAN) 75 accompanies SPP and provides a good practice guide for planning authorities and developers in relation to carrying out policy development, proposal assessment and project delivery. The aim of the document focuses on how planning and transport can be managed; the role of different bodies / professions in the planning process and provides reference to other sources of information.

3.6. Respectively, paragraphs 7 and 24 of the document state the following in terms of transport:

"The intention is for new developments to be user focused and for the transport element to promote genuine choice, so that each mode contributes its full potential and people can move easily between different modes. Consideration should be given to freight logistics as well as person travel."

"Development plan policy should encourage development of significant travel generating proposals at locations which are key nodes on the public transport network that have a potential for higher density development and a potential for mixed use development with an emphasis on high quality design and innovation. These locations should encourage modal shift of people and freight by providing good linkages to rail, walking and cycling networks and with vehicular considerations, including parking, having a less significant role. Mixed use development, for example the inclusion of local shops and services within larger housing developments can encourage multi-purpose trips and reduce overall distances travelled by car by bringing together related land uses."

3.7. Furthermore, maximum travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport are contained within PAN 75. From paragraph B13, the document states the following:-

"Accessibility to public transport services:

 For accessibility of housing to public transport the recommended guidelines are less than 400m to bus services and up to 800m to rail services."

"Accessibility to local facilities by walking and cycling:

A maximum threshold of 1,600m for walking is broadly in line with observed travel behaviour."

Scottish Executive Development Department: Transport Assessment Guidance (TAG)

- 3.8. The above document was published in 2012 and seeks to provide a best practice guide to help identify and deal with the likely impacts of development proposals in-terms of transport. As with SPP, this guidance focuses on the overall accessibility of the development. Detailed below are the key aims of a Transport Assessment.
 - Reducing the need to travel, especially by private vehicle;
 - Reducing environmental impact of development;
 - Encouraging accessibility of development / location; and
 - Promotion of measures that influence sustainable travel behaviour.
- 3.9. TAG provides recommendations for pedestrians, cyclists and public transport accessibility in relation to new development, defining mechanisms for identifying the location and measures.
- 3.10. Paragraph 2.9 of the document states that:

"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."

"In many cases, vehicle impacts will still be important and, in terms of the principals involved in the analytical process, will generally follow the well-established IHT procedures..."

Let's Get Scotland Walking - The National Walking Strategy

3.11. Let's Get Scotland Walking is a strategy to increase the number of Scots who are physically active and build on Scotland's outstanding opportunities for walking both in urban and rural areas. The foreword of the document states:

"There are many benefits from getting Scotland walking, including: more people will use active travel more often and will walk more for pleasure and for recreation; children will have safer routes to school and local facilities; older people will feel more connected with their communities; employers will have a healthier and more productive workforce; Scotland will reduce its use of carbon; and local economies will benefit from increased footfall."

3.12. The vision and aims of the document are as follows:

"A Scotland where everyone benefits from walking as part of their everyday journeys, enjoys walking in the outdoors and where places are well designed to encourage walking."

3 Strategic Aims are:

- Create a culture of walking where everyone walks more often as part of their everyday travel and for recreation and well-being
- Better quality walking environments with attractive, well designed and managed built and natural spaces for everyone
- Enable easy, convenient and safe independent mobility for everyone

Cycling Action Plan for Scotland

- 3.13. The actions in this document aim to increase cycling across Scotland, supporting both new and experienced cyclists. It outlines a framework for delivering the vision, setting out what the Scottish Government will do, what they expect others to do and what outcomes they expect that action will achieve.
- 3.14. The Scottish Government's purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. This first ever Cycling Action Plan for Scotland (CAPS) sets out how cycling, within the wider context of walking and active travel, contributes to this purpose, particularly through improving health, reducing congestion, reducing carbon emissions and providing a good transport alternative to persuade people out of cars.
- 3.15. Currently 1% of all journeys by Scottish residents are made by bicycle (Scottish Household Survey Travel Diary, 2008), and the Scottish Government would like to see this increased tenfold to 10% by 2020. Although this is an ambitious vision, the Scottish Government believe it is achievable. Around half the short journeys made (under 2 miles) are made by car; many of these could be switched to bike. This Action Plan aims to provide a framework to help create an environment which is attractive, accessible and safe for cycling.

Local Transport Planning Policy

Local Transport Strategy

- 3.16. The Scottish Integrated Transport White Paper "Travel Choices for Scotland" invites and encourages each Local Authority to develop a Local Transport Strategy (LTS) for its area. The White Paper envisages a Local Transport Strategy being a comprehensive document prepared with input from all Local Authority Departments and drawing on all forms of Local Authority transport. Local Authorities are also under a statutory obligation to report under the Road Traffic Reduction Act 1997.
- 3.17. The Angus Council LTS draws together a Local Transport Strategy for Angus which tackles problems and opportunities in Angus building on the need for Sustainable Transport, Integrated Transport and Inclusive Transport.
- 3.18. The five Key Objectives encompassed by the Angus Local Transport Strategy are:-
 - To maintain and improve accessibility to jobs, services and facilities for all members of the Angus Community in the most sustainable way.
 - To promote greater integration within and between transport modes and across transport, land use, social, economic and environmental policies aimed at reducing the need for travel.
 - To widen travel choices and improve the convenience and efficiency of transport services for the benefit
 of Angus residents, visitors and businesses.
 - To take full account of the effect of transport movements on the environment and to reduce adverse
 environmental impacts.
 - To reduce accident casualties associated with the transport network, improve road safety and assist safe travel throughout Angus.
- 3.19. These Key Objectives are consistent with the Government's integrated transport policy and guidance, and with the existing Angus Council Policy Context (Chapter 2). They set challenging aspirations and provide a basis for considering Problems and Opportunities (Chapter 4) and developing a Strategy (Chapter 5). More detailed aims addressing specific issues and building on these key objectives are developed in subsequent chapters. Performance Measures related to the Key Objectives are identified in Chapter 6.

Summary

- 3.20. Both Local and National Government policy highlight the need to consider sustainable transportation modes when considering the likely impacts of development sites.
- 3.21. The promotion and connection to public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The policies all highlight transport sustainability in terms of social inclusion, environmental impact, successful integration and safety.
- 3.22. In addition, the Scottish Government document "Transport Assessment Guidance" supports the need for consideration of a sustainable approach to transportation planning.

4. Sustainable Accessibility

- 4.1. This chapter examines the existing sustainable transport network and considers if the application site will offer a genuine choice of transport mode; facilitate a reduction in car use and support greater use of walking, cycling and public transport. This achievement would lead to social inclusion whilst supporting the local economy and promoting better health and fitness.
- 4.2. The following also provides an overview of the likely travel demand for sustainable modes of travel created by the proposed development. The predicted uplift in walking, cycling and public transport trips has been assessed in line with the existing provision and facilities in the surrounding area, with improvements to enhance accessibility by each mode considered where necessary.
- 4.3. The proposed site is located within the West Link Beach area which includes the West Beach Fun Park, Pleasureland and the West Links Park. The developable area is bound by the A92 Dundee Road to the north, Queens Drive to the west and the West Beach footgolf course (golf but you use a football) to the south and east. The area surrounding the development site benefits form high quality walking and cycling access as well as good quality local bus services. Access is direct from the A92 Dundee Road to the north of the development site, which in turn provides access to the centre of Arbroath to the east and west towards Dundee.

Local & National Transport Planning Policy

- 4.4. Both local and national government planning policies aim to promote travel by sustainable modes, with the overarching objective of reducing reliance on travel by private vehicle, promoting social inclusion and improving health and wellbeing of the local community. Policies all highlight transport sustainability under the banners of Economic Growth, Accessibility & Social Inclusion, Environment, Safety & Personal Security and Sustainability and Integration.
- 4.5. The promotion of public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The Transport Scotland document "Transport Assessment Guidance", and Scottish Government policy documents National Planning Framework 4 (NPF4) and 'Planning Advice Note (PAN) 75' also supports the need for consideration of a sustainable approach to transportation planning.
- 4.6. The following sections provide an overview of the existing walking, cycling and public transport opportunities, ahead of private car access, in line with the hierarchy of travel modes set out in NPF4, demonstrating that the site is compliant with these policies and is ideally located to be accessible by a range of travel modes, regardless of any additional infrastructure introduced as a result of the proposals.

Accessibility Criteria

- 4.7. There are various measures of accessibility and methods of calculation. Determining the accessibility of a site generally requires calculating the travel time by different modes; i.e. walking, cycling, public transport and private car. From 'Transport Assessment Guidance' Journey times of up to 20-30 mins are appropriate for walking and 30-40 mins for cycling.
- 4.8. PAN 75 sets maximum travel distances when assessing a development site for walking and cycling, as well as, establishing how far people would be prepared to walk to access local amenities, such as, retail outlets and public transport interchanges. These acceptable walking distances are as follows; however, it is

important to note that in areas of frequent affordable public transport it is not uncommon for these walking distances to be exceeded:-

- 400m to bus services;
- 800m to rail services; and
- 1,600m to local facilities / amenities.

Multi-Modal / People Trip Assessment

- 4.9. It is stated within 'Transport Assessment Guidance' that "Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."
- 4.10. To determine the future person trips and travel choice of people associated with the proposed development reference is generally made to the Trip Rate Information and Computer System (TRICS) database. However, due to the car born nature of trips attracted to drive-through facilities, limited information is available on the database for multi-modal trips to these specific land uses. As no numerical value can be specifically identified for each mode category for the drive through unit, a qualitative review of the availability of facilities for staff and customers has been undertaken.

Sustainable Travel Opportunities

Walking (Pedestrian)

Existing

- 4.11. A wide shared footway / cycleway is provided on the south side of the A92 Dundee Road, directly adjacent to the frontage of the development with a wide footway on the north side of the A92 Dundee Road. The footways and cycleways on the A92 Dundee Road provide access to the whole of Arbroath and link to existing pedestrian routes and the core path network. The site lies in close proximity to the Arbroath Core Path network which runs in an east west direction along Queens Drive to the east and West Links Park to the west.
- 4.12. The site benefits from the remnants of a direct pedestrian access with the southern footway on Dundee Road which provided access to the former hotel use on the site.
- 4.13. Figures 4 & 5, overleaf, show the existing footway provision neighbouring the site on Dundee Road and the access to the site.
- 4.14. Dundee Road benefits from various dropped kerb crossings immediately to the east of the site which serve the primary desire line to the town centre and the residential catchment to the north. Again, to the west, a dropped kerb crossing on Queen's Drive is available as shown in *Figure 5* and various crossings are available on Dundee Road.
- 4.15. As would be expected in an urban location, the site is well connected by a series of adopted standard footways which benefit from crossing facilities at regular intervals.

Figure 4: Dundee Road Footway - East

Figure 5: Dundee Road Footway - West



Proposed

- 4.16. Walk-in trips will likely originate from the surrounding residential areas and shared trips with the amenities adjacent to the site. As the development site is accessible to a large proportion of the town's residential sectors it is expected that the level of walk-in trade could be significant.
- 4.17. From 'Transport Assessment Guidance' journey times of 20 30 minutes (circa. 1,600m 2,500m based on an average walking speed of 1.4m/s) are considered to be appropriate for walking. These figures are broadly in line with the guidance set out in PAN75 which indicates a maximum walking catchment of 1,600m for local facilities and amenities. Figure 6, overleaf, presents a 20 minute (1,600m) 'walkable neighbourhood' isochrones a per NPF4 which indicates that a large area of the settlement including the town centre is accessible on foot.
- 4.18. The proposed development will introduce direct footway links to the existing footway network on Dundee Road ensuing a safe and convenient access will be available to the unit.
- 4.19. As expected in an urban area the footways are of a good standard and present on most streets, enabling connections between the proposed development and the surrounding residential population, in addition to nearby employment and education facilities. Therefore, the current level of pedestrian facilities on offer, in conjunction with the measures promoted as part of the proposed development, will support the expected future peak related pedestrian demand by customers and staff and also ensure permeability from the anticipated walk-in catchment.

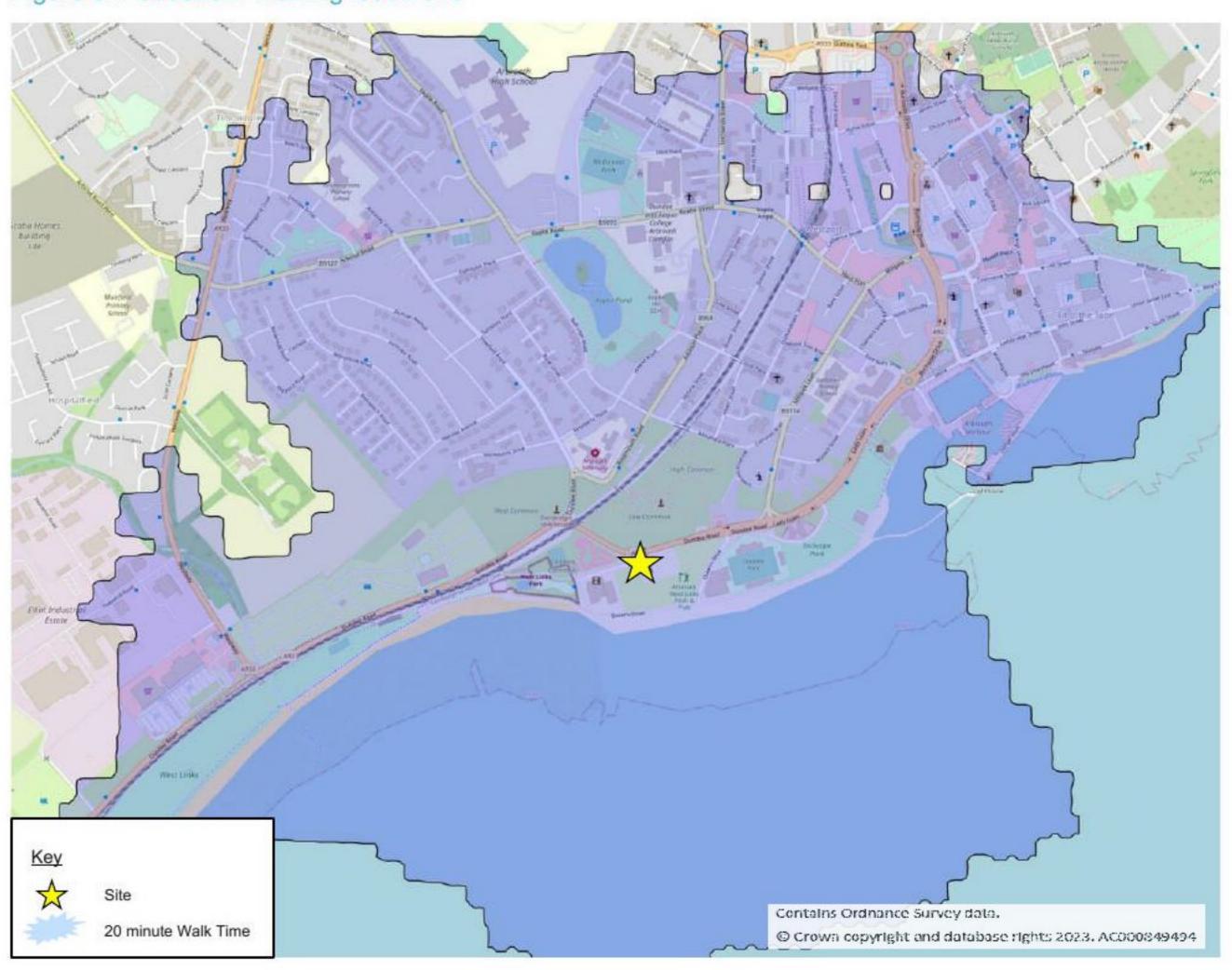
Cycle (Bicycle)

Existing

4.20. National Cycle Route 1 (NCR 1) also runs to the south of the development, combining with sections of the Angus Council Core Path Network. NCR 1 is a long distance cycle route from the south of England to Shetland and runs along the east coast of the country. The Dundee to Arbroath section, which passes the development site, uses the coastal paths and minor roads and provides links to the residential areas and

- the sea front of Arbroath. NCR 1 provides ideal access for both staff and customers visiting the development as it provides a safe and direct route. *Figure 7* provides an extract from the Sustrans route map.
- 4.21. As detailed previously, the southern footway on Dundee Road is designated as a shared cycle / footway which provides access to NCR 1 from the local area.

Figure 6: Pedestrain Walking Isochrone



Proposed

- 4.22. It is anticipated that any increase in cycling trips will primarily be associated with staff at the proposed development given the nature of the intended use.
- 4.23. From 'Transport Assessment Guidance', an appropriate journey time for cycling is considered to be 30 40 minutes, which equates to a cycle distance of 5km to 13km based on an average cycling speed of 10 to 20kph. This cycle catchment will encompass all of Arbroath and several neighbouring settlements.

4.24. Based on the existing cycle opportunities, nature of the local road network and proximity of residential areas, in addition to the provision of cycle facilities at the site, it is considered that the anticipated demand for cycling can be accommodated and will be a feasible mode choice for customers and staff.

Figure 7: Cycle Routes



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Public Transport

Existing

- 4.25. The closest and most frequent bus service to the development site is located on the B964 Rosemount Road, to the north of the development site. The development site lies 400m from the south bound bus stop on the Rosemount Road and 485m from the north bound bus stop on Rosemount Road. Both bus stops on Rosemount Road are provided with a bus pole and timetable information.
- 4.26. Figures 8 & 9, overleaf, indicate the north and southbound stops, respectively.
- 4.27. There are also bus stops provided on the A92, to the west and east of the site, both of which are within 400m of the development site. These bus stops are provided with bus poles and timetable information. All of the stops are served by JP Minicoaches Service 50, Arbroath Bus Station Arbroath Infirmary Red Lion Caravan Park which operates frequently throughout the day Monday Saturday.
- 4.28. The bus services provide access to the local settlement and also the bus station where longer distance services are available.
- 4.29. Figure 10, overleaf, illustrates the existing public transport infrastructure surrounding the development site.

Figure 8: Dundee Road Footway - East

Figure 9: Dundee Road Footway - West



Figure 10: Public Transport Infrastructure



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Proposed

4.30. The site is well located to take advantage of the frequent bus services which access much of the residential areas within the catchment of the proposed development and thereby provide an excellent alternative to the private car.

Travel Plan Framework (Employment)

- 4.31. It is expected that a full travel plan will form a condition of any consent to ensure that relevant information reflective of the specific operations of each occupier can inform the plan. The following provides a framework for a travel plan which will provide the basis for a full travel plan which will be completed in conjunction with P&KC.
- 4.32. In line with Transport Assessment Guidance, Travel Plans should first be introduced within the TS. However, a Travel Plan cannot be fully developed until the development is operational, therefore, the Travel Plan Framework below will be used to establish the requirements of the future Travel Plan for the employment element of the development.
- 4.33. The framework detailed below is not intended to represent a Travel Plan, but is intended to allow consideration of what may be required and is aimed primarily at staff travelling to the development site.
- 4.34. The Department of Transport (DoT) 'A guide on travel plans for developers' states:
 - 'A travel plan is a strategy for managing all travel and transport within an organisation. It seeks to improve access to a site or development by sustainable modes of transport. A travel plan contains both physical and behavioural measures to increase travel choices and reduce reliance on single-occupancy car travel'
- 4.35. The aim of travel plans, as outlined by Central Government Guidelines, is to address potential means of reducing reliance on staff single-occupancy car use and encouraging the use of alternative forms of travel.
- 4.36. A Travel Plan involves the development of a set of mechanisms, initiatives and targets that together enable organisations to reduce the impact of travel.

Objectives

- 4.37. There are a number of objectives, both at national and local level, that the implementation of the Travel Plan is intended to help fulfil:
 - Influence travel behaviour;
 - Generate fewer single-occupancy car trips than would otherwise be the case by encouraging a modal shift in travel to the site;
 - Reduce the need for unnecessary journeys;
 - Reduction in overall mileage;
 - Help improve the health of staff; and
 - Accommodating those journeys that need to be made by car.

Targets

4.38. The objectives given above provide the framework for the Travel Plan measures. Targets can be included to help achieve the objectives and there are two main types that are applicable. The most easily

- demonstrated is a commitment to deliver the package of measures set out in the plan. These measures include initiatives to promote increases in the use of walking, cycling, car-sharing and public transport use.
- 4.39. The second form of target is aspirational and related to proportional changes in the travel modes used to access the site. Aspirational targets are not generally set in advance of the development opening as the modal split of staff for the both developments is not known. Results of a staff travel survey (normally undertaken within 6 months of the development opening) would provide information on the prevailing travel choices of employees and a basis for the setting of aspirational targets in a later revision of the Travel Plan.
- 4.40. The Travel Plan will be implemented by the end users, who will work in conjunction with AC and other interested parties in its continuing progression and be responsible for managing and implementing.

Initiatives

- 4.41. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the occupier(s) of the development:
 - Provision of travel information e.g. bus timetable information on staff notice boards;
 - Measures to promote walking / cycling washing and changing facilities, bicycle users group, information on walk / cycle routes; and,
 - Car sharing Promote a staff car sharing scheme as a means of reducing single occupancy car trips.
- 4.42. Travel Plans are primarily focussed on staff and therefore the majority of measures proposed within a plan are intended to encourage staff to use more sustainable modes of transport when travelling to the development.

Monitoring & Review

4.43. An objective of the Travel Plan is that there will be an on-going improvement process including periodic monitoring, where necessary.

Summary

4.44. In line with local and national policy, a person trip assessment has been undertaken for the proposed development to review the potential future sustainable travel demand for all modes against the existing transport provision in the area. The current walking, cycling, and public transport provision in the area is good and sufficient for the expected increase in sustainable travel from the site. As part of the development proposals, measures will be introduced to enhance sustainable travel by the provision of pedestrian links and cycle parking within the site, whilst also implementing a Travel Plan.

5. Existing & Future Traffic Conditions

5.1. The following presents the existing traffic conditions on the surrounding road network, and likely level of private car use generated by the proposed development.

Surrounding Road Network

Existing

- 5.2. This section of the report describes the most likely routes vehicles will travel to / from the development site to / from places of residence and the strategic road network. The following provides an overview of the key route corridors, indicating the site is ideally located to access strategic routes such as the A92.
- 5.3. The site is accessed from Queen's Drive which is a loop road providing access to a range of leisure uses in the West Links area. The former hotel had a separate entry / exit arrangement to the carpark from Queen's Drive which is still in situ. The main access onto the A92 from Queen's Drive is a standard priority junction with excellent visibility in both directions.
- 5.4. The A92 Dundee Road is a local distributor road which provides access into the centre of Arbroath from the north and south. The A92 in the vicinity of the site has a speed limit of 30 mph and operates in an east west direction as it passes the site with access to the site taken from Queens Drive, the existing access which serves the West Links Beach development area. Street lighting is provided along the full length of the A92 in the vicinity of the development site with a wide footway / cycleways provided along the south side of the A92 and a wide footway provided along the north site. The A92 is typically 7.3m in width, commensurate with a road of this type.
- 5.5. The A92 continues through the centre of the settlement to the east, providing access to the town centre, and continues north providing a strategic access to Montrose and numerous other settlements on the coast.
- 5.6. The railway bridge at the junction of the A92 and the B964 has a height restriction of 4.3m which means that the section of the A92 past the development site is generally only used by cars and large vehicles under 4m high. This means that double decker buses and HGV's cannot use the A92 past the development site. This is a benefit to the area around the site with the lack of HGV movements and the improvements this makes to both the pedestrian and cycle amenity and safety.
- 5.7. The section of the A92 adjacent to the site, and the entrance to the West Links Beach area, which provides access to the development site, have a good accident record with no reported injury accidents in the past five years. Overall the existing West Links Beach access junction provides a safe access to the existing West Link Beach wider area.

Proposed

- 5.8. The proposed drive thru and wider development site will be accessed from the junction which previously served the Seaforth Hotel. Rather than a separate "in" and "out", as was used for the former Seaforth Hotel, it is proposed that a single access will be provided to serve the site as per a typical simple priority junction with Queen's Drive. This has been located such that it provides good separation from the main access onto the A92 and has good visibility.
- 5.9. The proposed priority junction is indicated on the architects plans contained within *Appendix A* and reflect the previously consented access junction for the Marston's restaurant and hotel.

5.10. The site is located in an excellent position for access via private car and service vehicles given the short distance to the key trunk roads in the area.

Development Traffic

5.11. Table 1, below, details the trip rates and generation for the proposed drive thru unit which is taken from the TRICS database, the industry standard trip generation database. The TRICS outputs are included within Appendix C for reference.

Table 1: Proposed Starbucks Development Vehicle Trip Rates / Generation

	Weekday AM Peak (0800 – 0900)			Weekday PM Peak (1700 -1800)		
	In	Out	Total	In	Out	Total
189m²						
Trip Rate	12.189	11.716	23.905	9.911	10.089	20.0
Traffic Generation	23	22	55	19	19	38

- 5.12. Table 1 highlights that the proposed drive thru will generate 55 and 38 vehicle trips in the AM and PM peak hours, respectively. A large portion of the coffee shop drive thru trips will be existing on the network and classified as pass-by trip from Dundee Road or linked trips with the adjacent leisure uses.
- 5.13. It is evident from the above table that the proposed development generation is not considered significant and, therefore, would not have a material impact on the operation of the adjacent road network. Furthermore, it is widely accepted that a large proportion of trips associated with these types of developments can be attributed to pass-by / linked trips. As such, it is not considered necessary to undertake detail junction analysis to support the application.

Summary

5.14. The assessment of the local road network supports the site access proposals and concludes that the minor increase in traffic associated with the development will result in a negligible impact on the operation of surrounding junctions in the study area. As a result, it is considered that the additional traffic can be safely accommodated on the road network with no detriment to existing road users or requirement for any additional physical mitigation.

6. Summary & Conclusions

Summary

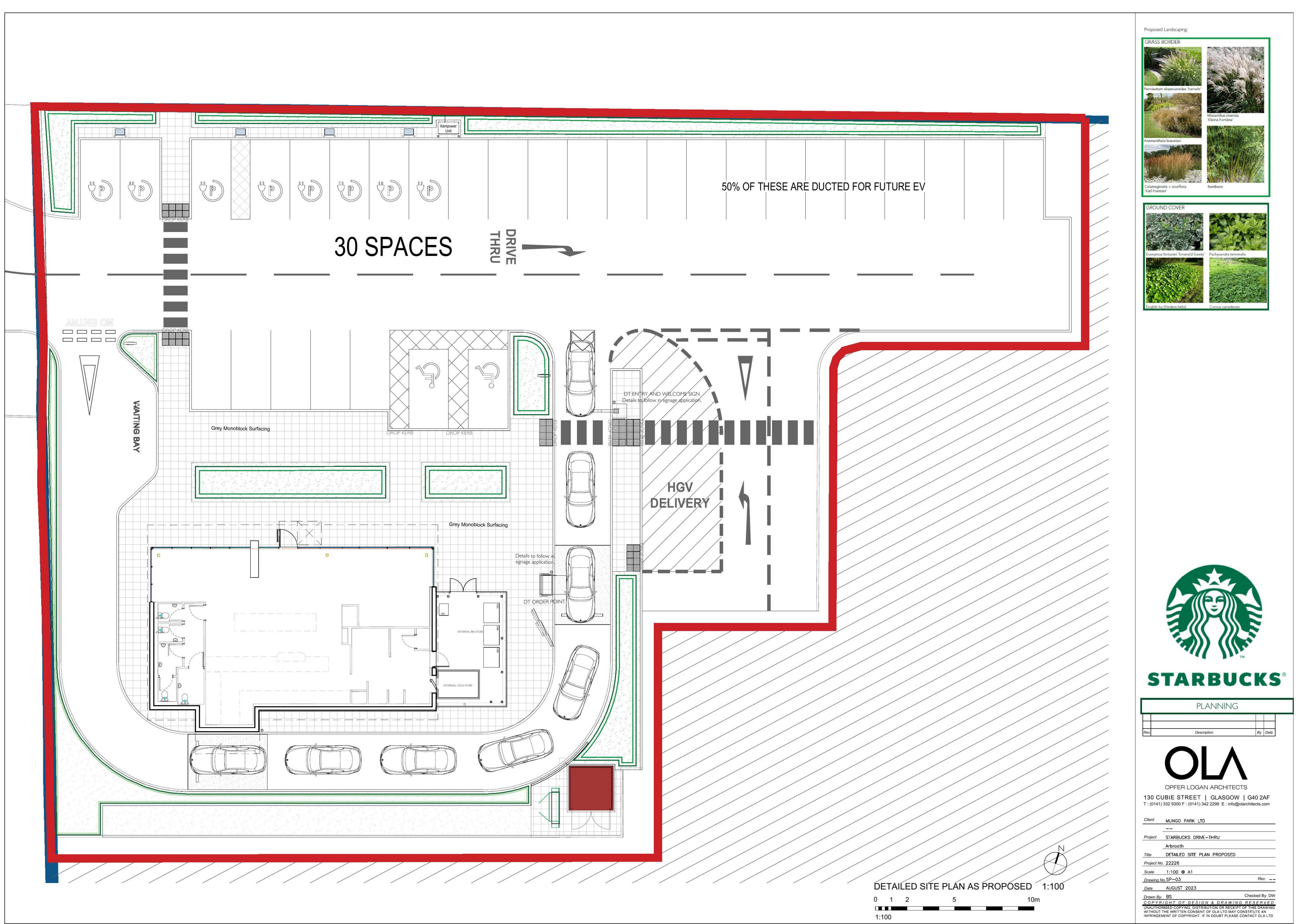
- 6.1. ECS Transport Planning Limited has been commissioned by Mungo Park Ltd to produce a Transport Statement (TS) in support of planning application for a Starbucks drive thru coffee unit with associated access, parking and servicing facilities on a site adjacent to Dundee Road, Arbroath.
- 6.2. Planning permission is sought to develop a new class 3 coffee shop with drive-thru facility to the south of Dundee Road, Arbroath. The proposed new unit will be a freestanding, single storey drive thru coffee outlet. Access to the site will be taken from a new priority junction with Queen's Drive.
- 6.3. The Transport Statement forms part of a comprehensive submission to Angus Council (AC) in support of a detailed planning application. It examines the key transportation issues and access opportunities associated with all modes of travel for a drive thru development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, if required.
- 6.4. The findings of this study, which support the proposals, are based on a review of the existing site and surrounding travel opportunities, while also taking cognisance of Transport Scotland's "Transport Assessment Guidance". Consideration has also been given to the requirements of local and national government planning policies, including the Scottish Government document 'National Planning Framework 4' (NPF4); however, as the site currently benefits from an extant planning consent policy compliance has already been established.
- 6.5. It is proposed to develop a 189m² Gross Floor Area (GFA) coffee drive thru unit with associated parking which will occupy the western area of the developable area, adjacent to Queen's Drive. The drive thru unit will be positioned adjacent to the spine road which will serve the unit and the remainder of the site with the drive thru lane circulating around the southern elevation of the building.
- 6.6. Vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north.
- 6.7. The remainder of the site will be retained to allow a hotel use to be promoted as per the aspiration of the Angus Council LDP allocation.
- 6.8. In accordance with local and national transport policy, an assessment of the development proposals has been undertaken for all sustainable modes of travel. This indicates that the current walking cycling, and public transport provision in the area is sufficient to accommodate the expected future demand from the site. As part of the development proposals measures will be introduced to enhance sustainable travel by the provision of connections to the adopted footway network, cycle parking and also implementing a Travel Plan.
- 6.9. The assessment of the local road network supports access to the development, the car parking proposals and the drive thru lane design, and concludes that the traffic generation from the site is insignificant when compared to the extant planning consent traffic which is committed. As a result, it is considered that the introduction of the development traffic will have no detriment to existing road users or cause additional delay nor require any physical mitigation.

Conclusions

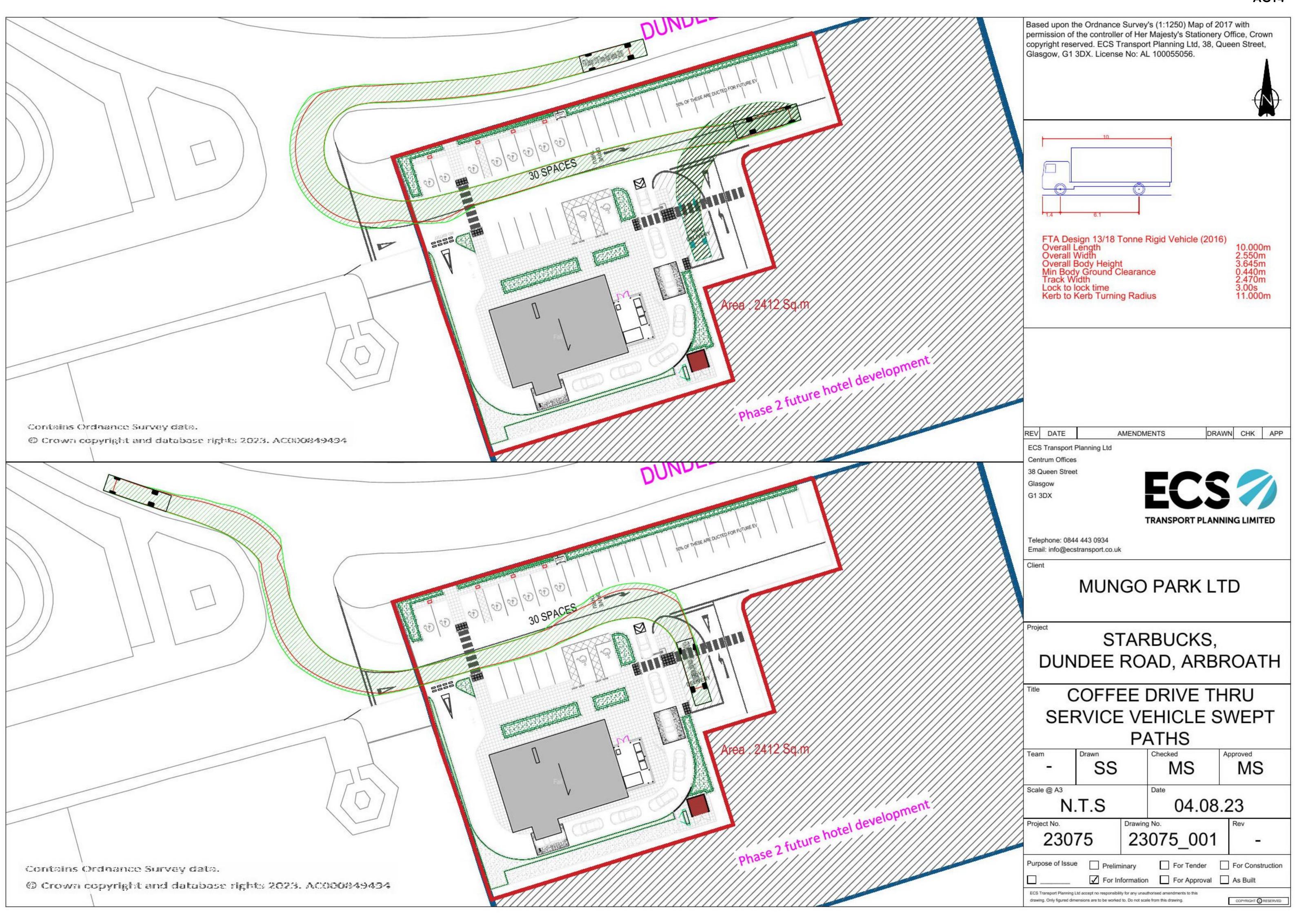
6.10. This Transport Statement demonstrates that the development site will be accessible by sustainable modes of travel and integrate well within the existing transport network with the introduction of additional non-car promoting measures. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users.

APPENDICES

A. Architects Plans



B. Swept Path Analysis



C. TRICS Output

TRICS 7.6.2 250719 B19.14 Database right of TRICS Consort um Limited, 2019. All rights reserved Tuesday 06/08/19 Drive Thru Fast Food Page 1

ECS Transport Planning Limited — 38 Queen Street — Glasgow — Licence No. 654801

:0a cullation Reference: $4JD\Pi - 654801 - 190806 - 08121$

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 06 - HOTEL, FOOD & DRINK
Category : D - FAST FOOD - DRIVE THROUGH

VEHICLES

Selected regions and areas:

04 EAST ANGLIA

CA CAMBRIDGESHIRE

A CAMBRIDGESHIRE 1 days

10 WALES

CO CONWY 1 days

11 SCOTLAND

FI FIFE 1 days

This section displays the number of survey days per TRICS(E) sub-region in the selected set.

Secondary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fail within the parameter range are included in the trip rate calculation

Parameter: Ghosa floor area Actual Range 275 to 435 (unital sqm) Range Selected by User 182 to 600 (unital sqm)

Parking Spaces Range: A Surveys Included

<u>Public Transport Provision</u>

Selection by Include a Lauryeys

Date Range 01/01/11 to 19/09/17

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

<u>Serected survey days:</u>

Tuesday 2 days Friday 1 days

This data displays the number of selected surveys by day of the week.

Selected survey typesh

Manual count 3 days
Directions ATC Count 0 days

This data displays the number of manual diassified surveys and the number of undessified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Serected Locations

Suburban Area (PPS6 Out of Centre) 1
Edge of Town 2

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

<u>Selected Location Sub-Categories.</u>

Development Zone 1
Residential Zone 1
Out of Town 1

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Bulit-Up Zone, Village, Out of Town. High Street and No Sub Category.

Secondary Filtering selection:

use Class.

43 2 days 45 1 days

This data displays the number of surveys per use Class classification within the selected set. The Use Classes Order 2005, has been used for this purpose, which can be found within the Library module of TRICS (8).

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Secondary Filtering selection (Cont.):

Population within 1 mile.

5,001 to 10,000 2 days 15,001 to 20,000 1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

<u>Population within 5 milest</u>

25,001 to 50,000 1 days 100,001 to 125,000 1 days 125,001 to 250,000 1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Can ownership within 5 milest

0.6 to 1.0 1 days 1 to 1.5 2 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plant

No 3 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Ratings

No PTAL Present 3 days

This data displays the number of selected surveys with PTAL Ratings.

AC14

TRICS 7.6.2 [280719 B19.14 | Distablase highlight of TRICS Consort um Limited, 2019, All highlights reserved. Tuesday 06/08/19 Drive Thru Fast Food Page 3

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LIST OF SITES relevant to selection parameters.

CAMBRIDGESHIRE

Suburban Area (PPS6 Out of Centre).

Residentia Zone

NEWMARKET ROAD

Total Gross floor area: 435 Edmi

MCDONALD'S

Survey date, ToESDAY 19/09/17 Survey Type, MANUAL

MCDONALD'S 2 CO-06-D-01 CONWY

RHUDDLAN ROAD

ABERGELE

1 CA-06-D-02

CAMBRIDGE

Edge of Town Outlof Town

Total Gross floor area: 410 Edm

> Survey date, FRIDAY 21/10/11 -Survey Type, MANUAL

3 FI-06-D-02 KEC FIFE

WHIMBREL PLACE DUNFERVLINE H = L = = = - H Edge of Town Development Zone

Total Grossificon area: 275 Edm

Survey date. TuESDAY 22/03/16 - Survey Type, MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trib rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

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Licence No. 654801

TRIPIRATE for Land Use 06 - HOTEL, FOOD & DRINK/D - F4ST FOOD - DRIVE THROUGH

VEHICLES

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

		ARROVALS		[DEPARTURES			TOTALS	
	No	äwe.	Trip	No.	Ave	Tho	No	awe.	Trip:
Time Range	Days	GFA	Rate	Days	GF≐	Rate	Days	GFA	Rate
00 00 - 01 (00									
01 00 - 02:00									
02 00 - 03:00									
03 00 - 04:00									
04 00 - 05:00									
05 00 - 06:00									
06 00 - 07:00	1	410	5 829	-	410	5,366	1	410	12 195
07 00 - 08:00	2	423	8 757	2	423	7.219	2	423	15 976
08 00 - 09:00	2	423	12 189	2	423	11,716	2	423	23 905
09 00 - 10:00	2	423	10 414	2	423	10,769	2	423	21 183
10 00 - 11 (00	3	373	5 695	(1)	373	7.321	3	373	14 017
11 00 - 12:00	3	373	9 554	(7)	373	8,750	3	373	18 304
12 00 - 13:00	3	373	15.536	(3)	373	13,551	3	373	29.197
13 00 - 14:00	3	373	11 875	3	373	14.554	3	373	26 429
14 00 - 15:00	3	373	9 464	(7)	373	10.982	3	373	20 446
15 00 - 16:00	3	373	10 268	(1)	373	9,286	3	373	19 554
16 00 - 17:00	3	373	11 071	(7)	373	10.625	3	373	21 696
17 00 - 18:00	3	373	9 911	(3)	373	10.089	3	373	20,000
18 00 - 19:00	3	373	10:179	(1)	373	9,911	3	373	20 090
19 00 - 20:00	3	373	10 625	(7)	373	11,151	3	373	21 786
20 00 - 21 (00	3	373	5 695	(3)	373	7,500	3	373	14 196
21 00 - 22:00	3	373	6 250	(3)	373	5,893	3	373	12 143
22 00 - 23:00	2	343	4 234	2	343	5,401	2	343	9 635
23 00 - 24:00									
Tota Rates:			160,548			160 204			320,752

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trib rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is 1 COUNT/TRP*FACT. This rates are then rounded to 3 decimal places.

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Parameter summary

Trip rate parameter range selected: 275 - 435 (units sqm)
Survey date date range: 01/01/11 - 19/09/17
Number of weekdays (Monday-Friday): 3
Number of Saturdays 0
Number of Sundays: 0
Surveys automatically removed from selection 1
Surveys manually removed from selection 0

This section displays a quick summary of some of the data filtering selections made by the TR10S® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are show. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.



North Planning & Development 2nd Floor Tay House 300 Bath Street Glasgow G2 4JR

03 October 2023

Planning and Building Angus Council

FAO Ben Freeman

Dear Sir/Madam

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel, Dundee Road, Arbroath (app. ref. 23/00558/FULL)

I am writing with regards to the above-mentioned planning application to respond to matters raised in a 29th September email from the planning officer, Ben Freeman, to the agent for the application, Bhargav Somarouthu. This letter specifically responds to the comments in the planning officers email relative to Angus Local Development Plan Policies DS1 and A7.

The planning officer's email places reliance on the policies in the Angus Local Development Plan, specifically Policies DS1, DS3 and A7. Whilst this is understood, it is relevant to the consideration of this application that the Plan was adopted in September 2016 and so the policies therein effectively became out of date after 5 years in September 2021, resulting in them have more limited weight in decision making. NPF4 has been much more recently adopted, in February 2023, and so the policies therein should be afforded significant weight, and as we have demonstrated in the Planning Statement which accompanies the application the proposal aligns with the relevant policies of NPF4.

Notwithstanding that, LDP Policy DS1 establishes that all proposals will be expected to support delivery of the Development Strategy, which seeks to:

- guide the majority of development, including local housing and employment opportunities, to locations within the towns that have the capacity to accommodate new development well integrated with existing infrastructure, and which serve as locally accessible centres serving a diverse rural hinterland;
- maintain and protect the diversity and quality of the rural area and encourage local development which supports the population and services of local communities;
- provide opportunities for appropriate diversification of the rural economy; and
- maintain the quality of valued landscapes, the natural, built and historic environment, and biodiversity.

The application is for development within the town of Arbroath, for a use that will provide employment and on a site that is allocated for commercial development, and as the proposal is for the partial redevelopment of a vacant brownfield site and with a modern and contemporary building it will maintain and enhance the quality of the built environment. In all of these respects the application aligns with the Development Strategy and therefore also with Policy DS1.

The application is for the redevelopment of part of a the wider site of the former Seaforth Hotel, and rather than failing to safeguard the site for future hotel use the application proposal actually protects the potential for the remaining part of the site to accommodate a new hotel development. Also, by putting a

AC15

new access road and service connections into the site, allied to providing a coffee shop that can complement a future hotel use, the proposal actually enhances rather than undermines the potential of the site to accommodate a hotel.

Policy DS1 specifically establishes 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 relevant policies of the Plan. The application is for the development of part of a brownfield site that has been vacant for some considerable period and, as set out in the Planning Statement and below, the proposal aligns with the other relevant policies in the Plan and NPF4 and it therefore follows that the proposals align with this element of Policy DS1.

The Development Strategy of the Plan also includes protecting and enhancing Arbroath's wide range of visitor assets and further developing tourism and recreation facilities and accommodation particularly along the seafront, redeveloping a number of sites and properties to support the Harbour and West Links. The application proposal is for a Class 3 coffee shop, which will serve Arbroath residents and visitors alike, and which will complement and support the existing visitor, tourism and recreation assets that are in close proximity along the seafront and the West Links, including Arbroath FC, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts. In these respects, the proposal is in line with the Development Strategy as it will protect and enhance Arbroath's wide range of visitor assets and tourism and recreation facilities.

Contrary to the suggestion in the planning officer's email, whilst Local Development Plan Policy A7 establishes that the former Seaforth Hotel site "provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use" the policy does not specifically establish that this is for Class 7 and/or Class 11 uses. The absence of any such reference in the LDP results in it being open to interpretation what types of uses fall within the ambit of leisure, tourism or recreation, and it is our position that a Coffee Shop can be reasonably regarded as being and/or supporting leisure, tourism and recreational uses, particularly in the context of this site, which is surrounded by other such uses that the Coffee Shop would complement and support.

Whilst Policy A7 establishes that development proposals should be in accordance with the approved Supplementary Guidance it is noted that the 'Guidance' is actually held within the Development Briefs part of the Council website and so if this is in fact a Development Brief it not form part of the development plan and therefore does not have as much weight. Notwithstanding that, on the understanding that the Guidance, or Brief, was prepared in tandem with the Local Development Plan, it is also now more than 5 years old and so effectively out-of-date.

The Guidance, or Brief, includes a preference for the site to accommodate a hotel or travel lodge type development, and as this is stated as a preference it suggests that the Council will afford reasonable consideration to alternative other uses that complement the existing visitor, tourism and recreation uses. The "travel lodge" reference is taken to be to Travelodge or equivalent type of branded hotel. That being the case is significant, as "travel lodge type" hotels are typically of fairly standardised design and materials, and whilst that principle appears to be being welcomed by the Council for a hotel development the planning officer's email suggests that an equivalent approach for a Class 3 coffee shop is not deemed to be suitable. Notwithstanding this apparent inconsistency, it is our position that the design that is being proposed is of a high standard, is contemporary in style, form and materials, and is suitable and appropriate to the site and its setting, and that it will be an enhancement to the site and the existing character of the area, many of which the planning officer judges to be "utilitarian in their appearance".

The application proposals will redevelop part of a vacant brownfield site for a coffee shop use that will support the visitor, tourism and recreational uses along the seafront and West Links part of Arbroath; which will safeguard and not prejudice the remainder of the site being available for a future hotel development; and by putting a road and services into the site and providing a coffee shop the development will act as a catalyst to support the feasibility of and support and complement a future hotel use. Taking all of these considerations together, allied to the assessment set out in the Planning Statement that accompanies the application, leads to the conclusion that the application proposals align with the requirements of LDP Policies DS1, A7 and DS3 as well as the requirements of the Supplementary Guidance/Development Brief.

The preceding Planning Statement also demonstrated that the proposal aligns with the requirements of NPF4 and the guidance set out in the February 2023 letter from the Chief Planner and the Planning

2

Minister, and for all of these reasons we are strongly of the view that the key material considerations in this case weigh in favour of the proposal and that planning permission should therefore duly be granted.

Yours sincerely



David Campbell MRTPI Director North Planning & Development

david@northplan.co.uk T. 0141 212 2627



North Planning & Development 2nd Floor Tay House 300 Bath Street Glasgow G2 4JR

08 November 2023

Planning and Building Angus Council

FAO Ben Freeman

Dear Sir/Madam

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel, Dundee Road, Arbroath (app. ref. 23/00558/FULL)

I am writing with regards to the above-mentioned planning application and to provide further comment to supplement the content of an August 2023 Planning Statement and a letter of 3rd October 2023, both of which have been previously submitted to support the application.

Firstly, please find a note attached which has been prepared by the acting agent, which sets out a timeline of the site marketing that has taken place between 2006, when the former Seaforth Hotel went on fire, to now. This clearly demonstrates that the site has been marketed as a hotel development opportunity on numerous occasions over an approximate 17 year period, and whilst some interest has been shown over the period no party has ever concluded. Whilst it is not impossible that hotel interest will transpire in the future there is none at present.

Notwithstanding the lack of current market interest to develop a hotel on the site, a typical modern hotel development of the size that could potentially be brought forward in Arbroath in the future would not require the full extent of the former Seaforth Hotel site. This letter is accompanied by a wider site masterplan which demonstrates that the Class 3 coffee shop that is proposed can be accommodated along with a two storey 40 room hotel with associated parking on the remaining part of the site. This plan clearly demonstrates that the proposed coffee shop does not prejudice the potential for the remainder of the site to accommodate a hotel development should market interest transpire. Conversely, it is our contention that introducing a coffee shop use will act as a catalyst which can help attract development interest to the other part of the site, both by being a complimentary use and have linked trip benefits which will help to support the commercial viability of another use and also by virtue of the coffee shop development funding and delivering much of the core site infrastructure including the access road and service connections. Coffee shop uses of the type and form that is being proposed are commonplace and are often located so as to co-exist and support other uses, including hotels, and part of the justifying case for a coffee shop in this particular location is that it can act as a catalyst to attract, complement and support development on the other part of the site, and which has otherwise not yet been attracted to the site.

The August 2023 Planning Statement, which accompanied the initial planning application submission, included reference to preceding application 19/00954/FULL, and albeit that application was refused the Report of Handling said that "The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre". This clearly establishes that the Planning Department considered that the principle of a coffee shop with drive thru facility was acceptable on the site, and that is further emphasised by the fact that the reasons that were given by the Council for that application being refused do not include any reference to the drive thru coffee shop.

Whilst that is significant, the terms of a preceding permission (ref.17/01048/FULL), which was for the Erection of a Mixed Use Development incorporating a Hotel and Pub/Restaurant, are also significant and material to the consideration of the current application. As can be seen from the description, the Council approved permission for the development of a hotel and a pub/restaurant. The component elements of this permission fall within Use Class 7 (Hotels and hostels), sui generis (pub) and Class 3 (Food and drink), and the application which is currently under consideration is for a café/coffee shop, which also falls within the same Class 3 as the previously granted restaurant. The granting of this previous permission clearly established that the Council was supportive of Class 3 development over part of the Seaforth Hotel site, and the current application is for the same and also retains part of the site for future development of other complementary uses, potentially including for a two storey 40 bedroom hotel.

The terms of the preceding August 2023 Planning Statement, letter of 3rd October 2023, and of this letter, demonstrate that the application for a Class 3 coffee shop over part of the former Seaforth Hotel site aligns with the requirements of NPF4, the associated guidance set out in the February 2023 letter from the Chief Planner and the Planning Minister, the relevant policies of the Local Development Plan, and also that preceding decisions by the Council have established a precedent that Class 3 development over part of this site has been accepted and supported. For all of the reasons set out in these various submissions we are strongly of the opinion that planning permission can and should be granted and trust that the content of the Statement and letters will be afforded due consideration by the Council when determining the application.

Yours sincerely



David Campbell MRTPI
Director
North Planning & Development

david@northplan.co.uk T. 0141 212 2627



Dundee Road, Arbroath Timeline – October 2023

Date	Comments
2006	In August of this year the original Seaforth Hotel burnt down in a fire and the remaining building was subsequently demolished and the site cleared.
2007-2010	We understand that the owner at the time explored the possibility of redeveloping the site for a new 17 beds hotel and 44 residential flats. This proposal was put forward for planning consent over the remaining course of 2006 and 2007 however, was ultimately refused after the applicant went through an appeal process.
	The property was subsequently marketed to try and identify another hotel or commercial end user and J&E Shepherd Chartered Surveyors were appointed to undertake a marketing campaign. It is understood (from past correspondence in 2008) that J&E Shepherd approached a number of hotel operators including a client of Gerald Eve who had a successful hotel business in Dundee and Premier Inn, however they were not able to get traction for a hotel operator to consider the subjects.
2015	Following an unsuccessful marketing campaign by J&E Shepherd to identify a suitable end user, Coates and Co were appointed in June 2015 to try and identify a retail, leisure or hotel end user for the site.
2017-2018	In 2017, after 2 years of marketing and being unable to identify a hotel user for the site, Coates and Co picked up a dialogue with Marston's who had a specific interest for a restaurant and bar on the site. From these discussions Marton's were persuaded to also include a small hotel as part of their concept for this site. Terms were therefore agreed and Marston's purchased this site in October 2018 following successful receipt of planning consent (17/01048/FULL) to redevelop the site for a small 24 bedroom hotel and bar / restaurant development (with 116 covers).



2019	Unfortunately, Marston's made the decision in 2019 that the proposed development was not financially viable
	based on cost and catchment and the site was placed on the market in summer 2019.
	In November 2019, Euro Garages agreed a price with Marston's to purchase this site conditionally on planning. An
	application was submitted for a petrol filling station with supporting drive thru facilities. This application
	(19/00954/FULL) was refused consent in May 2020 and this sale did not go ahead.
	The property was remarketed by Rapley's Chartered Surveyors over the course of 2020, 2021 and the first half of 2022.
2022	The site was purchased by our client in June 2022.
	A marketing campaign was undertaken by Canning Vale Property Consultants to try and identify new end users.
	As part of this marketing campaign, we have spoken with active roadside and hotel occupiers.
	Specifically we have targeted hotel operators that run smaller scale concepts in similar towns to Arbroath such as Premier Inn, Travelodge and Holiday Inn Express. We have also undertaken various targeting for niche hoteliers in the wider Angus and Dundee areas. The consistent feedback has been that the demographics for the town and catchment might have some justification over summer months but this would not work all year round (which it needs to justify the investment). As a result, none of these parties were willing to explore this further.
	We did speak to some of the larger formats such as Hampton by Hilton, Moxy, Raddison and Marriott however, these end users are primarily focused on major City Centre expansions.

AC17



2023	An offer was received in Spring 2023 from Mungo Park trading as Starbucks to acquire part of the site (circa 0.45
	acres) subject to a planning change of use being secured for a Class 3 Restaurant use with drive thru lane and
	supporting EV charging facilities.
	On the basis of the current planning consent for a full format restaurant / pub with an accompanied small scale
	hotel, we felt that the progressing the above transaction would be the right thing to do in terms of a proposed use.
	The agreement to only sell part of the site would leave a remaining proportion of 0.95 acres which could still be
	developed for a small 24 bedroom hotel at a later stage.

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW – SITE OF FORMER SEAFORTH HOTEL, DUNDEE ROAD, ARBROATH

APPLICATION NO 23/00558/FULL

APPLICANT'S SUBMISSION

Page No

ITEM 1	Notice of Review
ITEM 2	Statement of Appeal
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ITEM 4	Planning Application
ITEM 5	Location Plan, Site Plans, Elevations etc
ITEM 6	Proposed Drainage Plan and Layout etc.
ITEM 7	Planning Statement
ITEM 8	Transport Statement
ITEM 9	Flood Risk Assessment
ITEM 10	Letter Correspondence October & November 2023
ITEM 11	Site Master Plan
IITEM 12	Site Marketing Timeline
ITEM 13	Report of Handling
ITEM 14	Planning Permission 17/01048/FULL
ITEM 15	Decision Notice 19/00954/FULL
ITEM 16	Report of Handling 19/00954/FULL
ITEM 17	Photographs of Site Surrounds



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

100655394-001

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 Applicant

Agent Details			
Please enter Agent details			
Company/Organisation:	North Planning and Development Ltd		
Ref. Number:		You must enter a B	suilding Name or Number, or both: *
First Name: *	David	Building Name:	Tay House
Last Name: *	Campbell	Building Number:	300
Telephone Number: *		Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G2 4LH
Email Address: *	david@northplan.co.uk		
Is the applicant an individ	ual or an organisation/corporate entity? *		
☐ Individual ☒ Orga	nisation/Corporate entity		

Applicant Details							
Please enter Applicant details	ls						
Title:		You must enter a Bu	lding Name or Number, or both: *				
Other Title:		Building Name:	Tynemount House				
First Name: *		Building Number:					
Last Name: *		Address 1 (Street): *	Ormiston				
Company/Organisation	Mungo Park Ltd and CW Properties	Address 2:					
Telephone Number: *		Town/City: *	Tranent				
Extension Number:		Country: *	UK				
Mobile Number:		Postcode: *	EH35 5NN				
Fax Number:							
Email Address: *	david@northplan.co.uk						
Site Address Details							
Planning Authority:	Angus Council						
Full postal address of the site	e (including postcode where available	e):					
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							
Dundee Road, Arbroath							
Northing 740	0197	Easting	363486				

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)
Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works (or Mixed use development comprising café and drive thru)
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 a 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.
The Statement of Appeal that accompanies this appeal sets out the case for the appeal being sustained by the LRB and planning permission being granted.
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
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 to rely on in support of your review. You can attach these documents electronically later in the			ntend	
List of documents is set out in the Statement of Appeal.				
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	23/00558/FULL			
What date was the application submitted to the planning authority? *	14/08/2023			
What date was the decision issued by the planning authority? *	20/11/2023			
Review Procedure				
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding of inspecting the land which is the subject of the review case.	nine the review. Further	information ma	ay be	
Can this review continue to a conclusion, in your opinion, based on a review of the relevant i parties only, without any further procedures? For example, written submission, hearing sess Yes No		yourself and otl	her	
In the event that the Local Review Body appointed to consider your application decides to in-	spect the site, in your op	inion:		
Can the site be clearly seen from a road or public land? *	be clearly seen from a road or public land? *			
t possible for the site to be accessed safely and without barriers to entry? *				
Checklist – Application for Notice of Review				
Please complete the following checklist to make sure you have provided all the necessary in to submit all this information may result in your appeal being deemed invalid.	nformation in support of	your appeal. Fa	ailure	
Have you provided the name and address of the applicant?. *	ĭ Yes ☐ 1	No		
Have you provided the date and reference number of the application which is the subject of treview? *	this 🗵 Yes 📙 N	No		
If you are the agent, acting on behalf of the applicant, have you provided details of your nam and address and indicated whether any notice or correspondence required in connection wit review should be sent to you or the applicant? *		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 □ N	Ю		
Note: You must state, in full, why you are seeking a review on your application. Your statemer require to be taken into account in determining your review. You may not have a further opport at a later date. It is therefore essential that you submit with your notice of review, all necessary on and wish the Local Review Body to consider as part of your review.	ortunity to add to your st rry information and evide	atement of revi ence that you re	iew	
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 □ N	Ю		
Note: Where the review relates to a further application e.g. renewal of planning permission or planning condition or where it relates to an application for approval of matters specified in coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number, approved plans and decision notice (if any) from the earlier coapplication reference number).	nditions, it is advisable t		a	

Declare - Notice of Review

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

Declaration Name: Mr David Campbell

Declaration Date: 20/12/2023



Statement of Appeal

Appeal against Refusal of Planning Permission by Angus Council of an application for Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel, Dundee Road Arbroath (app. ref. 23/00558/FULL)

Appeal on behalf of for Mungo Park Ltd & CW Properties (December 2023)

Prepared by

North Planning and Development

2nd Floor, Tay House 300 Bath Street Glasgow G2 4JR T +44 (0)141 221 2626 www.northplan.co.uk



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Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Director.

DATE ORIGINATORS

December 2023 David Campbell
Director

APPROVED

Graeme Laing Director



Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of North Planning & Development; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

EXECUTIVE SUMMARY

This Statement supports an appeal against the decision to refuse planning permission for the erection of a Class 3 coffee shop on part of a vacant site that is allocated for development at Dundee Road, Arbroath. .

The Statement demonstrates that the proposal is appropriate for the site and will deliver benefits, and for the following reasons we urge the Local Review Board to find in favour of this appeal and grant planning permission.

- The proposal is in line with the designation that affects the site in the Angus Local Development Plan (2016), as a Class 3 coffee shop will complement and support the existing tourist, leisure and recreational uses that are already in place nearby on Arbroath seafront;
- The site has been marketed by several parties over a 15 year + period, and despite planning permission being granted in 2018 for a hotel development no developer or operator has ever committed to implement a hotel development;
- The proposal is to redevelop part of a brownfield site that has been vacant for a prolonged period, and the contemporary building that is proposed will improve the appearance of the site and the surrounding area and establish a benchmark for the remaining part of the site;
- The proposal is for development of part of the former Seaforth Hotel site, and the remaining land is safeguarded and can accommodate a future hotel and/or leisure, tourism or recreation use;
- The coffee shop development will deliver site infrastructure in the form of an improved access, internal road and utility connections, and that allied to the commercial activity associated with the coffee shop will act as a catalyst to help improve the viability and attractiveness of the remaining part of the site for a hotel and/or leisure, tourism or recreation development:
- A new and modern coffee shop on the site with fully enabled fast electric vehicle charging spaces will support and enhance the range and mix of tourism and recreation facilities and accommodation along the Arbroath seafront;
- The proposed development represents an investment in excess of approximately £1.5M and will employ approximately 20-30 staff, approximately 50% of which will be full-time jobs.
- Decisions by Angus Council on previous planning applications have established that Class 3
 use, including coffee shop with ancillary drive thru, have been accepted and supported as being
 appropriate on part of the former Seaforth Hotel site.

LIST OF DOCUMENTS

NPD001 Decision Notice refusing planning application 23/0055
The process of the second seco

NPD002 Planning Application Form

NPD003 Location Plan

NPD004 Existing Site Plan

NPD005 Proposed Site Plan

NPD006 Proposed Site Plan Detailed

NPD007 Proposed Floor Plan

NPD008 Proposed Elevations

NPD009 Proposed Hardstanding

NPD010 Proposed Drainage Plan

NPD011 Proposed Drainage Layout

NPD012 Planning Statement

NPD013 Transport Statement

NPD014 Flood Risk Assessment

NPD015 Letter Oct 2023 to supplement Planning Statement

NPD016 Letter Nov 2023 to supplement Planning Statement

NPD017 Site Masterplan

NPD018 Site Marketing Timeline

NPD019 Planning Officers Report of Handling 23/00558/FULL for Class 3 coffee shop

NPD020 Planning Permission 17/01048/FULL for hotel and pub/restaurant development

NPD021 Planning Refusal 19 00954 FULL for roadside services development

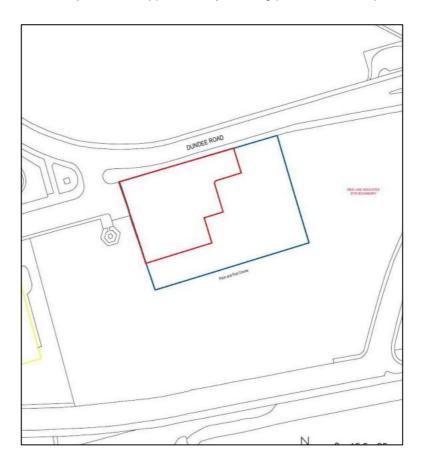
NPD022 Planning Officer Report of Handling 19 00954 FULL for roadside services

development

NPD023 Photographs of site surrounds

1.0 INTRODUCTION

- 1.0 This Statement supports an appeal against the decision by Angus Council Planning Department to refuse planning permission (Document NPD001) for the erection of a Class 3 coffee shop on a vacant site that is allocated for development at Dundee Road, Arbroath. The Statement responds to the Reasons for Refusal of permission and demonstrates, contrary to the Planning Department decision, that the proposal complies with the development plan and that when taken along with other material considerations the appeal should be sustained and planning permission granted.
- 1.1 The Statement specifically responds to the Reasons for Refusal (Document NPD001) of the application (Documents NPD002 NPD018 inclusive).
- 1.2 The plan below identifies the location of the application site by way of the red line with other land that is in the control of the applicant identified by the blue line. The blue and red lined areas together comprise the site of the former Seaforth Hotel and as the red line clearly shows the application that is subject of this appeal is only seeking permission over part of this wider site:



- 1.3 The application was registered on the 17th August 2023 and was refused by Council officers under delegated powers by decision issued on the 20th November 2023 (Document NPD001) for the following reasons:
 - 1. The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
 - 2. The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.
 - 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront

2.0 SITE, PROPOSAL AND PREVIOUS PLANNING APPLICATIONS

Application/Appeal Site

2.1 The site formerly accommodated the Seaforth Hotel, which was demolished following fire damage in 2006, and the site has remained vacant and undeveloped since.



Image of the former Seaforth Hotel c. 2001

- 2.2 The site is close to the seafront and is surrounded by leisure, tourism and recreation uses including Arbroath FC ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts.
- 2.3 The application proposal is for a Class 3 coffee shop, which is a use that supports social interaction between residents and visitors and will therefore complement and support the existing surrounding uses and also act as a catalyst to help support the prospects for the future development of the remaining part of the site, as the development of the coffee shop will deliver key site infrastructure in the form of access, internal road and services, and it will also establish an active use that can co-exist and support other social, leisure, tourist and/or recreational uses, including hotel. The proposal provides for 30 on-site parking spaces with 8 spaces benefiting from fully enabled fast electric vehicle charging facilities and 50% benefiting from ducting for future installation.

Proposal

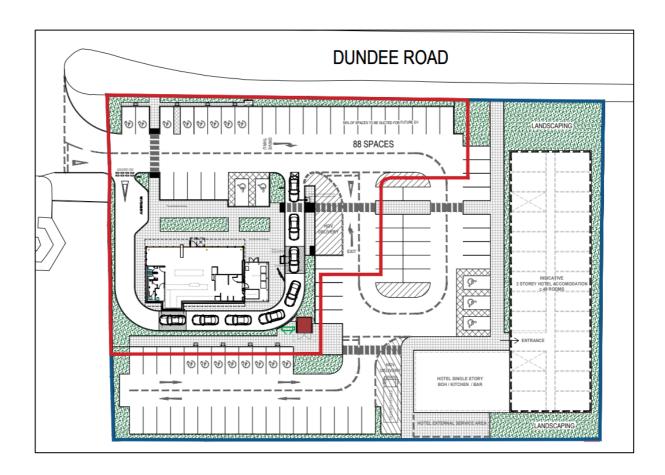
2.4 The application form (Document NPD002) that was submitted with the application described the proposal for which planning permission is sought as being:

"Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works"

2.5 Whilst this is a fair and accurate description of what is proposed, the Council Planning Dept applied a different description:

"Mixed use development comprising café and drive thru"

- 2.6 The description that has been applied to the application by the Planning Dept is not wholly representative of what is proposed, as the proposal is for the erection of a single building to be used for purposes within Class 3 (Food and drink) of the Use Classes Order, with the development incorporating measures that enable the use to be available to drive thru customers as well as by foot, wheel or cycle. The application is for a single Class 3 use, is not for a mix of uses, and the drive thru element is a feature of the proposed Class 3 development rather than a different use.
- 2.7 Notwithstanding that, it is also important to note that the site that is subject of this application/appeal forms only part of the site of the former Seaforth Hotel, and that the remaining and other part is within the control of the applicant/appellant. The proposal is for the erection of a building over part of the former hotel site that will accommodate a Class 3 coffee shop use, and the intention is that would be operated as a Starbucks, which will be viable in its own right but which will also help to make the remaining part of the Seaforth Hotel site more attractive and viable for future other development, potentially to include a new hotel.
- 2.8 Contrary to some of the suggestions in the planning officers Report of Handling (Document NPD019), the application/appeal proposal is very much presented as a first phase of development, with the remaining part of the site remaining available and able to be accessed for other future development.
- 2.9 A plan was submitted with the planning application (Document NPD017 and below) showing the proposed Class 3 coffee shop within the red line as the first phase of development, and also demonstrating that a two storey hotel with approximately 40 rooms can be accommodated on the remaining part of the former Seaforth Hotel site.



Previous planning applications and site marketing since 2006

2.10 The site has been subject of a number of applications and site marketing exercises since the fire damaged hotel was demolished in 2006, and the following sets out a timeline of events between 2006 and 2023 that are relevant to this appeal:

2006

- Seaforth Hotel suffers a fire and the remaining parts of the building were subsequently demolished and the site cleared;
- Planning application submitted to convert Seaforth House to 5 flats and erect a residential development comprising 46 flats. This application was withdrawn prior to determination;
- Planning application submitted for erection of a 17 bed hotel and 44 unit flatted development. Planning permission refused;

2007-2010

The site is marketed by J&E Shepherd as a hotel/commercial development opportunity.
 No offers received from hotel developers or operators;

2015

The site is marketed by Coates & Co. as a hotel/retail/commercial development opportunity.
 No offers received from hotel developers or operators;

2017

Planning application submitted by Marston's for erection of a development including a hotel,
 pub and restaurant (Class 3). Planning permission granted (Document NPD020);

2019

- Marston's decide not to proceed to implement the planning permission as the development is judged to not be viable;
- The site is marketed by Rapleys on behalf of Marston's as a development opportunity with the benefit of planning permission for hotel, pub and restaurant development. No offers received from hotel developers or operators;
- Planning application submitted by Euro Garages for a roadside services development including petrol station, ancillary retail unit and coffee shop with drive thru. Planning permission was refused but not for reasons specifically pertaining to the Class 3 coffee shop element (Documents NPD021 and NPD022);

2020-2022

- The site is re-marketed by Rapleys on behalf of Marston's again as a development opportunity with the benefit of planning permission for hotel, pub and restaurant development. Again, no offers received from hotel developers or operators;
- · Site purchased by CW Properties

2023

 Planning application submitted for development of Class 3 coffee shop over part of the former Seaforth Hotel site. Planning permission refused and now subject of this appeal;

- 2.11 The timeline set out above clearly demonstrates that the site of the former Seaforth Hotel has been marketed a hotel/commercial development opportunities over a prolonged period, and despite permission having been secured for a hotel development, no developer or operator has ever committed to implement a hotel development due to viability concerns. That being the case, and as Class 3 coffee shops often act as a catalyst to support other complementary types of development, the application that is now subject of this appeal is presented as a first phase of development which only impacts part of the site and which it is hoped can act as a catalyst to support viability and attract interest for hotel development on the remaining part of the site. Examples of where the introduction of a coffee shop has acted as catalyst to attract other development include Inveralmond at Perth where a Starbucks aided Arnold Clark developing an adjoining site for a new car showroom; London Road in Cambuslang, Glasgow where the development of a new Starbucks provided a catalyst for Direct Floor and Walls letting an adjacent unit; Coxton Park in Elgin where a Starbucks drive thru and Travelodge developments were developed in parallel with them supporting and complementing each other; and Westhill at Aberdeen where a Starbucks drive thru coffee shop was put in place as an early phase of development and assisted in attracting various subsequent commercial and retail developments in close proximity.
- It is also relevant to the consideration of this appeal to note that the Council's decision to approve 2.12 permission for a hotel and pub/restaurant in 2018 (Document NPD020) as the restaurant element is a Class 3 use as is the coffee shop that is now being proposed. Despite the 2019 application for the roadside services development being refused (Document NPD021), the planning officers Report of Handling (Document NPD022) says that "The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre", and as the Council's Reasons for Refusal (Document NPD021) do not include any reference to the coffee shop element of that proposal it can be reasonably concluded that the Council regarded that element of the proposal to be in line with policy and acceptable. These two decisions establish a clear precedent that Angus Council has previously found in favour and not against Class 3 development on part of the Seaforth Hotel site, and that precedent weighs heavily in favour of the proposal that is now subject of this appeal, which is also for Class 3 development over part of the site.

3.0 REASONS FOR REFUSAL AND GROUNDS OF APPEAL

- 3.1 This part of the Statement sets out a response on behalf of the appellant to the Reasons for Refusal (Document NPD001) of application 23/00558/FULL
- 3.2 Whilst each of the Reasons for Refusal will be addressed it is important to note that the Reasons only include reference to the Angus Local Development Plan (LDP) and not National Planning Framework 4 (NPF4). The Angus Local Development Plan was adopted in September 2016, and as stated within the Plan itself it should "be reviewed every 5 years" (i.e. by September 2021), and as that has not happened the Plan, in effect, became out-of-date in September 2021. Whilst it is accepted that the Plan is still in place and is applicable, the policies therein now have more limited weight in decision making.
- 3.3 NPF4 was adopted and became part of the development plan in February 2023 and a letter of 8th February 2023 from the Chief Planner and the Minister for Public Finance, Planning and Community Wealth states that in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail; that Section 25 of the 1997 Act requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise; that NPF4 must be read and applied as a whole; and that the 33 policies in NPF4 are to be used to guide decision-making; and that conflicts between policies are to be expected.
- 3.4 Taking these matters together leads to a situation where the adopted Plan is out-of-date and that the policies therein are to be afforded less weight, and with NPF4 being much more recently approved the policies therein prevail and must be afforded more significant weight in determining planning applications in Angus Council area.
- 3.5 The planning officers Report of Handling (Document NPD019) references the following 13 policies within NPF4 as being specifically relevant and applicable to the determination of the application:
 - Policy 1 Tackling the climate and nature crises
 - Policy 2 Climate mitigation and adaptation
 - Policy 3 Biodiversity
 - Policy 9 Brownfield, vacant and derelict land and empty buildings
 - Policy 11 Energy
 - Policy 12 Zero waste
 - Policy 13 Sustainable transport
 - Policy 14 Design, quality and place

- Policy 15 Local living and 20 minute neighbourhoods
- Policy 18 Infrastructure first
- Policy 20 Blue and green infrastructure
- Policy 22 Flood risk and water management
- Policy 27 City, town, local and commercial centres
- 3.6 Significantly, the three Reasons for Refusal (Document NPD001) of permission do not include reference to any of these or any other policies within NPF4 and it therefore must follow that the Council has determined that the application suitably accords with the policies of NPF4. That being the case, and as we have already established that the policies in NPF4 prevail over the policies in the out-of-date Local Development Plan, in itself establishes the case for planning permission being granted.
- 3.7 It is also important to note that the Report of Handling (Document NPD019) confirms that the Community Council, Council Roads (Traffic), Scottish Water, Council Environmental Health, Archaeology Service, Scottish Environment Protection Agency, Council Flood Prevention Authority and Council Economic Development Unit were all consulted on the application and none of them stated any objection to planning permission being granted.
- 3.8 Notwithstanding that, we will now turn our attention to responding to each of the three Reasons for Refusal and setting out the case that the Reasons are not valid and that planning permission therefore should be granted.

Reason for Refusal 1

3.8 The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance - Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.

Response

- 3.9 Opportunity Site A7 applies to the application site and to the other adjacent land that is controlled by the applicant and which is within the blue line on the submitted plans, and which together constitute the Former Seaforth Hotel site.
- 3.10 Presenting the site as an 'Opportunity' rather than an allocation indicates that the Council regards the site as having development potential and whilst some 'preferred' may be indicated these are not as definitive and fixed as if the site was allocated in the same way that housing and industrial sites are.
- 3.11 The Plan establishes that the Opportunity Site A7 "provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use" and that proposals should be in accordance with the approved Supplementary Guidance for this site updated as a Development Brief. The Brief establishes the following:

"the preferred use for the site is Class 7* (hotels and hostels) but restricted to a hotel or travel lodge type development"

"Other uses under Class 11 (assembly and leisure) may be acceptable where these complement existing provision of leisure or recreation facilities within the town"

- 3.12 The Brief establishes that Class 7 as the "preferred" use, but that does not preclude other uses outwith Class 7 being put forward and being deemed to be suitable and appropriate to the site.
- 3.13 The Plan also establishes that "possible complementary leisure, tourism or recreation use" may also be acceptable on the former Seaforth Hotel site, whilst the Brief says that "Class 11 (assembly and leisure) may be acceptable where these complement existing provision of leisure or recreation facilities within the town". It seems reasonable to assume that these other possible uses would be expected to be complementary either to a new Class 7 hotel or other form of development over part of the former Seaforth Hotel site and/or to the other leisure, tourism or recreation uses that are already in place around the site and along the seafront. The variation between the references in the Plan and the Supplementary Guidance/Development Brief, allied to the previous planning history of Class 3 pub/restaurant use being granted and Class 3 coffee shop being supported, leads to the conclusion that the policy can and has been taken by the Council to include for Class 3 use as is now proposed.

- 3.14 Coffee shops are facilities where social mixing occurs, and which are often found in locations where they complement and support other social and leisure type uses, and given the context of the site adjacent and close to a variety of social, leisure and tourist uses results in the proposal meeting the requirement to be a "complementary leisure, tourism or recreation use".
- 3.15 As previously set out, the Class 3 coffee shop is proposed over only part of the former Seaforth Hotel site and, as demonstrated on a plan submitted with the application, a substantial part of the site remains and this is capable of accommodating a two storey c. 40 bedroom hotel.
- 3.16 Taking all of these considerations together demonstrates that the proposal is in line with and not contrary to the Opportunity Site A7 designation in the Angus Local Development Plan and the associated Supplementary Planning Guidance/Development Brief by virtue of a Class 3 coffee shop being a use that will complement and support the existing leisure, tourism and recreation uses and potential future hotel use on the remaining part of the site. The remaining part of the site is also safeguarded for potential future hotel or other leisure, tourism or recreation use.

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Reason for Refusal 2

3.17 The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance - Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.

Response

- 3.18 Plan DS3 (Design Quality and Placemaking) requires that 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, and create buildings and places which are:
 - 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:
 - 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.
 - 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.
 - Adaptable: Where development is designed to support a mix of compatible uses and accommodate changing needs.
 - 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.

- 3.19 The building that is proposed has been deliberately sited to complement, help facilitate, and to safeguard the potential for the future development of the remainder of the site for hotel or other use. The building design is also of contemporary style and uses modern materials, which is typical of freestanding modern coffee shops. The building is of single storey construction with a mono pitch roof and in overall terms has a form, height, design, materiality and colour palette that are sensitive and appropriate to the location and setting, helping to ensure the integration of the proposal in the context.
- 3.20 The photographs below show examples of equivalent coffee shops of the same design that is proposed at Arbroath in other locations in Scotland. These images demonstrate that the building that is proposed is attractive and will make a positive contribution to the site and the wider Arbroath Seafront area.







- 3.21 The Supplementary Planning Guidance/Development Brief describes the site as presenting "a unique opportunity for regeneration with a vision to secure a land mark development that will complement the existing uses and be an attraction in its own right that enhances the wider area", and that "the preferred use for the site is Class 7* (hotels and hostels) but restricted to a hotel or travel lodge type development".
- 3.22 The Brief aspires to deliver a "land mark" development, also defined as a "travel lodge type development". Notably, the Council previously granted planning permission for a hotel and pub/restaurant development by Marstons Estates Ltd (ref. 17/01048/FULL), and whilst permission was refused for other reasons they did not resist the development of a Class 3 coffee shop with drive thru as part of an application for a roadside services development (ref. 19/00954/FUL). These two examples included buildings with standardised design, including a Class 3 coffee shop, demonstrating that a precedent has been set by earlier Council decisions that such designs can and have been accepted as meeting the requirement to deliver a landmark development.
- 3.23 The Brief also goes on to requires that development should make a positive contribution to this important seafront location; add to or improve the local environment; building height should be to a maximum of 3 storeys; off-street car parking provision should be based on the Council's road standards; that the principles of sustainability should be incorporated into design solutions, minimising waste during construction, ensuring that waste management requirements are met and that priority is given to energy efficiency measures including reduction of carbon emissions and use of locally sourced materials.
- 3.24 As set out above, the proposed building will make a positive contribution to the appearance of the site and to the wider Arbroath seafront area, not only as it will deliver redevelopment over part of a brownfield site that has been vacant for some considerable number of years, but also as the proposed building is of attractive and contemporary design and materials which will add to and improve the appearance and visual character of the wider local environment.
- 3.25 The building is of single storey height and so is within the maximum 3 storey height. There is no objection from the Council Roads Dept and so the proposed parking provision duly aligns with requirements. The application is for the redevelopment of a brownfield site which is, by definition, in line with the principles of sustainability, the building design incorporates sustainable materials and construction technologies and energy efficiency measures are embedded within the building construction and the mechanical and electrical features that will support the operation of the building and use. The proposals will give rise to limited waste during the construction phase and the occupied development will benefit from suitable facilities and arrangements for storage, collection and recycling of the commercial waste that will be generated by the coffee shop use.

3.26 It has been demonstrated that the proposal is not contrary to Policy DS3 and Opportunity Site A7 of the Angus Local Development Plan or the associated Supplementary Planning Guidance/Development Brief as the appearance and design of the proposed development will make a positive contribution to the character and sense of place on the site itself and the surrounding area, and will deliver an attractive and high quality landmark leisure, tourism or recreation development which will complement the existing and set a benchmark for the remainder of the site

Reason for Refusal 3

3.27 The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront

Response

- 3.28 Policy DS1 establishes that all proposals will be expected to support delivery of the Development Strategy, which seeks to:
 - guide the majority of development, including local housing and employment opportunities, to locations within the towns that have the capacity to accommodate new development well integrated with existing infrastructure, and which serve as locally accessible centres serving a diverse rural hinterland;
 - maintain and protect the diversity and quality of the rural area and encourage local development which supports the population and services of local communities;
 - provide opportunities for appropriate diversification of the rural economy; and
 - maintain the quality of valued landscapes, the natural, built and historic environment, and biodiversity.
- 3.29 The application is for development within the town of Arbroath, for a use that will provide employment and on a site where the Local Plan supports commercial development. It also proposes the partial redevelopment of a vacant brownfield site, and will introduce a new, modern and contemporary building to accommodate a coffee shop use and provide employment. For all of these reasons the proposal will maintain and enhance the quality of the built environment on the site and will positively impact the wider area, and the application aligns with the Development Strategy and with Policy DS1.
- 3.30 Policy DS1 specifically establishes 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 relevant policies of the Plan. The application is for the development of part of a brownfield site that has been vacant for approximately 17 years, and it therefore follows that the proposal also aligns with this element of Policy DS1.

3.31 The proposal is not contrary but rather is in line with the requirements of Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath as the proposal is for a use that complements existing and proposed uses, and as it is only for development of part of the former Seaforth Hotel site the proposal safeguards and does not prejudice the ability of the remaining part of the site to accommodate a hotel development. The development of a coffee shop in this location will also enhance Arbroath's range of visitor assets and support and not adversely impact the existing tourism and recreation facilities and accommodation along the seafront, and the Council has come to this same view when considering a previous application which included for a coffee shop as part of a roadside services development that was proposed on the site.

4.0 OTHER MATERIAL CONSIDERATIONS

4.1 Notwithstanding the comments set out in the preceding Statement relative to the Reason for Refusal, it is also considered necessary and appropriate to highlight and comment on some of the commentary and comments in the planning officers Report of Handling (Document NPD019).

Comments in Planning Officers Report of Handling

4.2 The site occupies a prominent position on the south side of Dundee Road and previously occupied an art deco style hotel which was demolished following significant fire damage This area is characterised by large areas of well-maintained open space, interspersed with leisure and tourism attractions and facilities. Most of these facilities are fairly utilitarian in their external appearance. Notwithstanding that, the Supplementary Guidance aspires to deliver a landmark development on this site that would enhance the sense of arrival to the town and the wider West Links area.

The standardised design of the proposed café and drive through, along with the associated array of signage and curtilage clutter that goes with national chain development of this nature would not constitute a design solution which draws upon existing landscape or townscape features that contribute positively to the character and sense of place in the surrounding area. It would not represent a land mark development that would be an attraction in its own right, and it would not make a positive contribution to this important seafront location.

Response to Comments on behalf of the appellant

- 4.3 The Canmore (National Record of the Historic Environment) record for the former Seaforth Hotel indicates that the original building was constructed c. 1830, which is well in advance of the art deco period in the 1920 and 1930's. Available information and historic photographs (see photo in part 2.0 of this Statement) show that the hotel was altered and extended over the years and incorporated a variety of incongruous features including dutch gables and flat roofed sections, that the building was therefore of mixed character, and the former building is not understood to have been listed.
- The Report of Handling and Reasons for Refusal include reference to the Local Development Plan and Supplementary Guidance seeking a 'landmark' 'travelodge type' development whilst also including reference to the existing buildings along the seafront being of 'utilitarian appearance' (Document NPD023). Whilst the Council's aspiration to deliver a quality development on the site is understood there is an apparent inconsistency between the Plan and Guidance encouraging a 'landmark' development, a 'travelodge type' development, acknowledgement that the existing surrounding buildings are of utilitarian appearance, and the Council having previously approved a Marston's hotel and pub/restaurant development on the site, which was of a standardised design, but now finding against a coffee shop proposal which the planning officer appears to have dismissed due to it being deemed to be a standardised design. We are firmly of the view that the proposal that has been put forward is for a high quality contemporary design that is wholly

appropriate to the setting and which will make a positive contribution to the character of the area, thereby resulting in delivering a landmark development that will complement and enhance the utilitarian character.

Comments in Planning Officers Report of Handling

4.5 NPF4 27(d) indicates that drive-through developments will only be supported where they are specifically supported in the LDP. Further clarification on the application of Policy 27(d) is provided in a Chief Planner letter of 8 February 2023.

Response to Comments on behalf of the appellant

4.6 The Chief Planner letter of 8 February 2023 includes the following comments with regards to NPF4 Policy 27(d) and drive through developments (our underlining):

"During the Parliamentary scrutiny of the draft NPF4, there was some debate about the meaning and application of Policy 27(d), which states that "drive-through developments will only be supported where they are specifically supported in the LDP". <u>The intention of this policy</u> was to ensure that this type of development is considered as an integral part of the wider development plan, and <u>is not (as has been erroneously reported) a moratorium or ban on such developments</u>.

In applying policy 27(d) and whether such developments are supported, planning authorities may regard wider uses that are compatible with the drive through function to be included, as there is no single class of development that this relates to and may sometimes be considered as sui generis. Suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink, depending on the nature of the proposal involved in each case. In looking at the potential impact of the development as a whole, as always, decisions will depend on the facts and circumstances of each individual case and regard should be given to wider policies within NPF4, including those relating to reducing emissions that contribute to climate change and to wider policies that aim to improve town centres and support local living.

Looking forward, we will include guidance on drive throughs and the relationship to Policy 27(d) within the forthcoming local development plan guidance, which will be published this spring to support implementation of the new arrangements for LDPs."

4.7 The Chief Planner letter makes it absolutely clear that Policy 27 (d) does not establish a moratorium or ban on drive through developments or that in order for any application for a drive thru development to be supported there must be explicit support in a Local Development Plan. As mentioned in preceding parts of this Statement, the application site is situated in an area where commercial tourism, leisure and recreational uses predominate and which is affected by a Local Development Plan allocation that supports the development of complementary leisure, tourism or

recreation uses. It follows from this that the Council has judged the site to be suitable and appropriate for commercial uses and whilst not explicitly referenced this includes for uses that can complement the existing surrounding uses, and Class 3 coffee shops typically complement and/or are ancillary to hotel, tourism, leisure and tourist uses. Taking these considerations together it can be reasonably concluded that the site is a 'suitable location' for Class 3 use, and that the proposal duly complies with Policy 27 (d) of NPF4.

Comments in Planning Officers Report of Handling

4.7 The application site is outwith the defined town centre and no information has been submitted to consider the impact of the development on the vibrancy, vitality, or viability of the town centre. While that impact may not be particularly significant, it is unquantified. The site is not allocated for drive-through development, or related retail or class 3 uses. The site is safeguard for hotel or assembly and leisure uses. The proposal does not attract support from the town centre first approach nor from NPF4 Policy 27(d).

Response to Comments on behalf of the appellant

As set out in the Planning Statement that supported the application that is now subject of this appeal, and application was made in 2019 for the erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works (app. ref. 19/00954/FULL). Although this application was refused, the planning officers Report of Handling makes the following specific comment with regards to the drive thru coffee shop element of the application:

"The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre."

4.9 This statement establishes that when determining this earlier application the principle of a coffee shop with drive thru facility was judged to be acceptable on this site and that it was unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre, and that supportive position is reinforced by the fact that the reasons for refusal of that previous application do not include any specific reference to the drive thru coffee shop.

Comments in Planning Officers Report of Handling

4.10 While the submitted Transport Assessment indicates that the site is accessible by a range of modes of transport, and that the impact on the road network is acceptable, this does not address the fact that the drive through element of the development targets vehicular traffic only.

Response to Comments on behalf of the appellant

- 4.11 The Transport Assessment that was submitted with the application considers the proposal in its entirety, which is for the erection of a building to be used for the purposes of operating a Class 3 coffee shop, and whilst it is correct to say that the drive thru element will serve customers visiting the premises by car it is disingenuous and incorrect to imply that the overall use will only be accessed by car users. The site is suitably located to benefit from custom from users of the various other uses and facilities that are adjacent to the site, which include Arbroath FC/Gayfield ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts, and the Transport Assessment also judges that a large portion of the coffee shop drive thru trips will be from road users who are already on the network for other purposes and so are duly classified as pass-by and/or linked trips.
- 4.12 It is also well established that planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. With that in mind, it is significant to the consideration of this proposal to recognise that it is specifically being proposed at the site with a view to it functioning as an ancillary and supporting use to the existing tourist, leisure and recreational uses that are in place along the seafront, and so it can only serve that purpose if sited on a site in proximity to these existing uses. It is also relevant that the Class 3 element would only be over part of the former Seaforth Hotel site with the remaining part still available for other complementary The adopted Local Development Plan also does not identify any Opportunity Sites within the defined Town Centre, including the Core Retail Area, and any 'high street' type units that might be vacant in the ground floor space of existing buildings would not be suitable for the type and form of development being proposed, and together this supports the case that there are no suitable and/or available sites in the town centre that can accommodate the proposal. It is notable and in line with these comments that there are two existing Class 3 uses with ancillary drive thru elements within Arbroath, and both of these (KFC and McDonalds) are situated at Westway Retail Park adjacent to and supported by the Principle Retail Park use. The proposal that is subject to this appeal is equivalent, as it proposes a Class 3 coffee shop adjacent to tourist, leisure and recreation uses that will support and complement the proposed use, and vice versa.

Comments in Planning Officers Report of Handling

4.13 It is acknowledged that the proposal would generate some employment which could work towards the aim of reducing inequalities in Arbroath. However, the proposal would provide a relatively small number of mostly low paid jobs. It would not diversify the offer currently available in Arbroath and may result in displacement of current spend/jobs in the area, including the town centre. The delivery of a hotel or other appropriate leisure use on the site could generate more jobs and could have greater economic benefit for the town and surrounding area.

Response to Comments on behalf of the appellant

4.14 The Class 3 coffee shop will be occupied and operated by Starbucks and it is expected that the active use will employ approximately 20-30 staff, with approximately 50% to be full-time. The Report of Handling says that any such jobs will contribute towards reducing inequalities in Arbroath but then speculates that these would be "mostly low paid jobs" and implies that is less welcome. Whilst the initial support is welcomed, it is not considered to be appropriate or material to the consideration of this application for the planning officer to speculate and/or seek to arbitrate or judge on the perceived quality of jobs or associated level of pay. It is also not accepted that a hotel or other form of development would inevitably generate more jobs than a coffee shop, and there is also potential for displacement of existing jobs for any form of new development, including hotel.

5.0 CONCLUSIONS

- 5.1 The preceding Statement supports an appeal against the decision to refuse planning permission for the erection of a Class 3 coffee shop on part of a vacant site that is allocated for development at Dundee Road, Arbroath.
- The Statement demonstrates that the proposal is appropriate for the site and will deliver benefits, and for the following reasons we urge the Local Review Board to find in favour of this appeal and grant planning permission.
 - The proposal is in line with the designation that affects the site in the Angus Local
 Development Plan (2016), as a Class 3 coffee shop will complement and support the
 existing tourist, leisure and recreational uses that are already in place nearby on
 Arbroath seafront;
 - The site has been marketed by several parties over a 15 year + period, and despite planning permission being granted in 2018 for a hotel development no developer or operator has ever committed to implement a hotel development;
 - The proposal is to redevelop part of a brownfield site that has been vacant for a
 prolonged period, and the contemporary building that is proposed will improve the
 appearance of the site and the surrounding area and establish a benchmark for the
 remaining part of the site;
 - The proposal is for development of part of the former Seaforth Hotel site, and the remaining land is safeguarded and can accommodate a future hotel and/or leisure, tourism or recreation use:
 - The coffee shop development will deliver site infrastructure in the form of an improved access, internal road and utility connections, and that allied to the commercial activity associated with the coffee shop will act as a catalyst to help improve the viability and attractiveness of the remaining part of the site for a hotel and/or leisure, tourism or recreation development;
 - A new and modern coffee shop on the site with fully enabled fast electric vehicle charging spaces will support and enhance the range and mix of tourism and recreation facilities and accommodation along the Arbroath seafront;

- The proposed development represents an investment in excess of approximately £1.5M and will employ approximately 20-30 staff, approximately 50% of which will be full-time jobs.
- Decisions by Angus Council on previous planning applications have established that Class 3 use, including coffee shop with ancillary drive thru, have been accepted and supported as being appropriate on part of the former Seaforth Hotel site.

ANGUS COUNCIL

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



PLANNING PERMISSION REFUSAL REFERENCE: 23/00558/FULL

To Mungo Park Ltd & CW Properties c/o Opfer Logan Architects
Bharghav Somarouthu
130 Cubie Street
Glasgow
G40 2AF

With reference to your application dated 17 August 2023 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel Dundee Road Arbroath for Mungo Park Ltd & CW Properties

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

The reasons for the Council's decision are:-

- 1. The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2. The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Amendments:

The application has not been subject of variation.

Dated this **20 November 2023**Jill Paterson
Service Lead
Planning and Sustainable Growth
Angus Council
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

The duration of any permission granted is set out in conditions attached to the permission. Where no conditions are attached the duration of the permission will be in accordance with sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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 Angus House Orchardbank Business Park Forfar DD8 1AN

Telephone 03452 777 780

E-mail: <u>planning@angus.gov.uk</u>
Website: www.angus.gov.uk



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
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with 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 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.



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 of the planning authority
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement 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 beginning with the date of this notice. The notice of review should be addressed to 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 website 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.



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

100638616-001

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)				
Application for Erection of a Class 3 coffee shop with ancillary drive thru facility and other associate	ed works			
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:	Opfer Logan Architects					
Ref. Number:		You must enter a B	You must enter a Building Name or Number, or both: *			
First Name: *	Bharghav	Building Name:				
Last Name: *	Somarouthu	Building Number:	130			
Telephone Number: *	+44 (0) 141 332 9300	Address 1 (Street): *	Cubie Street			
Extension Number:		Address 2:				
Mobile Number:		Town/City: *	Glasgow			
Fax Number:		Country: *	United Kingdom			
		Postcode: *	G40 2AF			
Email Address: *	Bharghav@olarchitects.com					
Is the applicant an individual or an organisation/corporate entity? * Individual Organisation/Corporate entity Applicant Details						
Please enter Applicant de						
Title:	Other	You must enter a Building Name or Number, or both: *				
Other Title:		Building Name:	Tynemount House			
First Name: *		Building Number:				
Last Name: *		Address 1 (Street): *	Ormiston			
Company/Organisation	Mungo Park Ltd & CW Properties	Address 2:	Tranent			
Telephone Number: *		Town/City: *	East Lothian			
Extension Number:		Country: *	United Kingdom			
Mobile Number:		Postcode: *	EH35 5NN			
Fax Number:						
Email Address: *	david@olarchitects.com					

Site Address I	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 th	ne location of the site or	sites			
-			e main route into, and th h and east by West Link	rough, Arbroath. The site is bounded to s Park.	
Northing 7	740198		Easting	363469	
Pre-Application Discussion Have you discussed your proposal with the planning authority? * □ Yes ☒ No					
Site Area					
Please state the site area:		2412.00			
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)					
Vacant site since 2006					
Access and Parking					
Are you proposing a new a If Yes please describe and you propose to make. You	d show on your drawing	s the position of an	y existing. Altered or new	Yes No vaccess points, highlighting the changes apact on these.	

Are you proposing any change to public paths, public rights of way or affecting any public right of acces	s? * X Yes No
If Yes please show on your drawings the position of any affected areas highlighting the changes you pro arrangements for continuing or alternative public access.	opose to make, including
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	0
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)? *	30
Please show on your drawings the position of existing and proposed parking spaces and identify if these types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	e are for the use of particular
Water Supply and Drainage Arrangements	
Will your proposal require new or altered water supply or drainage arrangements? *	Ⅺ 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?? * (e.g. SUDS arrangements) *	⊠ Yes □ No
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	
If No uning a private water cumply, places show an place the cumply and all works peeded to provide it.	(on or off site)
If No, using a private water supply, please show on plans the supply and all works needed to provide it	(on or on 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 to determined. You may wish to contact your Planning Authority or SEPA for advice on what information in	
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 X No
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to any are to be cut back or felled.	o the proposal site and indicate if
Waste Storage and Collection	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *	Ⅺ Yes ☐ No

If Yes or No, please provide for	urther details: * (Max 500 charac	cters)	
Waste and recycling will be proposed site plan and prop		edicated bin store area between private c	ollections. Please refer to
Residential Unit	s Including Conv	version	
Does your proposal include no	ew or additional houses and/or f	flats? *	Yes X No
All Types of No	n Housing Develo	opment – Proposed Ne	ew Floorspace
Does your proposal alter or cr	reate non-residential floorspace	?*	Ⅺ Yes ☐ No
Details		opment - Proposed No	•
estimate where necessary and	d provide a fuller explanation in	the 'Don't Know' text box below.	
· · · · · · · · · · · · · · · · · · ·	proposed floorspace (or number	er of rooms if you are proposing a hotel o	r residential institution): *
Class 3 Restaurant/cafe			
Gross (proposed) floorspace Rooms (If class 7, 8 or 8a): *	(In square meters, sq.m) or num	nber of new (additional)	221
If Class 1, please give details	of internal floorspace:	٦	
Net trading spaces:		Non-trading space:	
Total:			
If Class 'Not in a use class' or	'Don't know' is selected, please	e give more details: (Max 500 characters))
	·		
Schedule 3 Dev	elopment		
	orm of development listed in Sch gement Procedure (Scotland) R	,	Yes No Don't Know
	ehalf but will charge you a fee.	a newspaper circulating in the area of the Please check the planning authority's we	
If you are unsure whether you notes before contacting your p		evelopment listed in Schedule 3, please c	heck the Help Text and Guidance
Planning Servic	e Employee/Elec	ted Member Interest	
Is the applicant, or the applica elected member of the planni		ember of staff within the planning service	or an Yes X No

Certificate	es and Notices	
	D NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMEN COTLAND) REGULATION 2013	NT MANAGEMENT
One Certificate mu Certificate B, Certif	ist be completed and submitted along with the application form. This is most usually Certificat ficate C or Certificate E.	e A, Form 1,
Are you/the applica	ant the sole owner of ALL the land? *	⊠ Yes □ No
Is any of the land p	part of an agricultural holding? *	☐ Yes ☒ No
Certificate	Required	
The following Land	Ownership Certificate is required to complete this section of the proposal:	
Certificate A		
Land Ov	wnership Certificate	
Certificate and Not Regulations 2013	ice under Regulation 15 of the Town and Country Planning (Development Management Proc	edure) (Scotland)
Certificate A		
I hereby certify tha	t –	
(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.		
(2) - None of the la	nd to which the application relates constitutes or forms part of an agricultural holding	
Signed:	Bharghav Somarouthu	
On behalf of:	Mungo Park Ltd & CW Properties	
Date:	09/08/2023	
	☑ Please tick here to certify this Certificate. *	
Checklist	 Application for Planning Permission 	
Town and Country	Planning (Scotland) Act 1997	
The Town and Cou	untry Planning (Development Management Procedure) (Scotland) Regulations 2013	
in support of your a	moments to complete the following checklist in order to ensure that you have provided all the application. Failure to submit sufficient information with your application may result in your application until it is valid.	necessary information plication being deemed
that effect? *	r application where there is a variation of conditions attached to a previous consent, have you $\!$	u provided a statement to
	בי אסנ applicable to this application ication for planning permission or planning permission in principal where there is a crown inte	rest in the land have
you provided a sta	tement to that effect? * Not applicable to this application	rest in the land, have
development belor you provided a Pre	cation for planning permission, planning permission in principle or a further application and the aging to the categories of national or major development (other than one under Section 42 of e-Application Consultation Report? * 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 cate major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Plann Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *	
e) If this is an application for planning permission and relates to development belonging to the category of local do to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you Statement? * Yes No No hot 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	nave you provided an
g) If this is an application for planning permission, planning permission in principle, an application for approval of conditions or an application for mineral development, have you provided any other plans or drawings as necessar	
X Site Layout Plan or Block plan. X Elevations. X Floor plans. Cross sections. Roof plan. X Master Plan/Framework Plan. X Landscape plan. Photographs and/or photomontages. Other.	
If Other, please specify: * (Max 500 characters)	
Provide copies of the following documents if applicable:	
A Design Statement or Design and Access Statement. * A Flood Risk Assessment. * A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Drainage/SUDS layout. *	Yes N/A Yes N/A Yes N/A Yes N/A Yes N/A Yes N/A N/A Yes N/A

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 Bharghav Somarouthu

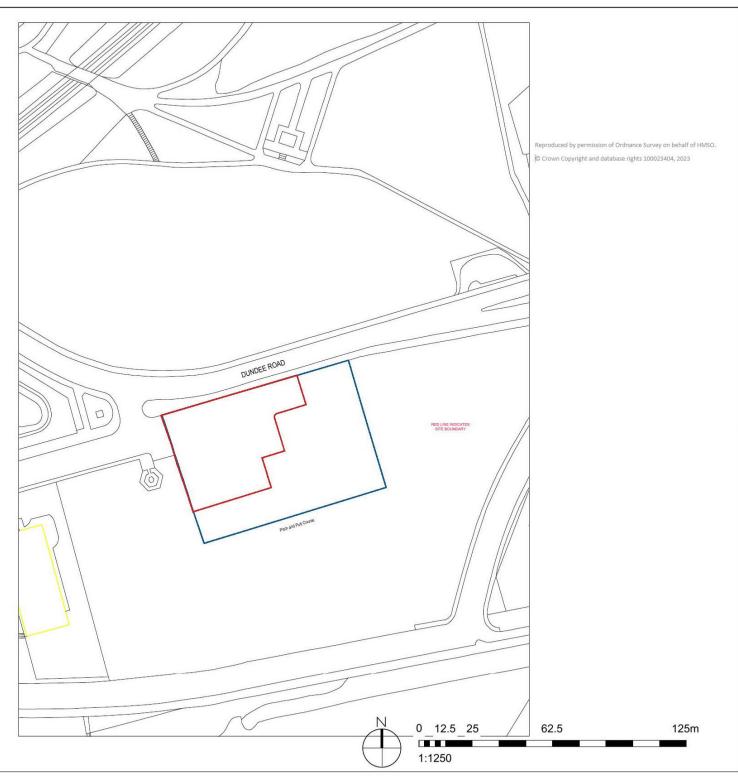
Declaration Date: 09/08/2023

Payment Details

Online payment: 001792

Payment date: 14/08/2023 11:26:32

Created: 14/08/2023 11:26



ITEM 5i



STARBUCKS°

	PLANNING		
Rev.	Description	Ву	Date

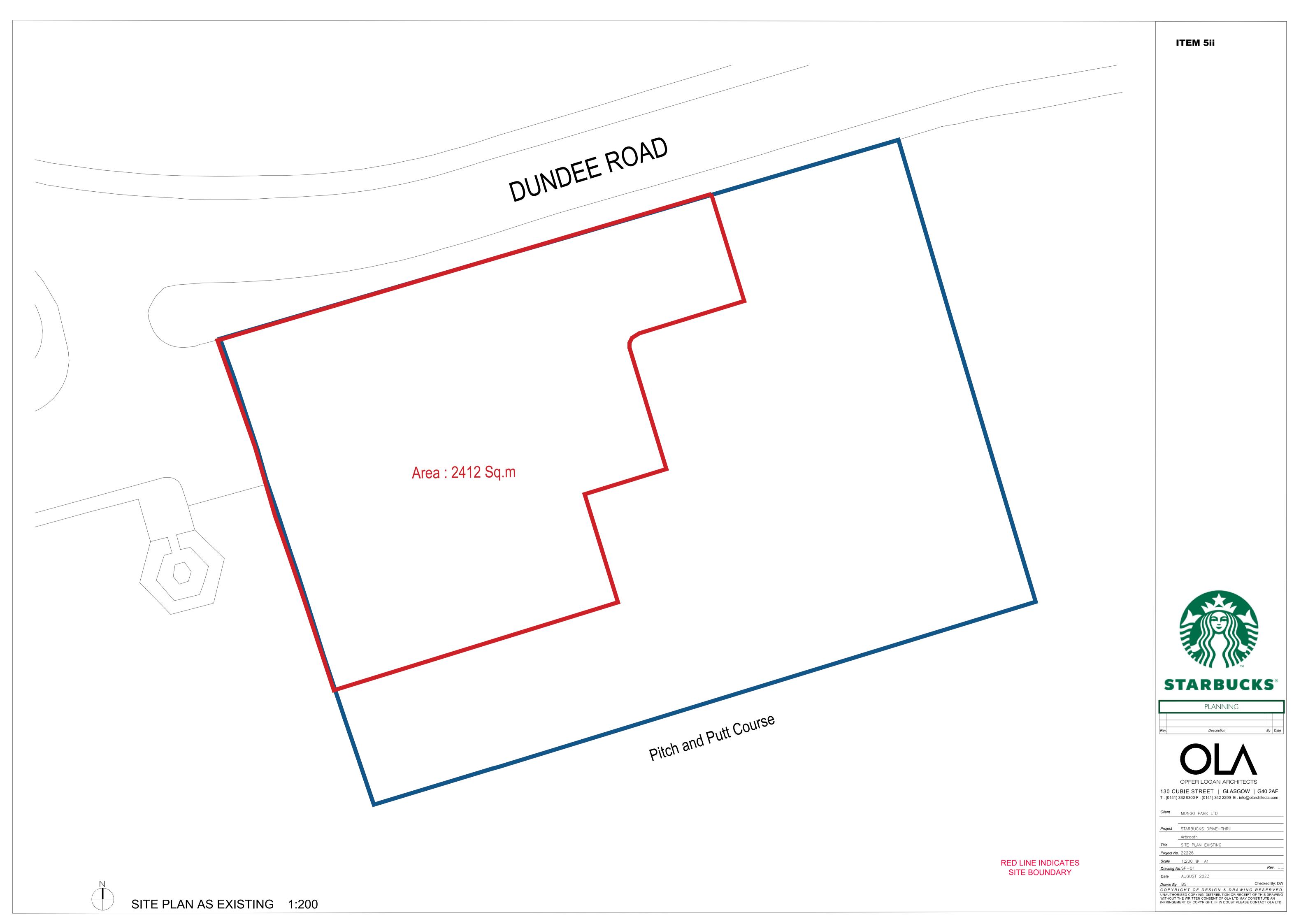


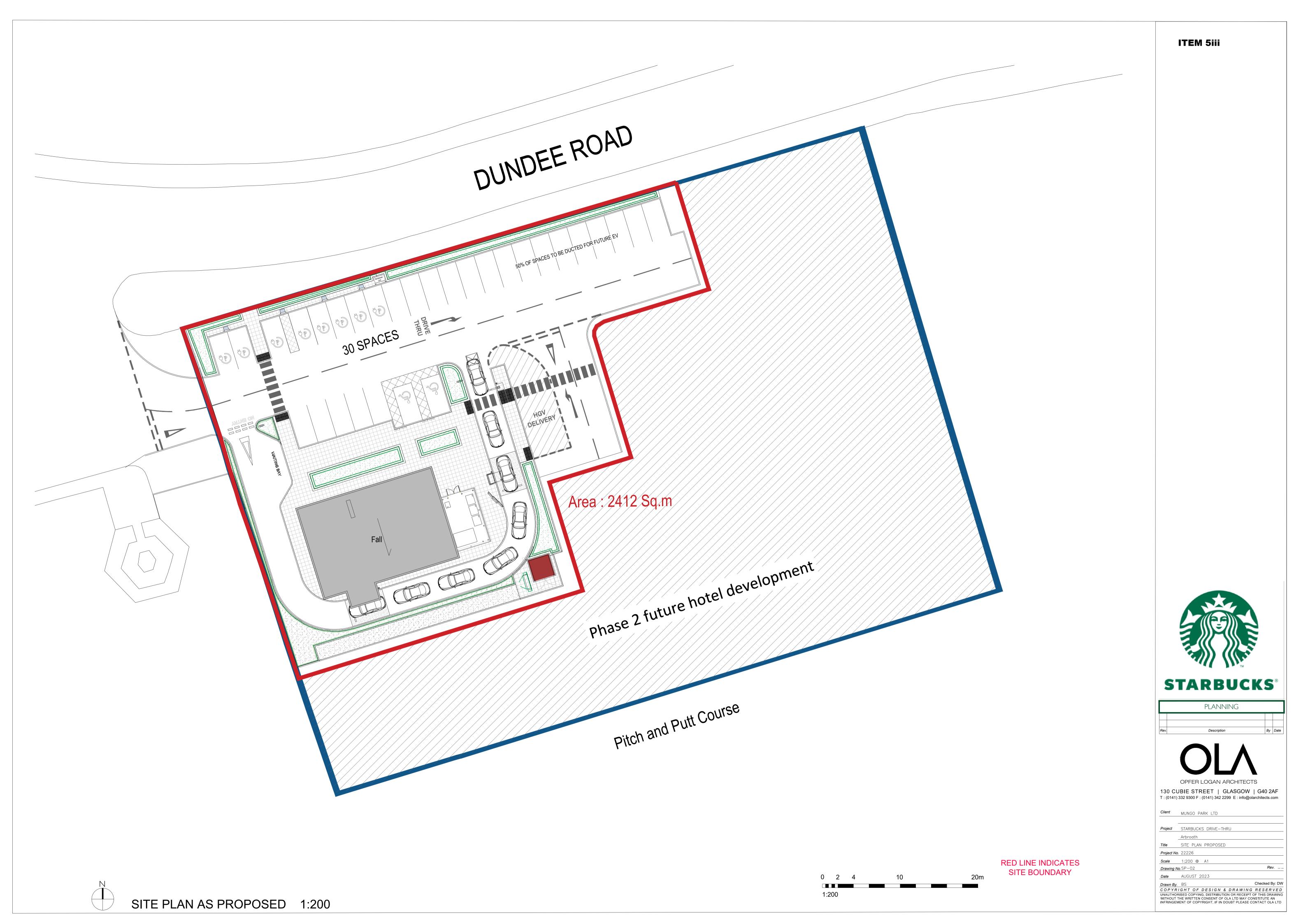
OPFER LOGAN ARCHITECTS

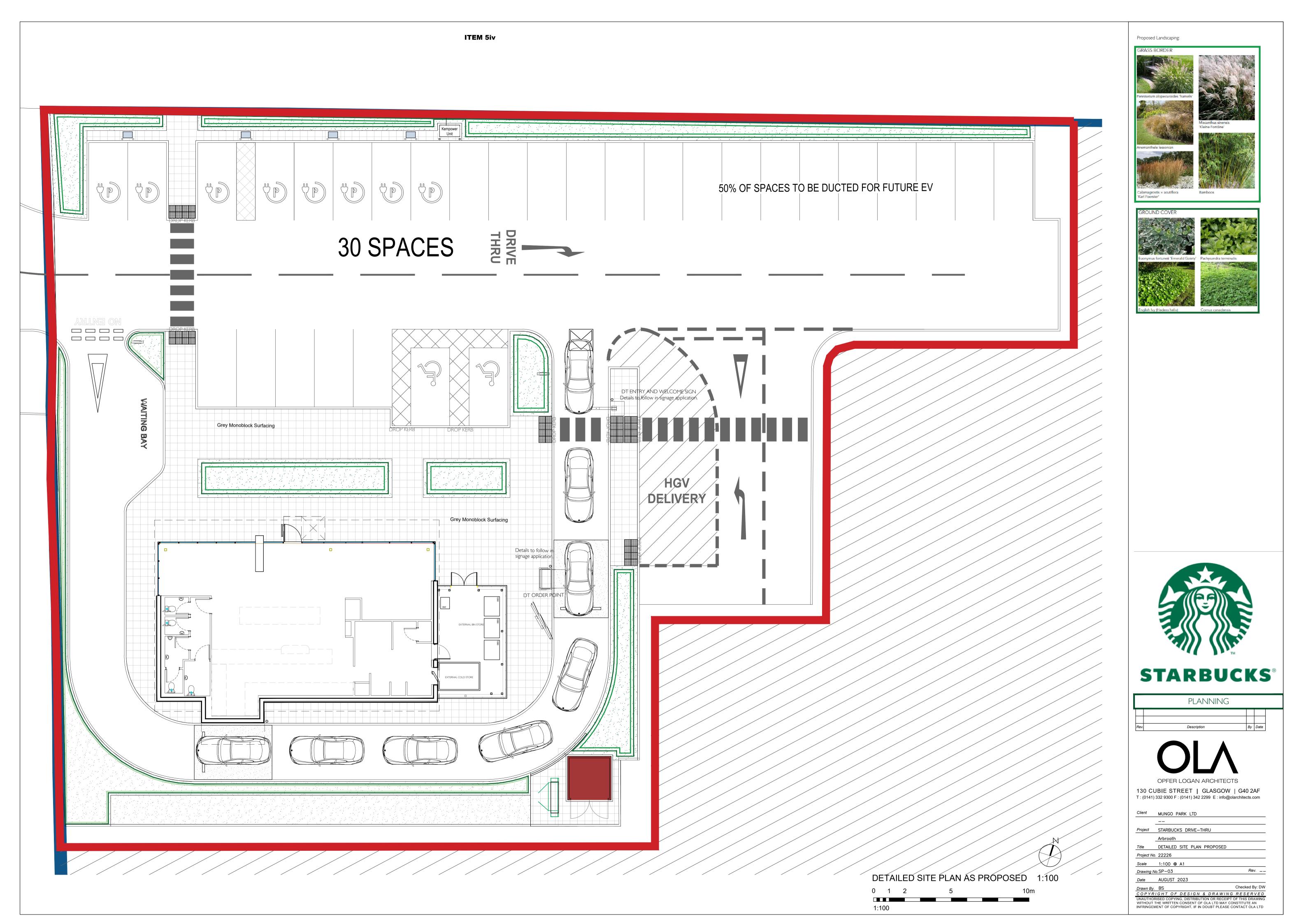
130 CUBIE STREET | GLASGOW | G40 2AF T: (0141) 332 9300 F: (0141) 342 2299 E: info@olarchitects.com

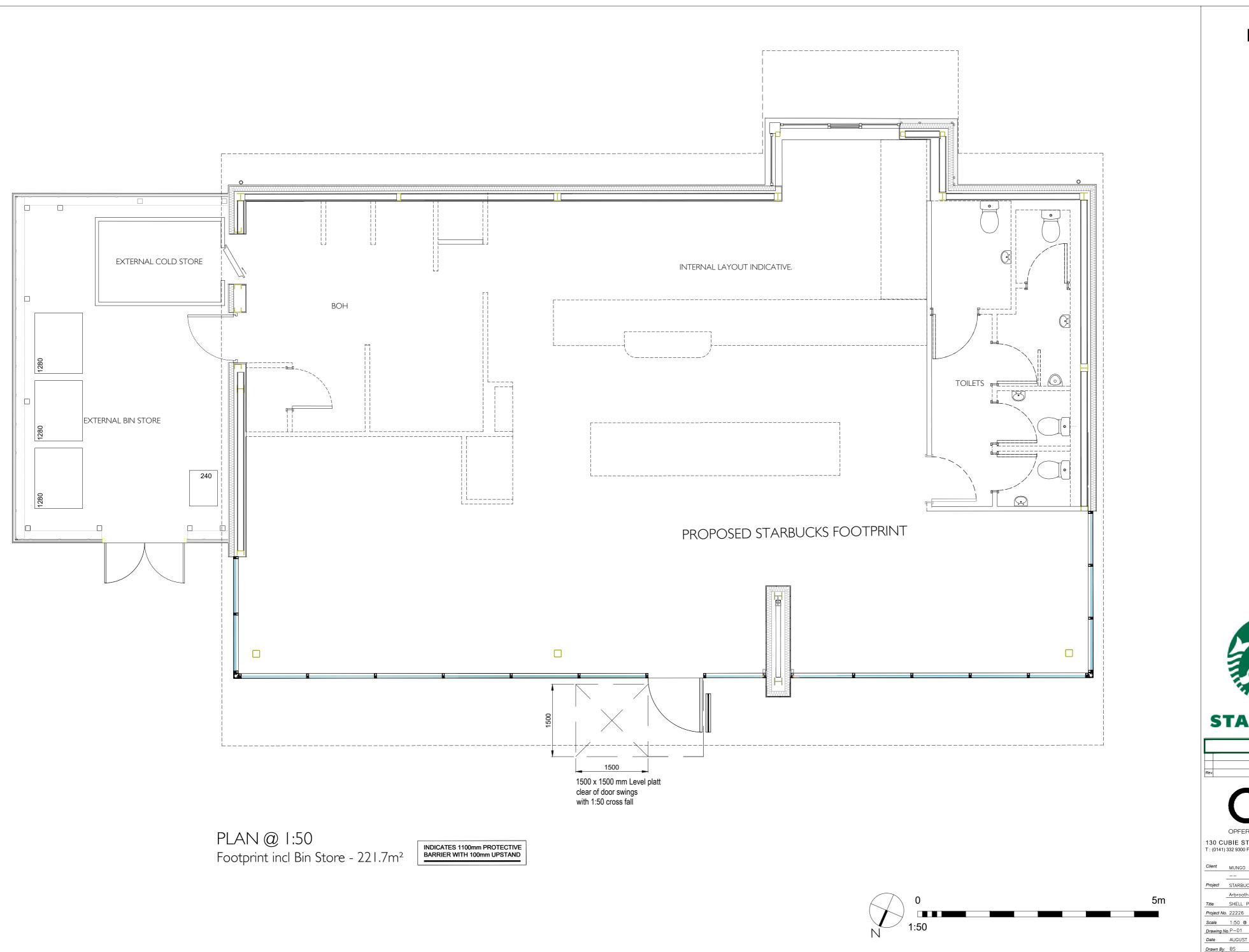
Client	MUNGO PARK LTD	
Project	STARBUCKS DRIVE-THRU	
	Arbroath	
Title	LOCATION PLAN	
Project No.	22226	
Scale	1:1250 @ A3	
Drawing N	o.LOC-01	Rev
Date	AUGUST 2023	
Drawn By.	BS	Checked By: DW
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ITEM 5v



STARBUCKS°

PLANNING

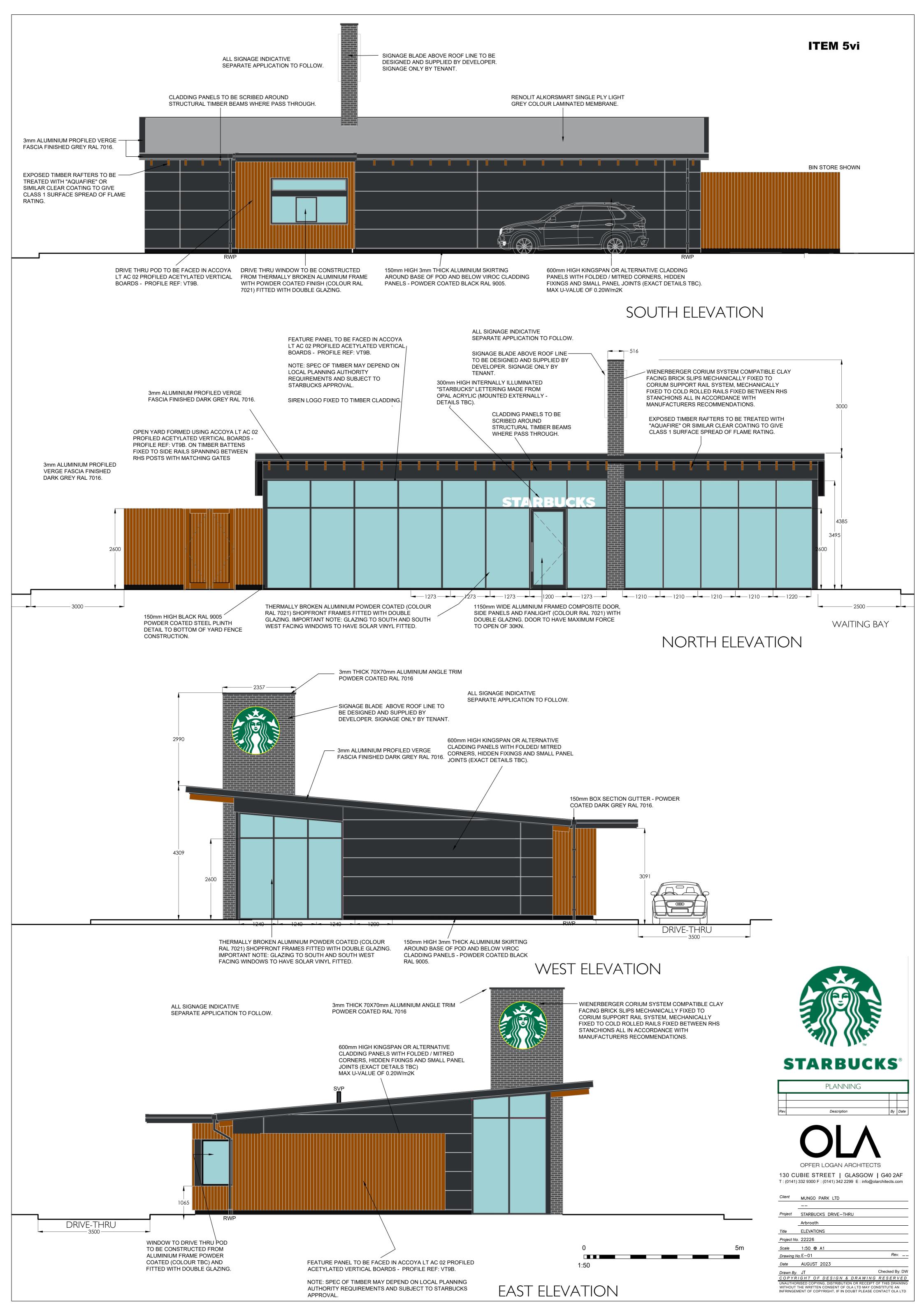
130 CUBIE STREET | GLASGOW | G40 2AF T: (0141) 332 9300 F: (0141) 342 2299 E: info@olarchitects.com

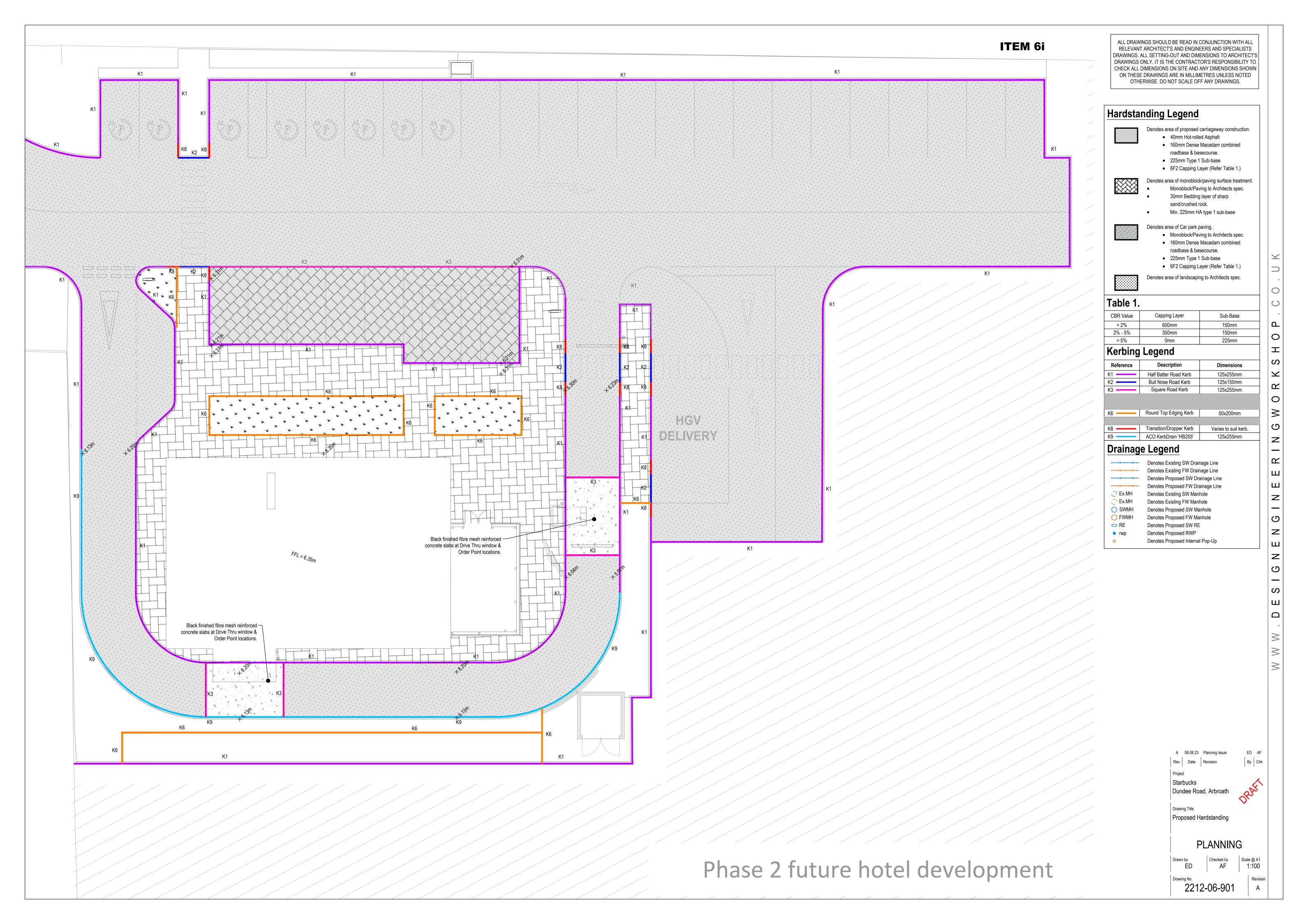
Client MUNGO PARK LTD Project STARBUCKS DRIVE-THRU

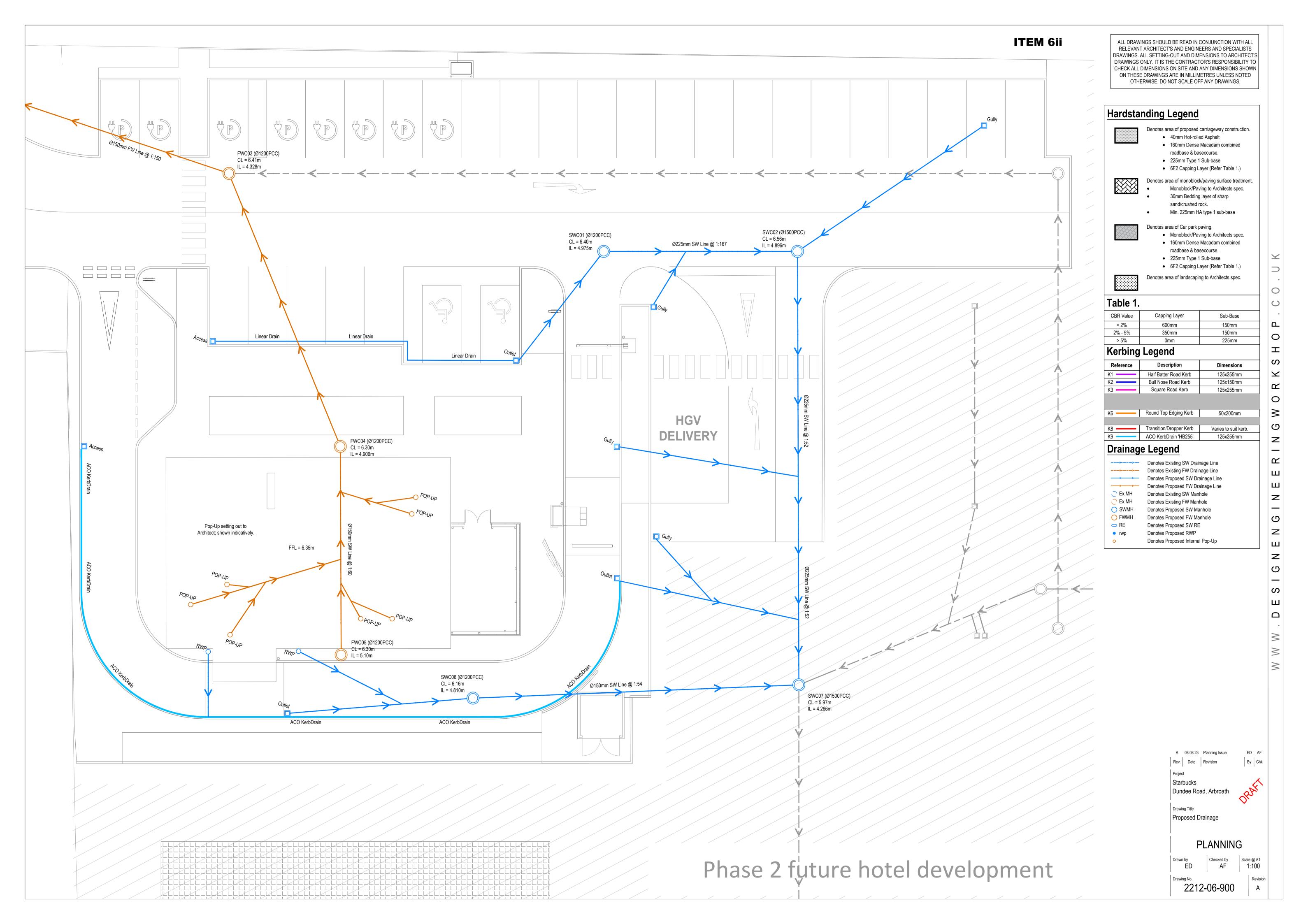
Arbroath Title SHELL PLAN AS PROPOSED

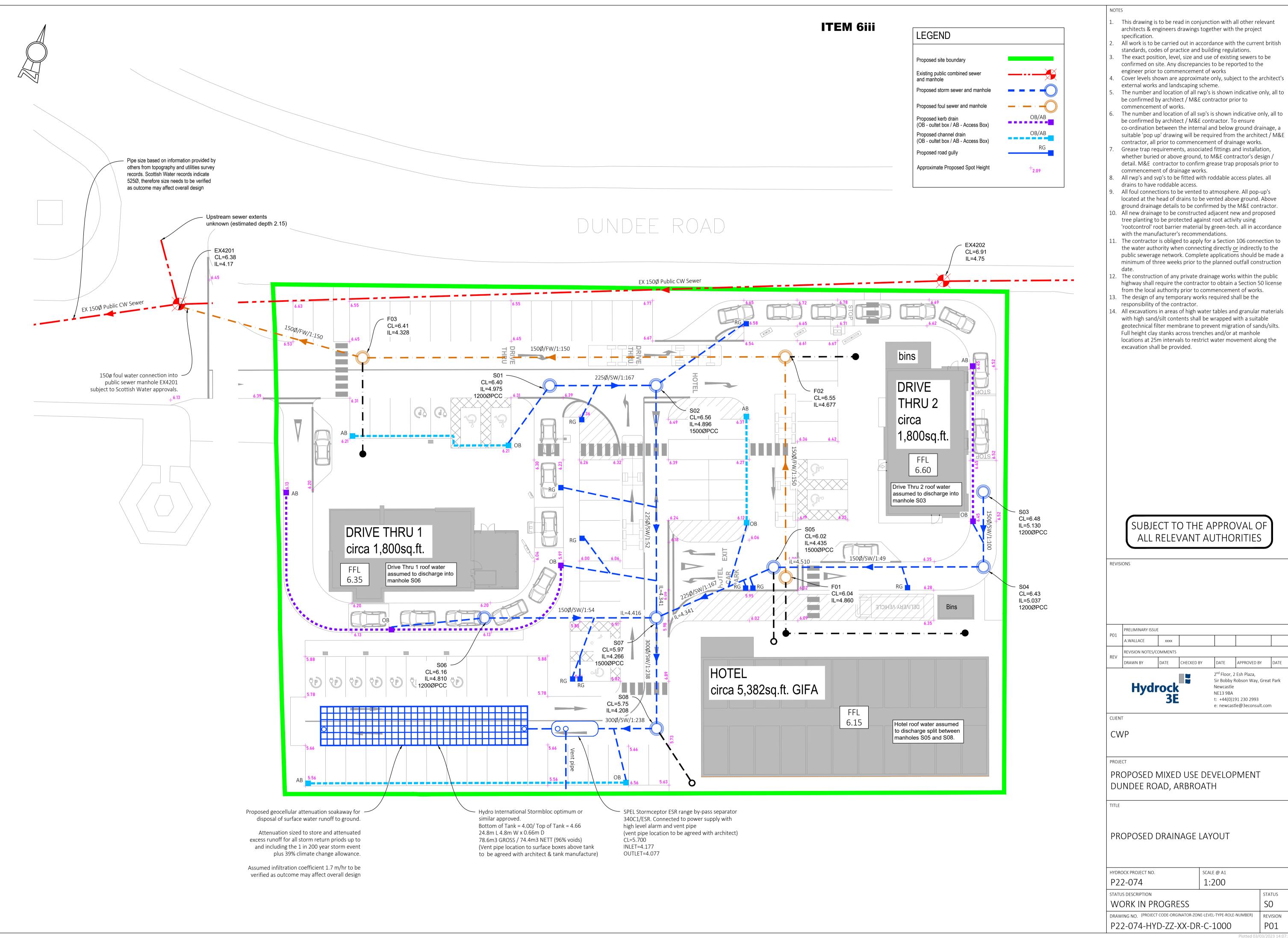
Scale 1:50 @ A2 Drawing No. P−01 Date AUGUST 2023

Drawn By. BS Checked By: DW
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Planning Statement

In respect of application for Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath

On Behalf of Mungo Park

North Planning and Development

2nd Floor, Tay House 300 Bath Street Glasgow G2 4JR

T +44 (0)141 221 2627 www.northplan.co.uk



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2.0	NATIONAL PLANNING FRAMEWORK 4	7-17
3.0	ANGUS LOCAL DEVELOPMENT PLAN	18
4.0	CONCLUSIONS	19

Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Director.

DATE ORIGINATORS APPROVED

August 2023 David Campbell Graeme Laing
Director Director

Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of North Planning & Development; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

Executive Summary

This Statement supports an application for planning permission for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.

The application site is brownfield having formerly accommodated a hotel, which was demolished following fire damage in 2006, and the site has remained vacant and undeveloped since. The site is surrounded by leisure, tourism and recreation uses in the form of Arbroath FC ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts, and the site is allocated in the Angus Local Development Plan as providing an opportunity for a hotel and possible complementary leisure, tourism or recreation uses.

The application proposal is for a commercial leisure/food and drink use that will complement and support the existing surrounding uses and which, together with these other uses, is within the scope of the uses that are supported by the Plan allocation, and the proposed development will also positively contribute to the range and viability of the leisure/tourism/recreational uses that prevail and are already in place. The proposal is also only for development over part of the former Seaforth Hotel site and the remaining part will be available for a second phase hotel development.

This Statement demonstrates that the application proposals meet all of the relevant requirements of the recently adopted National Planning Framework 4 (NPF4) and will contribute towards tackling climate change; protection and enhancement of biodiversity and soils; will deliver a high-quality of design which achieves the Six Qualities of Successful Places; which is appropriate and will make a positive contribution to the visual amenity and attractiveness of the site and the surrounding area.

When these matters are all taken together the Statement duly demonstrates that the application proposals will contribute towards Arbroath and the wider Angus Council area being a Sustainable, Liveable and Productive Place.

This Statement also demonstrates that the application proposals accord with the allocation effecting the former Seaforth Hotel site in the Local Development Plan, and with all other relevant policies in the Plan.

Taking all of these considerations together, this Statement demonstrates that the application proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.

1.0 Introduction

- 1.1 This Statement has been prepared on behalf of Mungo Park for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.
- 1.2 The application site comprises a vacant site, which formerly accommodated the Seaforth Hotel. It is understood that the former hotel was subject of a fire in 2006 and that the site has been vacant following the subsequent demolition of the fire damaged building. The site is situated on the south side of Dundee Road with West Links Golf Course immediately adjacent on all other sides, and with Gayfield/Arbroath FC ground and Pleasureland in close proximity to the east and various tourist/leisure/recreational uses to the west.
- 1.3 The application proposal is for a freestanding single storey building extending to 189sqm which will accommodate a coffee shop use with an ancillary drive thru lane and servery hatch/window, with cycle parking and 30 car parking spaces, as well as appropriate hard and soft landscaping around the building. The building is of contemporary design with significant areas of glazing, timber and cladding. The development will be accessed from Queens Drive.
- 1.4 Since the former hotel was demolished there have been a number of planning applications for redevelopment of the site, one of which was submitted in 2006 and included for the development of a new hotel and which was refused, and one which was submitted in 2017 and included for a hotel and a pub/restaurant and which was approved.
- 1.5 The most recent application was made in 2019 for the erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works (app. ref. 19/00954/FULL). Although this application was refused it is significant to the consideration of the application that is subject of this Statement to note that the Angus Council Planning Department Report of Handling included the following statement:

"The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre."

1.6 This statement establishes that the Planning Department considered that the principle of a coffee shop with drive thru facility was acceptable on this site, and that is further emphasised by the fact that the reasons that were given by the Council for the application being refused do not include reference to the drive thru coffee shop.

1.7 The application that is subject of this Statement is for the development of part of the former Seaforth Hotel site, and this is intended as a first phase of development with a second phase to follow and which will be for the development a new hotel. The phase 1 development will deliver the key site infrastructure in the form of access, internal road and service connections, and those elements allied to the drive thru coffee shop itself will act as a catalyst to support the attractiveness of the site and to make it more viable for the remainder of the site to accommodate a future hotel development.

2.0 National Planning Framework 4 (NPF4)

- This Statement will consider the application proposals against the relevant policies contained within NPF4, and in that context it is relevant to note that the Chief Planner published a letter with advice on transitional arrangements for NPF4 to provide clarity on certain matters, including that Local Development Plans (LDPs) which have already been adopted will continue to be part of the development plan and "for avoidance of doubt" existing LDP land allocations are maintained.
- 2.2 The letter also explains that NPF4 is to be read and applied as a whole, that some conflict between policies is to be expected, and that factors for and against developments are to be weighed up in the exercise of planning judgment by the decision maker.
- 2.3 The letter also sets out specific advice on certain NPF4 policies, and confirms that whilst Policy 1 (Tackling the Climate and Nature Crisis) prioritises the climate and nature crisis "in all decisions" that it is for the decision-maker to determine whether the significant weight to be applied tips the balance in favour of or against a proposal on the basis of its positive or negative contribution to the climate and nature crisis.
- 2.4 With regards to Policy 2 (Climate Mitigation Adaptation) the Chief Planner letter confirms that there is no single accepted methodology for calculating and/or minimising emissions, and that the emphasis is on reducing emissions as far as possible and that there are no defined thresholds that require different levels of information.
- 2.5 Similarly, the Chief Planner letter also recognises relative to Policy 3 (Biodiversity) that there is no single accepted methodology for calculating and/or measuring biodiversity enhancement and that it is for the decision maker to take into account the policies in NPF4 as a whole when considering whether there is an opportunity for the development to contribute to the enhancement of biodiversity.
- 2.6 The letter also includes specific coverage to Policy 27(d) and drive through developments, and says that (our underlining):

"During the Parliamentary scrutiny of the draft NPF4, there was some debate about the meaning and application of Policy 27(d), which states that "drive-through developments will only be supported where they are specifically supported in the LDP". The intention of this policy was to ensure that this type of development is considered as an integral part of the wider development plan, and is not (as has been erroneously reported) a moratorium or ban on such developments.

In applying policy 27(d) and whether such developments are supported, planning authorities may regard wider uses that are compatible with the drive through function to be included, as

there is no single class of development that this relates to and may sometimes be considered as sui generis. Suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink, depending on the nature of the proposal involved in each case. In looking at the potential impact of the development as a whole, as always, decisions will depend on the facts and circumstances of each individual case and regard should be given to wider policies within NPF4, including those relating to reducing emissions that contribute to climate change and to wider policies that aim to improve town centres and support local living.

Looking forward, we will include guidance on drive throughs and the relationship to Policy 27(d) within the forthcoming local development plan guidance, which will be published this spring to support implementation of the new arrangements for LDPs."

2.7 This Statement duly considers the following NPF4 policies as being relevant to the application proposals:

Sustainable Places

- Policy 1 'Tackling the Climate and Nature Crises'
- · Policy 2 'Climate Mitigation and Adaptation'
- Policy 3 'Biodiversity'
- Policy 9 'Brownfield, vacant and derelict land and empty buildings'
- Policy 11 'Energy'
- Policy 12 'Zero Waste'
- Policy 13 'Sustainable Transport'

Liveable Places

- Policy 14 'Design, Quality and Place'
- Policy 15 'Local Living and 20 Minute Neighbourhoods'
- Policy 18 'Infrastructure First'
- · Policy 20 'Blue and Green Infrastructure'
- Policy 22 'Flood Risk and Water Management'

Productive Places

• Policy 27 'City, town, local and commercial centres'

Sustainable Places

- 2.8 **Policy 1 'Tackling the Climate and Nature Crises'** establishes that when considering all development proposals, significant weight will be given to the global climate and nature crises. The intent of the policy is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. Policy 1 establishes an over-arching statement of policy intent which then runs through the other NPF4 Policies.
- 2.9 Policy 2 'Climate Mitigation and Adaptation' requires proposals to achieve the following:
 - Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
 - Development proposals will be sited and designed to adapt to current and future risks from climate change.
 - Development proposals to retrofit measures to existing developments that reduce emissions
 or support adaptation to climate change will be supported.
- 2.10 The supporting text for Policy 2 explains that the intent of the policy is to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 2.11 The over-riding purpose of the application proposals is to provide a Class 3 coffee shop that is proximate and within easy walking and cycling distance of a local resident population, as well as tourists and other visitors to Arbroath. The proposed building has been specifically designed to be energy efficient and to meet and exceed the current building regulations, and the proposals include for native planting in landscaped areas throughout the site, and the selected species mix will seek to maximise biodiversity.
- 2.12 To further support sustainability, the proposals include for electric vehicle charging infrastructure in line with Building Standards requirements, and the site is within easy walking and cycling distance of residential areas and other facilities that already attract visitors to the area.
- 2.13 Taking the above considerations together, the application proposals duly meet with the principle and over-arching requirements Policy 1 and Policy 2 of NPF4.
- 2.14 **Policy 3 'Biodiversity'** sets out the following criteria which development proposals require to take into consideration:
 - a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
 - b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where

it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

ii. wherever feasible, nature-based solutions have been integrated and made best use of:

iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;

iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and

v. local community benefits of the biodiversity and/or nature networks have been considered.

- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.
- As set out, the application site formerly accommodated the Seaforth Hotel, which was demolished in c. 2006 due to fire damage, and as the site has been vacant since then it duly qualifies as undeveloped brownfield land. The site, in its current state, is judged to be species poor and to have a low ecological/biodiversity value, and as the proposals include for native planting in landscaped areas the result will be enhancement to the biodiversity value of the site.

- 2.16 The development will therefore not have a material and/or adverse impact on biodiversity and as the proposals will deliver long-term biodiversity benefits the application complies with Policy 3 of NPF4.
- 2.17 Policy 9 'Brownfield, vacant and derelict land and empty buildings' establishes that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. The application site is brownfield/already developed land and is allocated for development in the Local Development Plan, and the proposal therefore constitutes the sustainable reuse of brownfield land which is already earmarked for development, and so duly complies with Policy 9.
- 2.18 **Policy 11 'Energy'** seeks to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. The policy states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported.
- 2.19 Although this policy seems to be primarily targeted towards energy developments, the proposed building has been designed to incorporate sustainable materials and construction technologies and to be energy efficient, and electric vehicle charging points and cycle parking will be provided. The application proposals therefore align with the spirit and intent of Policy 11.
- 2.20 **Policy 12 'Zero Waste'** requires that development proposals seek to reduce, reuse, or recycle materials in line with the waste hierarchy. It explains that development proposals will be supported where they:
 - reuse existing buildings and infrastructure;
 - minimise demolition and salvage materials for reuse;
 - minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
 - use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
 - use materials that are suitable for reuse with minimal reprocessing.
- 2.21 As previously set out, the application seeks to redevelop brownfield/already developed land, and the proposals will give rise to limited waste during the construction phase and the occupied development will accommodate typical arrangements for storage and collection of commercial waste associated with a coffee shop use, and for these reasons the application is in line with the requirements, spirit and intent of Policy 12.
- 2.22 **Policy 13 'Sustainable Transport'** establishes that:

"Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;

- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits

can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance."

- 2.23 The application is supported by a Transport Statement, prepared by ECS. The Statement comments on the site benefiting from an extant planning policy which establishes that the principle of redevelopment of the site, and that by association with that travel movements are anticipated and accepted. The Statement refers to the proposed coffee shop being positioned adjacent to the proposed internal spine road and the remainder of the site with the drive thru lane circulating around the southern elevation of the building, and that vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north, and the remainder of the site will be retained to allow a hotel development to come forward to further align with the Local Development Plan allocation. The Statement includes an assessment of the development proposals relative to all sustainable modes of travel, and demonstrates that the current walking, cycling and public transport provision in the area is sufficient to accommodate the expected future demand from the proposed use. The Statement also confirms that measures will be introduced to enhance sustainable travel by the provision of connections to the footway network, cycle parking provision and by implementation of a Travel Plan. The assessment of the local road network supports access to the development, the car parking proposals and the drive thru lane design, and concludes that the traffic generation from the proposed use can be accommodated and will have no detriment to existing road users or cause additional delay nor require any physical mitigation.
- 2.24 In light of the considerations and findings set out in the Transport Statement it is duly concluded that the application proposals meet the requirements of Policy 13.

Liveable Places

- 2.25 **Policy 14 'Design, Quality and Place'** establishes that development proposals will be supported where they are consistent with six qualities of successful places, which are:
 - Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
 - Pleasant: Supporting attractive natural and built spaces.
 - Connected: Supporting well connected networks that make moving around easy and reduce car dependency.
 - Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
 - Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
 - Adaptable: Supporting commitment to investing in the long-term value of buildings, streets
 and spaces by allowing for flexibility so that they can be changed quickly to accommodate
 different uses as well as maintained over time.
- 2.26 The proposed development has been deliberately sited to complement and help facilitate the future development of the remainder of the site for hotel use, and planting and boundary treatment will enhance the appearance and setting of the development. The proposed building is contemporary and typical of modern coffee shops, and has form, height, design detail, site layout, materiality and colour palette that are all sensitive and appropriate to the location and setting, helping to ensure the integration of the proposal in the context. When these matters are taken together it is clear that the proposed development will meet the requirement to be healthy, pleasant, connected, distinctive, sustainable and adaptable, and therefore meets the requirements of Policy 14.
- 2.27 Policy 15 'Local Living and 20 minute neighbourhoods' establishes that development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods, including local access to sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks; employment; shopping; health and social care facilities; childcare, schools and lifelong learning opportunities; playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities; publicly accessible toilets; affordable and accessible housing options, ability to age in place and housing diversity.
- 2.28 The application site is in a central location within Arbroath, and is in close proximity to residential areas. The site is also centrally located relative to several immediately surrounding leisure/recreational uses, including the Arbroath FC/Gayfield ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts. All of these existing uses result in the site being

located in an area where leisure/recreational uses predominate and as many of these uses include commercial elements they result in the character of the area being semi-commercial.

- 2.29 The introduction of a coffee shop use here will not only complement the future hotel development that is intended for the remainder of the former Seaforth Hotel site but it will also complement, support, and be compatible with the various existing leisure/recreational/commercial uses that surround the site. The introduction of a coffee shop into an area, which already attracts activity and accommodates commercial tourism and leisure uses, will serve to support the delivery of a 20-minute-neighbourhood by contributing towards the provision of a range services in a concentrated area which are within walking and cycling distance of each other, and also of Arbroath residents and residential holiday locations, thereby reducing the need for residents and visitors to travel to more distant locations by non-sustainable means. The application duly meets the principle expectations and requirements of Policy 15.
- 2.30 **Policy 18 'Infrastructure First'** establishes that proposals which provide, or contribute to, infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported, and that the impacts of development proposals on infrastructure should be mitigated.
- 2.31 The application is supported by a suite of technical supporting information, which include coverage to matters such as drainage and transport, and these indicate that all essential infrastructure exists or will be provided in association with the implementation of the development and/or will not be impacted, and the application proposals are therefore judged to be in accordance with Policy 18.
- 2.32 Policy 20 'Blue and Green Infrastructure' establishes that development proposals which result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The policy also establishes that development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported and, where appropriate, this will be an integral element of the design that responds to local circumstances.
- 2.33 The application proposals do not impact any existing blue or green infrastructure, and take a positive and proactive approach to the delivery of blue and green infrastructure and so will not bring about the fragmentation or net loss of existing networks. Whilst the site is judged to have very limited ecological value the proposals include for planting to support biodiversity enhancement. In overall terms the proposals will have a positive rather than a negative impact and will not fragment or adversely impact green or blue infrastructure, thereby demonstrating that the requirements of Policy 20 are met.
- 2.34 **Policy 22 'Flood Risk and Water Management'** aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. The policy explains that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- essential infrastructure where the location is required for operational reasons;
- · water compatible uses;
- redevelopment of an existing building or site for an equal or less vulnerable use; or.
- redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice.
- 2.35 Policy 22 adds that in such cases, it will be demonstrated by the applicant that:
 - · all risks of flooding are understood and addressed;
 - there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
 - the development remains safe and operational during floods;
 - flood resistant and resilient materials and construction methods are used; and
 - future adaptations can be made to accommodate the effects of climate change.
- 2.36 The application site is allocated for development and whilst the SEPA Flood Map shows the site as being potentially affected by some limited surface water flooding this is accounted for in the drainage proposals that accompany the application, and with the proposed drainage measures in place it is judged that the proposals will not have an adverse impact and do not contravene the requirements of Policy 22.

Liveable Places

- 2.37 **Policy 27 'City, town, local and commercial centres'** establishes that development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported. Although the application site is not within a town or local centre, as identified in the Local Development Plan, it is embedded within an area where tourism, leisure and recreational uses predominate and which are visited by residents and tourists, and it is considered that the introduction of a coffee shop will improve the vitality and viability of the area, increase the mix of uses, and complement and support these existing adjacent uses.
- 2.38 Notwithstanding that, as mentioned, whilst Policy 27 (d) of NPF4 establishes that "Drive-through developments will only be supported where they are specifically supported in the LDP" the Chief Planner's letter relative to Transitional Arrangements confirms that the policy does not constitute a moratorium or ban on drive through developments and that "suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink". As mentioned above and in other preceding parts of this Statement, the application site is situated in an area where commercial tourism, leisure and recreational uses predominate and which is affected by a Local Development Plan allocation that supports the development of complementary leisure, tourism or recreation uses. It is our position that it duly follows that the site has already been judged by the Council to be suitable and appropriate for complementary commercial uses such as Class 3, and that serves to demonstrate that the site is a 'suitable location' for Class 3 and drive through use, and that the proposal duly complies with policy 27 (d).

3.0 Angus Local Development Plan (2016)

- 3.1 The Angus Local Development Plan was adopted in 2016, and although the Plan technically became out-of-date in 2021 (i.e. five years after adoption) meaning that the policies therein have more limited less weight than the more recent policies in NPF4, the Plan and policies do nevertheless remain relevant.
- 3.2 The Proposals Map associated with the Plan shows the application site as being within the Arbroath settlement boundary and more specifically identified as an Opportunity Site (ref. A7) which:

"provides an opportunity for a hotel and possible complementary leisure, tourism or recreation uses"

- 3.3 The Plan also makes reference to a Development Brief, and that surface water management measures and a drainage assessment report may be required.
- 3.4 As set out in the preceding Statement, this application is seeking planning permission for the first phase of development on the former Seaforth Hotel site, and with the first phase acting as a catalyst to help attract and support the viability for a second phase hotel development on the balance of the site.
- 3.5 Notwithstanding that, the proposed Class 3 coffee shop with ancillary drive thru will be complementary, not only to the future hotel use, but also to the already existing leisure, tourism and recreation uses that surround the site, thereby demonstrating that the proposal satisfies the requirement of the Opportunity designation in the adopted Plan as it is a 'complementary leisure, tourism and recreation use'.
- 3.6 The other policies of the adopted Plan that could be judged to be applicable are Policy DS1 (Development Boundaries and Priorities), Policy DS2 (Accessible Development) Policy DS3 (Design Quality and Placemaking), Policy DS4 (Amenity), Policy TC10 (Roadside Facilities), Policy TC17 (Network of Centres), Policy PV6 (Development in the Landscape), Policy PV8 (Built and Cultural Heritage), Policy PV12 (Managing Flood Risk), Policy PV15 (Drainage Infrastructure), Policy PV16 (Coastal Planning) and Policy PV18 (Waste Management in New Development).
- 3.7 Albeit application 19/00954/FULL, as previously referenced, was refused permission it is notable that the Reasons for Refusal only include reference to Policies A7, DS3 and DS1, with the rationale behind the Reasons appearing to be largely premised on the scheme that was being proposed not providing for or protecting the potential for the development of a hotel on the former Seaforth Hotel site, and as the roadside facilities element was not judged to be an appropriate use or of appropriate appearance. The application that is subject of this Statement is only for development over part of the former Seaforth Hotel site and so the potential for the development of a new hotel is not prejudiced by this proposal, but rather the potential is assisted by the first phase coffee shop development providing some of the core site infrastructure required to support a hotel development.

- 3.8 Beyond that, the Report of Handing relative to 19/00954/FULL establishes that a coffee shop with drive thru is, in itself, an appropriate form of development for this site and is judged to be unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre.
- 3.9 Taking all of that together, allied to the fact that Policies DS1, DS2, DS3, DS4, TC10, TC17, PV6, PV8, PV12, PV15, PV16 and PV18 establish equivalent requirements to several of the aforementioned Policies of NPF4, and so for the same reasons set out relative to the policies of NPF4 it follows that the proposal meets the requirements of the Local Development Plan policies.

4.0 Conclusions

- 4.1 The preceding Statement supports an application for planning permission for the Erection of a Class 3 coffee shop with ancillary drive thru facility and other associated works on site of the former Seaforth Hotel, Dundee Road, Arbroath.
- 4.2 The application site is brownfield having formerly accommodated a hotel, which was demolished following fire damage in 2006, and the site has remained vacant and undeveloped since. The site is surrounded by leisure, tourism and recreation uses in the form of Arbroath FC ground, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts, and the site is allocated in the Angus Local Development Plan as providing an opportunity for a hotel and possible complementary leisure, tourism or recreation uses.
- 4.3 The application proposal is for a commercial leisure/food and drink use that will complement and support the existing surrounding uses and which, together with these other uses, is within the scope of the uses that are supported by the Plan allocation, and the proposed development will also positively contribute to the range and viability of the leisure/tourism/recreational uses that prevail and are already in place. The proposal is also only for development over part of the former Seaforth Hotel site and the remaining part will be available for a second phase hotel development.
- 4.4 This Statement demonstrates that the application proposals meet all of the relevant requirements of the recently adopted National Planning Framework 4 (NPF4) and will contribute towards tackling climate change; protection and enhancement of biodiversity and soils; will deliver a high-quality of design which achieves the Six Qualities of Successful Places; which is appropriate and will make a positive contribution to the visual amenity and attractiveness of the site and the surrounding area.
- 4.5 When these matters are all taken together the Statement duly demonstrates that the application proposals will contribute towards Arbroath and the wider Angus Council area being a Sustainable, Liveable and Productive Place.
- 4.6 This Statement also demonstrates that the application proposals accord with the allocation effecting the former Seaforth Hotel site in the Local Development Plan, and with all other relevant policies in the Plan.
- 4.7 Taking all of these considerations together, this Statement demonstrates that the application proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.





Proposed Starbucks Drive Thru Coffee Unit, Dundee Road, Arbroath

Transport Statement

August 2023

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Comments

Comments

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Appendices

- A. Architects Plans
- B. Swept Path Analysis
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1. Introduction

- 1.1. ECS Transport Planning Limited has been commissioned by Mungo Park Ltd to produce a Transport Statement (TS) in support of planning application for a Starbucks drive thru coffee unit with associated access, parking and servicing facilities on a site adjacent to Dundee Road, Arbroath.
- 1.2. Planning permission is sought to develop a new class 3 coffee shop with drive-thru facility to the south of Dundee Road, Arbroath. The proposed new unit will be a freestanding, single storey drive thru coffee outlet. Access to the site will be taken from a new priority junction with Queen's Drive.
- 1.3. The Transport Statement forms part of a comprehensive submission to Angus Council (AC) in support of a detailed planning application. It examines the key transportation issues and access opportunities associated with all modes of travel for a drive thru development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, if required.
- 1.4. The findings of this study, which support the proposals, are based on a review of the existing site and surrounding travel opportunities, while also taking cognisance of Transport Scotland's "Transport Assessment Guidance". Consideration has also been given to the requirements of local and national government planning policies, including the Scottish Government document 'National Planning Framework 4' (NPF4); however, as the site currently benefits from an extant planning consent policy compliance has already been established.
- 1.5. The subsequent chapters of this report are structured as follows:-
 - Development Proposals;
 - Transport Policy;
 - Sustainable Accessibility;
 - Existing & Future Traffic Conditions; and,
 - Summary & Conclusions.

2. Development Proposals

Existing Site & Surrounding Area

2.1. The site lies adjacent to the A92, Dundee Road, which provides the main route into, and through, Arbroath. The site is bounded to the north by the A92, to the west by Queen's Drive and to the south and east by West Links Park. The location of the site, in a local context, is highlighted in red within *Figure 1*, below.

Figure 1: Site Location



- 2.2. The development site is located within the grounds of the former Seaforth hotel. The Seaforth hotel was originally built as a private house in the 1820's and converted to a hotel in 1934. The hotel had 19 rooms, a leisure centre, two function rooms and a heated swimming pool. The hotel underwent some renovation work in 1996 however a mysterious fire burnt it to the ground in 2006. The remains of the hotel were demolished in 2006 and the site has remained vacant ever since. The site therefore has a long established history of traffic and people movement associated with the hotel, pool and function rooms.
- 2.3. Figures 2 & 3, overleaf, present the site in its current form. Figure 2 displays a view of the site looking north form Queen's Drive, with Figure 3 looking east from Dundee Road.

Figure 2: View of Site Looking North

Figure 3: View of Site Looking East



- 2.4. The site is located to the west of the town centre adjacent to West Links Golf Course, Gayfield Park and amenity space such as High & Low Common as well as Inchcape Park. There is a large residential population immediately to the north of the site and Red Lion Holiday Park a short distance to the west which bounds Westway Retail Park on the western boundary of the settlement.
- 2.5. The site benefited from previous planning approval for a mixed-use development comprising of a hotel and pub/restaurant including car parking. The approval (ref 17/01048/FULL) was granted in 2018. A subsequent application for a petrol filling station and drive thru was not approved due to the lack of a hotel given the site is allocated for a hotel use within the Local Development Plan (LDP).

Proposed Development

Development & Access Overview

- 2.6. It is proposed to develop a 189m² Gross Floor Area (GFA) coffee drive thru unit with associated parking which will occupy the western area of the developable area, adjacent to Queen's Drive. The drive thru unit will be positioned adjacent to the spine road which will serve the unit and the remainder of the site with the drive thru lane circulating around the southern elevation of the building.
- 2.7. Vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north.
- 2.8. The layout of the proposed development, including internal operation, is indicated on the Opfer Logan Architects Ltd Site Plan 22226_SP 02 & 03 contained within *Appendix A*.
- 2.9. The remainder of the site will be retained to allow a hotel use to be promoted as per the aspiration of the Angus Council LDP allocation.

Development Parking Provision

2.10. The SCOTS National Roads Development Guide does not detail drive thru restaurants as a specific land use within the parking standards section. Nonetheless, café's and restaurants are specified with a ratio of

- 1 space per 5msq of gross floor space. However, it is generally accepted that this parking ratio is overestimation as it was previously applied to public floor area (PFA) in earlier version of similar guidance. The PFA of the proposed unit is 95sqm which allows for a maximum parking provision of 19 based on PFA and 38 spaces based on GFA.
- 2.11. The proposals include 30 parking spaces which will be provided as 8 EV, 20 standard and 2 disabled spaces which is considered to be ample for the proposed use.
- 2.12. As part of the proposals 3 new Sheffield Cycle Stands will be introduced adjacent to the unit frontage which will accommodate 6 bicycles.

Servicing Arrangements

2.13. ECS drawing 23075-001 contained within *Appendix B* indicates servicing and refuse collection can be accommodated without compromising the operation of the existing road network. The service vehicle will enter the site via the new access and route to the internal junction located to the east of the current development layout. The vehicle will then reverse in to the dedicated loading area adjacent to the unit to unload prior to exiting the site in a forward gear. Servicing will be undertaken outwith peak operating times to minimise customer / delivery vehicle interaction.

3. Local & National Transport Policy

- 3.1. The planning system is used to make decisions about the future development and use of land in our towns, cities and countryside. It considers where development should happen and how development affects its surroundings. The system balances different interests, including transport, to make sure that land is used and developed in a way that creates high quality, sustainable places.
- 3.2. To inform this process, National and Local Government have developed a series of policy documents / statements and guidance in terms of transportation. As most forms of transport are fundamental to modern life, whether moving people to school, work, shopping or recreation, the integration of transport and land use is a key element to support economic growth, as well as, social inclusion. In reducing Scotland's carbon footprint, the promotion of public transport is seen as key for new developments with walking and cycling taking an important role.
- 3.3. The following provides an overview of the current national / central and local government policies and guidelines, which the development proposals and site will be reviewed against within this report.

National / Central Government Transport Planning Policy

National Transport Strategy (NTS2)

3.4. The White Paper 'The Future of Transport: A Network for 2030, Executive Summary, Paragraph 6' states that the following:

This Strategy advocates a Vision for Scotland's transport system, that will help create great places – a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors. It sets out Priorities to support that Vision: reduces inequalities; takes climate action; helps deliver inclusive economic growth; and improves our health and wellbeing. Within these Priorities there is greater focus on reducing inequalities and taking climate action to ensure we address the key challenges we face.

This Transport Strategy is for all of Scotland, recognising the different needs of our cities, towns, remote and rural areas and islands. It draws heavily on the latest evidence and has been developed through a collaborative approach involving a wide range of partners. An extensive engagement exercise comprising individuals, businesses and third sector organisations has been essential to its development. A consultation on the draft Strategy has also been carried out, with views invited from individuals and organisations across Scotland. The responses have played a key role in informing the content of the Strategy.

The Strategy presents our Vision for Scotland's transport system over the next 20 years, which is: We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

Our Vision is underpinned by four Priorities, each with three associated Outcomes. The Vision, Priorities and Outcomes are at the heart of the Strategy and will be the basis upon which we take decisions and evaluate the success of Scotland's transport policies going forward.

Our Vision

We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

Reduce Inequalities

- Will provide fair access to services we need
- Will be easy to use for all
- Will be affordable for all

Take Climate Action

- Will help deliver our net-zero target
- Will adapt to the effects of climate change
- Will enable greener, cleaner choices

Helps Deliver Inclusive Economic Growth

- Will get people and goods where they need to get to
- Will be reliable, efficient and high quality
- Will use beneficial innovation

Improves Our Health and Wellbeing

- Will be safe and secure for all
- Will enable us to make healthy travel choices
- Will help make our communities great places to live

While the Priorities can be complementary, it is recognised that there can also be tensions between transport policies and these may need to be carefully managed. We must aim for economic growth that is inclusive, where there are opportunities for all to participate and benefit. Growth, also, must not have net adverse impacts on our climate or affect people's health through poorer air quality. When planning transport, decision makers will need to consider how their decisions will impact across all of the Vision, Priorities and Outcomes.

National Planning Framework 4

Sustainable Transport

Policy Intent:

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy Outcomes:

- Investment in transport infrastructure supports connectivity and reflects place-based approaches and local living.
- More, better, safer and more inclusive active and sustainable travel opportunities.
- Developments are in locations which support sustainable travel.

Policy 13

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.

- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be

demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Local Living and 20 minute neighbourhoods

Policy Intent:

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Policy Outcomes:

- Places are planned to improve local living in a way that reflects local circumstances.
- A network of high-quality, accessible, mixed-use neighbourhoods which support health and wellbeing, reduce inequalities and are resilient to the effects of climate change.
- New and existing communities are planned together with homes and the key local infrastructure including schools, community centres, local shops, greenspaces, health and social care, digital and sustainable transport links.

Policy 15

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play

opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;

- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Planning Advice Note 75: Planning for Transport

3.5. Planning Advice Note (PAN) 75 accompanies SPP and provides a good practice guide for planning authorities and developers in relation to carrying out policy development, proposal assessment and project delivery. The aim of the document focuses on how planning and transport can be managed; the role of different bodies / professions in the planning process and provides reference to other sources of information.

3.6. Respectively, paragraphs 7 and 24 of the document state the following in terms of transport:

"The intention is for new developments to be user focused and for the transport element to promote genuine choice, so that each mode contributes its full potential and people can move easily between different modes. Consideration should be given to freight logistics as well as person travel."

"Development plan policy should encourage development of significant travel generating proposals at locations which are key nodes on the public transport network that have a potential for higher density development and a potential for mixed use development with an emphasis on high quality design and innovation. These locations should encourage modal shift of people and freight by providing good linkages to rail, walking and cycling networks and with vehicular considerations, including parking, having a less significant role. Mixed use development, for example the inclusion of local shops and services within larger housing developments can encourage multi-purpose trips and reduce overall distances travelled by car by bringing together related land uses."

3.7. Furthermore, maximum travel distances for walking and cycling, as well as, establishing how far people would be prepared to walk to access public transport are contained within PAN 75. From paragraph B13, the document states the following:-

"Accessibility to public transport services:

 For accessibility of housing to public transport the recommended guidelines are less than 400m to bus services and up to 800m to rail services."

"Accessibility to local facilities by walking and cycling:

A maximum threshold of 1,600m for walking is broadly in line with observed travel behaviour."

Scottish Executive Development Department: Transport Assessment Guidance (TAG)

- 3.8. The above document was published in 2012 and seeks to provide a best practice guide to help identify and deal with the likely impacts of development proposals in-terms of transport. As with SPP, this guidance focuses on the overall accessibility of the development. Detailed below are the key aims of a Transport Assessment.
 - Reducing the need to travel, especially by private vehicle;
 - Reducing environmental impact of development;
 - Encouraging accessibility of development / location; and
 - Promotion of measures that influence sustainable travel behaviour.
- 3.9. TAG provides recommendations for pedestrians, cyclists and public transport accessibility in relation to new development, defining mechanisms for identifying the location and measures.
- 3.10. Paragraph 2.9 of the document states that:

"Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."

"In many cases, vehicle impacts will still be important and, in terms of the principals involved in the analytical process, will generally follow the well-established IHT procedures..."

Let's Get Scotland Walking - The National Walking Strategy

3.11. Let's Get Scotland Walking is a strategy to increase the number of Scots who are physically active and build on Scotland's outstanding opportunities for walking both in urban and rural areas. The foreword of the document states:

"There are many benefits from getting Scotland walking, including: more people will use active travel more often and will walk more for pleasure and for recreation; children will have safer routes to school and local facilities; older people will feel more connected with their communities; employers will have a healthier and more productive workforce; Scotland will reduce its use of carbon; and local economies will benefit from increased footfall."

3.12. The vision and aims of the document are as follows:

"A Scotland where everyone benefits from walking as part of their everyday journeys, enjoys walking in the outdoors and where places are well designed to encourage walking."

3 Strategic Aims are:

- Create a culture of walking where everyone walks more often as part of their everyday travel and for recreation and well-being
- Better quality walking environments with attractive, well designed and managed built and natural spaces for everyone
- Enable easy, convenient and safe independent mobility for everyone

Cycling Action Plan for Scotland

- 3.13. The actions in this document aim to increase cycling across Scotland, supporting both new and experienced cyclists. It outlines a framework for delivering the vision, setting out what the Scottish Government will do, what they expect others to do and what outcomes they expect that action will achieve.
- 3.14. The Scottish Government's purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. This first ever Cycling Action Plan for Scotland (CAPS) sets out how cycling, within the wider context of walking and active travel, contributes to this purpose, particularly through improving health, reducing congestion, reducing carbon emissions and providing a good transport alternative to persuade people out of cars.
- 3.15. Currently 1% of all journeys by Scottish residents are made by bicycle (Scottish Household Survey Travel Diary, 2008), and the Scottish Government would like to see this increased tenfold to 10% by 2020. Although this is an ambitious vision, the Scottish Government believe it is achievable. Around half the short journeys made (under 2 miles) are made by car; many of these could be switched to bike. This Action Plan aims to provide a framework to help create an environment which is attractive, accessible and safe for cycling.

Local Transport Planning Policy

Local Transport Strategy

- 3.16. The Scottish Integrated Transport White Paper "Travel Choices for Scotland" invites and encourages each Local Authority to develop a Local Transport Strategy (LTS) for its area. The White Paper envisages a Local Transport Strategy being a comprehensive document prepared with input from all Local Authority Departments and drawing on all forms of Local Authority transport. Local Authorities are also under a statutory obligation to report under the Road Traffic Reduction Act 1997.
- 3.17. The Angus Council LTS draws together a Local Transport Strategy for Angus which tackles problems and opportunities in Angus building on the need for Sustainable Transport, Integrated Transport and Inclusive Transport.
- 3.18. The five Key Objectives encompassed by the Angus Local Transport Strategy are:-
 - To maintain and improve accessibility to jobs, services and facilities for all members of the Angus Community in the most sustainable way.
 - To promote greater integration within and between transport modes and across transport, land use, social, economic and environmental policies aimed at reducing the need for travel.
 - To widen travel choices and improve the convenience and efficiency of transport services for the benefit
 of Angus residents, visitors and businesses.
 - To take full account of the effect of transport movements on the environment and to reduce adverse environmental impacts.
 - To reduce accident casualties associated with the transport network, improve road safety and assist safe travel throughout Angus.
- 3.19. These Key Objectives are consistent with the Government's integrated transport policy and guidance, and with the existing Angus Council Policy Context (Chapter 2). They set challenging aspirations and provide a basis for considering Problems and Opportunities (Chapter 4) and developing a Strategy (Chapter 5). More detailed aims addressing specific issues and building on these key objectives are developed in subsequent chapters. Performance Measures related to the Key Objectives are identified in Chapter 6.

Summary

- 3.20. Both Local and National Government policy highlight the need to consider sustainable transportation modes when considering the likely impacts of development sites.
- 3.21. The promotion and connection to public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The policies all highlight transport sustainability in terms of social inclusion, environmental impact, successful integration and safety.
- 3.22. In addition, the Scottish Government document "Transport Assessment Guidance" supports the need for consideration of a sustainable approach to transportation planning.

4. Sustainable Accessibility

- 4.1. This chapter examines the existing sustainable transport network and considers if the application site will offer a genuine choice of transport mode; facilitate a reduction in car use and support greater use of walking, cycling and public transport. This achievement would lead to social inclusion whilst supporting the local economy and promoting better health and fitness.
- 4.2. The following also provides an overview of the likely travel demand for sustainable modes of travel created by the proposed development. The predicted uplift in walking, cycling and public transport trips has been assessed in line with the existing provision and facilities in the surrounding area, with improvements to enhance accessibility by each mode considered where necessary.
- 4.3. The proposed site is located within the West Link Beach area which includes the West Beach Fun Park, Pleasureland and the West Links Park. The developable area is bound by the A92 Dundee Road to the north, Queens Drive to the west and the West Beach footgolf course (golf but you use a football) to the south and east. The area surrounding the development site benefits form high quality walking and cycling access as well as good quality local bus services. Access is direct from the A92 Dundee Road to the north of the development site, which in turn provides access to the centre of Arbroath to the east and west towards Dundee.

Local & National Transport Planning Policy

- 4.4. Both local and national government planning policies aim to promote travel by sustainable modes, with the overarching objective of reducing reliance on travel by private vehicle, promoting social inclusion and improving health and wellbeing of the local community. Policies all highlight transport sustainability under the banners of Economic Growth, Accessibility & Social Inclusion, Environment, Safety & Personal Security and Sustainability and Integration.
- 4.5. The promotion of public transport is seen as key to providing an access strategy for new development, with walking and cycling taking an important role. The Transport Scotland document "Transport Assessment Guidance", and Scottish Government policy documents National Planning Framework 4 (NPF4) and 'Planning Advice Note (PAN) 75' also supports the need for consideration of a sustainable approach to transportation planning.
- 4.6. The following sections provide an overview of the existing walking, cycling and public transport opportunities, ahead of private car access, in line with the hierarchy of travel modes set out in NPF4, demonstrating that the site is compliant with these policies and is ideally located to be accessible by a range of travel modes, regardless of any additional infrastructure introduced as a result of the proposals.

Accessibility Criteria

- 4.7. There are various measures of accessibility and methods of calculation. Determining the accessibility of a site generally requires calculating the travel time by different modes; i.e. walking, cycling, public transport and private car. From 'Transport Assessment Guidance' Journey times of up to 20-30 mins are appropriate for walking and 30-40 mins for cycling.
- 4.8. PAN 75 sets maximum travel distances when assessing a development site for walking and cycling, as well as, establishing how far people would be prepared to walk to access local amenities, such as, retail outlets and public transport interchanges. These acceptable walking distances are as follows; however, it is

important to note that in areas of frequent affordable public transport it is not uncommon for these walking distances to be exceeded:-

- 400m to bus services;
- 800m to rail services; and
- 1,600m to local facilities / amenities.

Multi-Modal / People Trip Assessment

- 4.9. It is stated within 'Transport Assessment Guidance' that "Accessibility analysis and location considerations will lead the process of assessment. Person trips will form the platform for all numerical and computational work with numbers associated with car and non-car modes being appropriately addressed in accordance with current policy."
- 4.10. To determine the future person trips and travel choice of people associated with the proposed development reference is generally made to the Trip Rate Information and Computer System (TRICS) database. However, due to the car born nature of trips attracted to drive-through facilities, limited information is available on the database for multi-modal trips to these specific land uses. As no numerical value can be specifically identified for each mode category for the drive through unit, a qualitative review of the availability of facilities for staff and customers has been undertaken.

Sustainable Travel Opportunities

Walking (Pedestrian)

Existing

- 4.11. A wide shared footway / cycleway is provided on the south side of the A92 Dundee Road, directly adjacent to the frontage of the development with a wide footway on the north side of the A92 Dundee Road. The footways and cycleways on the A92 Dundee Road provide access to the whole of Arbroath and link to existing pedestrian routes and the core path network. The site lies in close proximity to the Arbroath Core Path network which runs in an east west direction along Queens Drive to the east and West Links Park to the west.
- 4.12. The site benefits from the remnants of a direct pedestrian access with the southern footway on Dundee Road which provided access to the former hotel use on the site.
- 4.13. *Figures 4 & 5*, overleaf, show the existing footway provision neighbouring the site on Dundee Road and the access to the site.
- 4.14. Dundee Road benefits from various dropped kerb crossings immediately to the east of the site which serve the primary desire line to the town centre and the residential catchment to the north. Again, to the west, a dropped kerb crossing on Queen's Drive is available as shown in *Figure 5* and various crossings are available on Dundee Road.
- 4.15. As would be expected in an urban location, the site is well connected by a series of adopted standard footways which benefit from crossing facilities at regular intervals.

Figure 4: Dundee Road Footway - East

Figure 5: Dundee Road Footway - West



Proposed

- 4.16. Walk-in trips will likely originate from the surrounding residential areas and shared trips with the amenities adjacent to the site. As the development site is accessible to a large proportion of the town's residential sectors it is expected that the level of walk-in trade could be significant.
- 4.17. From 'Transport Assessment Guidance' journey times of 20 30 minutes (circa. 1,600m 2,500m based on an average walking speed of 1.4m/s) are considered to be appropriate for walking. These figures are broadly in line with the guidance set out in PAN75 which indicates a maximum walking catchment of 1,600m for local facilities and amenities. *Figure 6*, overleaf, presents a 20 minute (1,600m) 'walkable neighbourhood' isochrones a per NPF4 which indicates that a large area of the settlement including the town centre is accessible on foot.
- 4.18. The proposed development will introduce direct footway links to the existing footway network on Dundee Road ensuing a safe and convenient access will be available to the unit.
- 4.19. As expected in an urban area the footways are of a good standard and present on most streets, enabling connections between the proposed development and the surrounding residential population, in addition to nearby employment and education facilities. Therefore, the current level of pedestrian facilities on offer, in conjunction with the measures promoted as part of the proposed development, will support the expected future peak related pedestrian demand by customers and staff and also ensure permeability from the anticipated walk-in catchment.

Cycle (Bicycle)

Existing

4.20. National Cycle Route 1 (NCR 1) also runs to the south of the development, combining with sections of the Angus Council Core Path Network. NCR 1 is a long distance cycle route from the south of England to Shetland and runs along the east coast of the country. The Dundee to Arbroath section, which passes the development site, uses the coastal paths and minor roads and provides links to the residential areas and the sea front of Arbroath. NCR 1 provides ideal access for both staff and customers visiting the development as it provides a safe and direct route. *Figure 7* provides an extract from the Sustrans route map.

4.21. As detailed previously, the southern footway on Dundee Road is designated as a shared cycle / footway which provides access to NCR 1 from the local area.

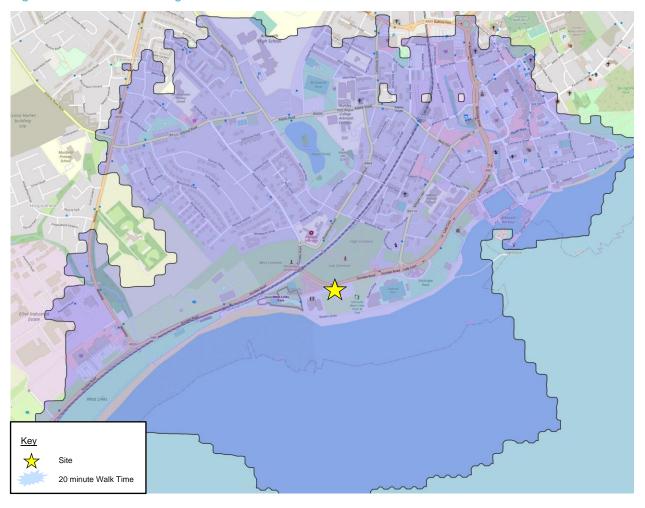


Figure 6: Pedestrain Walking Isochrone

Proposed

- 4.22. It is anticipated that any increase in cycling trips will primarily be associated with staff at the proposed development given the nature of the intended use.
- 4.23. From 'Transport Assessment Guidance', an appropriate journey time for cycling is considered to be 30 40 minutes, which equates to a cycle distance of 5km to 13km based on an average cycling speed of 10 to 20kph. This cycle catchment will encompass all of Arbroath and several neighbouring settlements.

4.24. Based on the existing cycle opportunities, nature of the local road network and proximity of residential areas, in addition to the provision of cycle facilities at the site, it is considered that the anticipated demand for cycling can be accommodated and will be a feasible mode choice for customers and staff.

Key

Site

NCR 1 (on-road)

NCR 1 (off-road)

NCR 1 (off-road)

West Common

High Comman

West Common

Agai

West Linus

West Linus

Figure 7: Cycle Routes

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Public Transport

Existing

- 4.25. The closest and most frequent bus service to the development site is located on the B964 Rosemount Road, to the north of the development site. The development site lies 400m from the south bound bus stop on the Rosemount Road and 485m from the north bound bus stop on Rosemount Road. Both bus stops on Rosemount Road are provided with a bus pole and timetable information.
- 4.26. Figures 8 & 9, overleaf, indicate the north and southbound stops, respectively.
- 4.27. There are also bus stops provided on the A92, to the west and east of the site, both of which are within 400m of the development site. These bus stops are provided with bus poles and timetable information. All of the stops are served by JP Minicoaches Service 50, Arbroath Bus Station Arbroath Infirmary Red Lion Caravan Park which operates frequently throughout the day Monday Saturday.
- 4.28. The bus services provide access to the local settlement and also the bus station where longer distance services are available.
- 4.29. Figure 10, overleaf, illustrates the existing public transport infrastructure surrounding the development site.

Figure 8: Dundee Road Footway - East

Figure 9: Dundee Road Footway - West



Figure 10: Public Transport Infrastructure



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Proposed

4.30. The site is well located to take advantage of the frequent bus services which access much of the residential areas within the catchment of the proposed development and thereby provide an excellent alternative to the private car.

Travel Plan Framework (Employment)

- 4.31. It is expected that a full travel plan will form a condition of any consent to ensure that relevant information reflective of the specific operations of each occupier can inform the plan. The following provides a framework for a travel plan which will provide the basis for a full travel plan which will be completed in conjunction with P&KC.
- 4.32. In line with Transport Assessment Guidance, Travel Plans should first be introduced within the TS. However, a Travel Plan cannot be fully developed until the development is operational, therefore, the Travel Plan Framework below will be used to establish the requirements of the future Travel Plan for the employment element of the development.
- 4.33. The framework detailed below is not intended to represent a Travel Plan, but is intended to allow consideration of what may be required and is aimed primarily at staff travelling to the development site.
- 4.34. The Department of Transport (DoT) 'A guide on travel plans for developers' states:
 - 'A travel plan is a strategy for managing all travel and transport within an organisation. It seeks to improve access to a site or development by sustainable modes of transport. A travel plan contains both physical and behavioural measures to increase travel choices and reduce reliance on single-occupancy car travel'
- 4.35. The aim of travel plans, as outlined by Central Government Guidelines, is to address potential means of reducing reliance on staff single-occupancy car use and encouraging the use of alternative forms of travel.
- 4.36. A Travel Plan involves the development of a set of mechanisms, initiatives and targets that together enable organisations to reduce the impact of travel.

Objectives

- 4.37. There are a number of objectives, both at national and local level, that the implementation of the Travel Plan is intended to help fulfil:
 - Influence travel behaviour;
 - Generate fewer single-occupancy car trips than would otherwise be the case by encouraging a modal shift in travel to the site;
 - Reduce the need for unnecessary journeys;
 - Reduction in overall mileage;
 - Help improve the health of staff; and
 - Accommodating those journeys that need to be made by car.

Targets

4.38. The objectives given above provide the framework for the Travel Plan measures. Targets can be included to help achieve the objectives and there are two main types that are applicable. The most easily

- demonstrated is a commitment to deliver the package of measures set out in the plan. These measures include initiatives to promote increases in the use of walking, cycling, car-sharing and public transport use.
- 4.39. The second form of target is aspirational and related to proportional changes in the travel modes used to access the site. Aspirational targets are not generally set in advance of the development opening as the modal split of staff for the both developments is not known. Results of a staff travel survey (normally undertaken within 6 months of the development opening) would provide information on the prevailing travel choices of employees and a basis for the setting of aspirational targets in a later revision of the Travel Plan.
- 4.40. The Travel Plan will be implemented by the end users, who will work in conjunction with AC and other interested parties in its continuing progression and be responsible for managing and implementing.

Initiatives

- 4.41. In order to ensure that the opportunities for modal shift can be realised there are a number of measures that will be considered and encouraged by the occupier(s) of the development:
 - Provision of travel information e.g. bus timetable information on staff notice boards;
 - Measures to promote walking / cycling washing and changing facilities, bicycle users group, information on walk / cycle routes; and,
 - Car sharing Promote a staff car sharing scheme as a means of reducing single occupancy car trips.
- 4.42. Travel Plans are primarily focussed on staff and therefore the majority of measures proposed within a plan are intended to encourage staff to use more sustainable modes of transport when travelling to the development.

Monitoring & Review

4.43. An objective of the Travel Plan is that there will be an on-going improvement process including periodic monitoring, where necessary.

Summary

4.44. In line with local and national policy, a person trip assessment has been undertaken for the proposed development to review the potential future sustainable travel demand for all modes against the existing transport provision in the area. The current walking, cycling, and public transport provision in the area is good and sufficient for the expected increase in sustainable travel from the site. As part of the development proposals, measures will be introduced to enhance sustainable travel by the provision of pedestrian links and cycle parking within the site, whilst also implementing a Travel Plan.

5. Existing & Future Traffic Conditions

5.1. The following presents the existing traffic conditions on the surrounding road network, and likely level of private car use generated by the proposed development.

Surrounding Road Network

Existing

- 5.2. This section of the report describes the most likely routes vehicles will travel to / from the development site to / from places of residence and the strategic road network. The following provides an overview of the key route corridors, indicating the site is ideally located to access strategic routes such as the A92.
- 5.3. The site is accessed from Queen's Drive which is a loop road providing access to a range of leisure uses in the West Links area. The former hotel had a separate entry / exit arrangement to the carpark from Queen's Drive which is still in situ. The main access onto the A92 from Queen's Drive is a standard priority junction with excellent visibility in both directions.
- 5.4. The A92 Dundee Road is a local distributor road which provides access into the centre of Arbroath from the north and south. The A92 in the vicinity of the site has a speed limit of 30 mph and operates in an east west direction as it passes the site with access to the site taken from Queens Drive, the existing access which serves the West Links Beach development area. Street lighting is provided along the full length of the A92 in the vicinity of the development site with a wide footway / cycleways provided along the south side of the A92 and a wide footway provided along the north site. The A92 is typically 7.3m in width, commensurate with a road of this type.
- 5.5. The A92 continues through the centre of the settlement to the east, providing access to the town centre, and continues north providing a strategic access to Montrose and numerous other settlements on the coast.
- 5.6. The railway bridge at the junction of the A92 and the B964 has a height restriction of 4.3m which means that the section of the A92 past the development site is generally only used by cars and large vehicles under 4m high. This means that double decker buses and HGV's cannot use the A92 past the development site. This is a benefit to the area around the site with the lack of HGV movements and the improvements this makes to both the pedestrian and cycle amenity and safety.
- 5.7. The section of the A92 adjacent to the site, and the entrance to the West Links Beach area, which provides access to the development site, have a good accident record with no reported injury accidents in the past five years. Overall the existing West Links Beach access junction provides a safe access to the existing West Link Beach wider area.

Proposed

- 5.8. The proposed drive thru and wider development site will be accessed from the junction which previously served the Seaforth Hotel. Rather than a separate "in" and "out", as was used for the former Seaforth Hotel, it is proposed that a single access will be provided to serve the site as per a typical simple priority junction with Queen's Drive. This has been located such that it provides good separation from the main access onto the A92 and has good visibility.
- 5.9. The proposed priority junction is indicated on the architects plans contained within *Appendix A* and reflect the previously consented access junction for the Marston's restaurant and hotel.

5.10. The site is located in an excellent position for access via private car and service vehicles given the short distance to the key trunk roads in the area.

Development Traffic

5.11. *Table 1*, below, details the trip rates and generation for the proposed drive thru unit which is taken from the TRICS database, the industry standard trip generation database. The TRICS outputs are included within *Appendix C* for reference.

Table 1: Proposed Starbucks Development Vehicle Trip Rates / Generation

	Weekday AM Peak (0800 – 0900)			Weekday PM Peak (1700 -1800)			
	In	Out	Total	In	Out	Total	
189m²							
Trip Rate	12.189	11.716	23.905	9.911	10.089	20.0	
Traffic Generation	23	22	55	19	19	38	

- 5.12. *Table 1* highlights that the proposed drive thru will generate 55 and 38 vehicle trips in the AM and PM peak hours, respectively. A large portion of the coffee shop drive thru trips will be existing on the network and classified as pass-by trip from Dundee Road or linked trips with the adjacent leisure uses.
- 5.13. It is evident from the above table that the proposed development generation is not considered significant and, therefore, would not have a material impact on the operation of the adjacent road network. Furthermore, it is widely accepted that a large proportion of trips associated with these types of developments can be attributed to pass-by / linked trips. As such, it is not considered necessary to undertake detail junction analysis to support the application.

Summary

5.14. The assessment of the local road network supports the site access proposals and concludes that the minor increase in traffic associated with the development will result in a negligible impact on the operation of surrounding junctions in the study area. As a result, it is considered that the additional traffic can be safely accommodated on the road network with no detriment to existing road users or requirement for any additional physical mitigation.

6. Summary & Conclusions

Summary

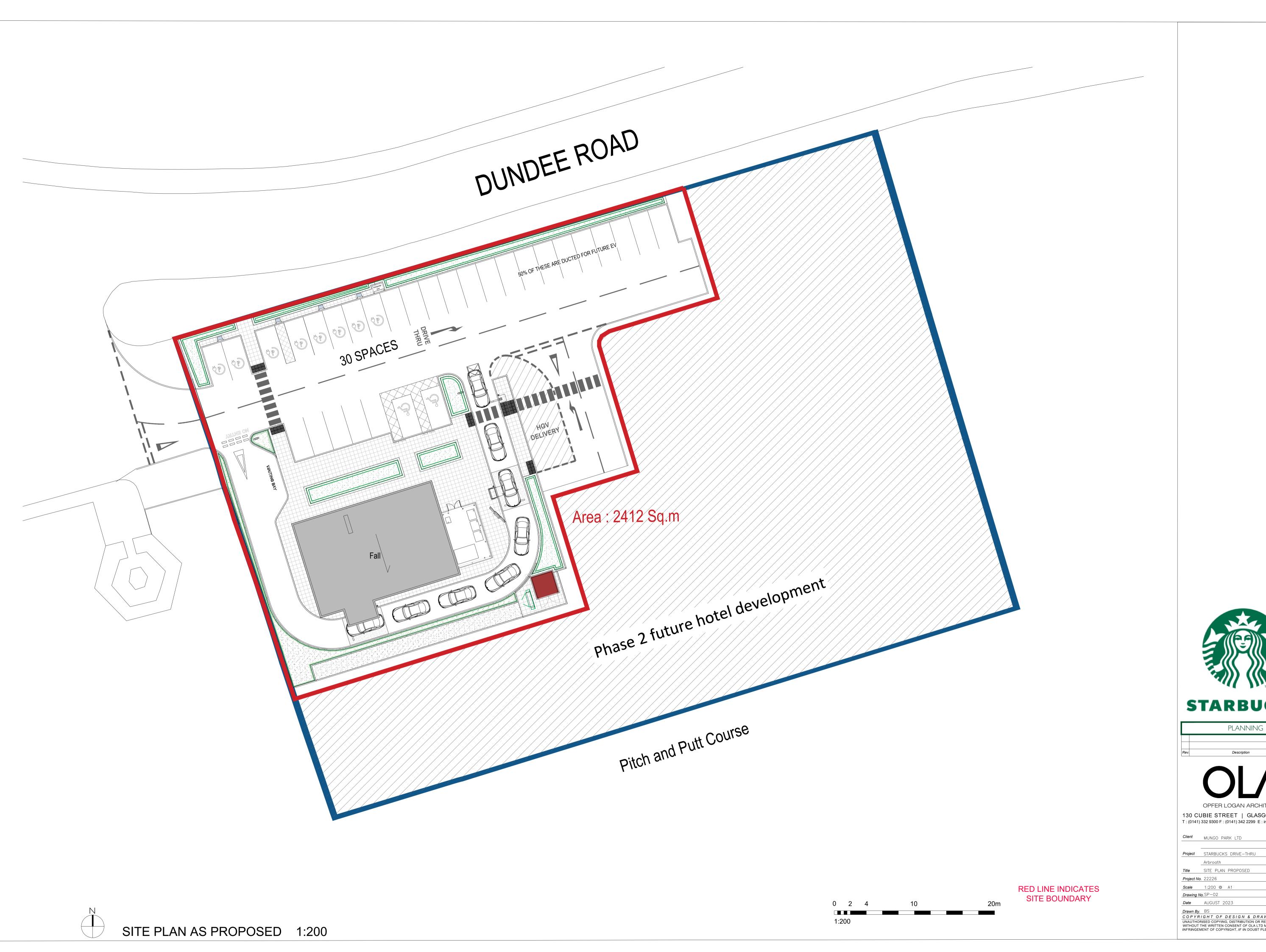
- 6.1. ECS Transport Planning Limited has been commissioned by Mungo Park Ltd to produce a Transport Statement (TS) in support of planning application for a Starbucks drive thru coffee unit with associated access, parking and servicing facilities on a site adjacent to Dundee Road, Arbroath.
- 6.2. Planning permission is sought to develop a new class 3 coffee shop with drive-thru facility to the south of Dundee Road, Arbroath. The proposed new unit will be a freestanding, single storey drive thru coffee outlet. Access to the site will be taken from a new priority junction with Queen's Drive.
- 6.3. The Transport Statement forms part of a comprehensive submission to Angus Council (AC) in support of a detailed planning application. It examines the key transportation issues and access opportunities associated with all modes of travel for a drive thru development on the site, and documents the potential to improve the walking, cycling and public transport connections in the area, if required.
- 6.4. The findings of this study, which support the proposals, are based on a review of the existing site and surrounding travel opportunities, while also taking cognisance of Transport Scotland's "Transport Assessment Guidance". Consideration has also been given to the requirements of local and national government planning policies, including the Scottish Government document 'National Planning Framework 4' (NPF4); however, as the site currently benefits from an extant planning consent policy compliance has already been established.
- 6.5. It is proposed to develop a 189m² Gross Floor Area (GFA) coffee drive thru unit with associated parking which will occupy the western area of the developable area, adjacent to Queen's Drive. The drive thru unit will be positioned adjacent to the spine road which will serve the unit and the remainder of the site with the drive thru lane circulating around the southern elevation of the building.
- 6.6. Vehicular and cycle access will be promoted from Queen's Drive via a simple priority junction similar to the access which previously served the Seaforth Hotel. Segregated pedestrian access to the site will be available from Dundee Road to the north.
- 6.7. The remainder of the site will be retained to allow a hotel use to be promoted as per the aspiration of the Angus Council LDP allocation.
- 6.8. In accordance with local and national transport policy, an assessment of the development proposals has been undertaken for all sustainable modes of travel. This indicates that the current walking cycling, and public transport provision in the area is sufficient to accommodate the expected future demand from the site. As part of the development proposals measures will be introduced to enhance sustainable travel by the provision of connections to the adopted footway network, cycle parking and also implementing a Travel Plan.
- 6.9. The assessment of the local road network supports access to the development, the car parking proposals and the drive thru lane design, and concludes that the traffic generation from the site is insignificant when compared to the extant planning consent traffic which is committed. As a result, it is considered that the introduction of the development traffic will have no detriment to existing road users or cause additional delay nor require any physical mitigation.

Conclusions

6.10. This Transport Statement demonstrates that the development site will be accessible by sustainable modes of travel and integrate well within the existing transport network with the introduction of additional non-car promoting measures. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users.

APPENDICES

A. Architects Plans





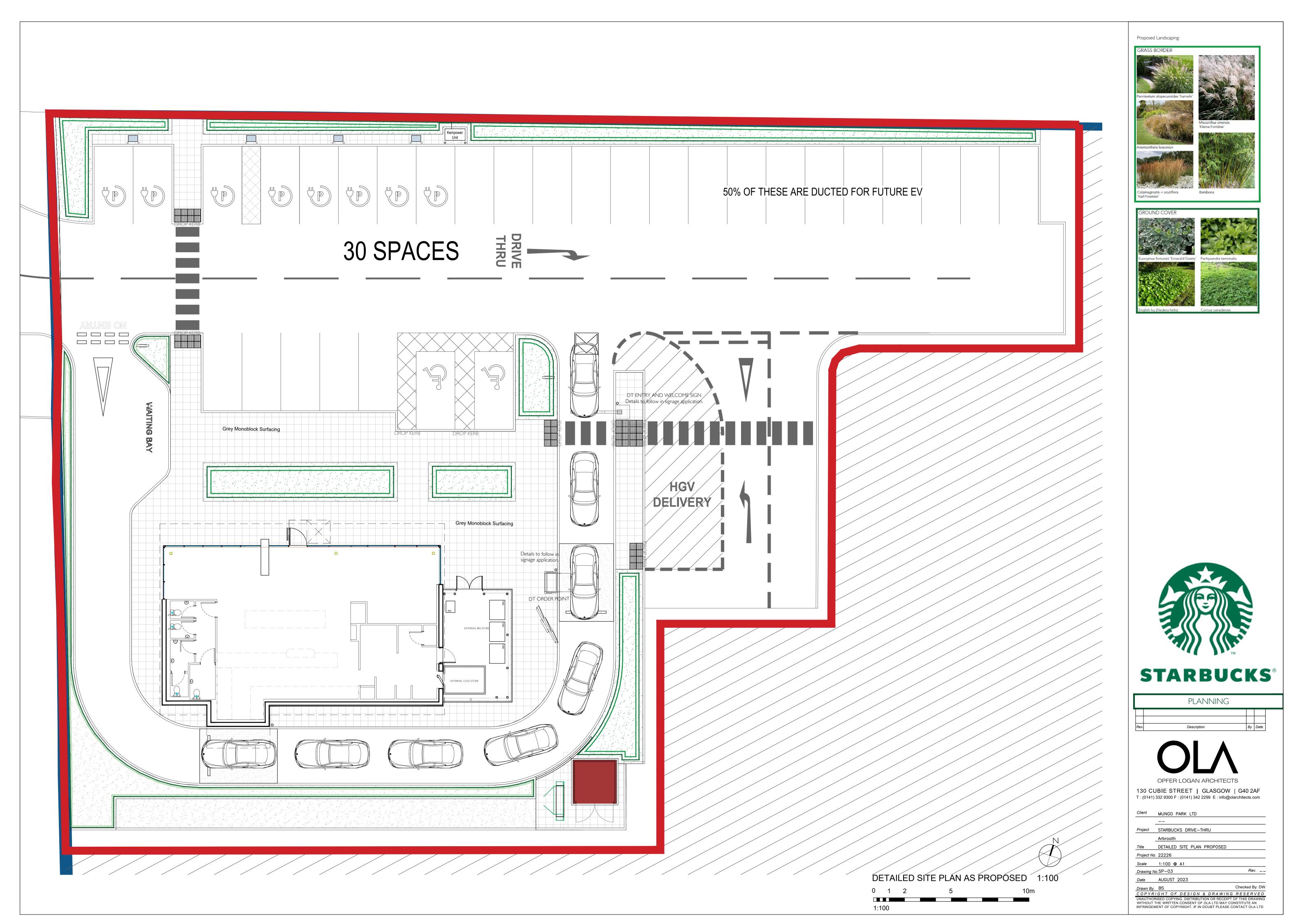
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Project STARBUCKS DRIVE—THRU

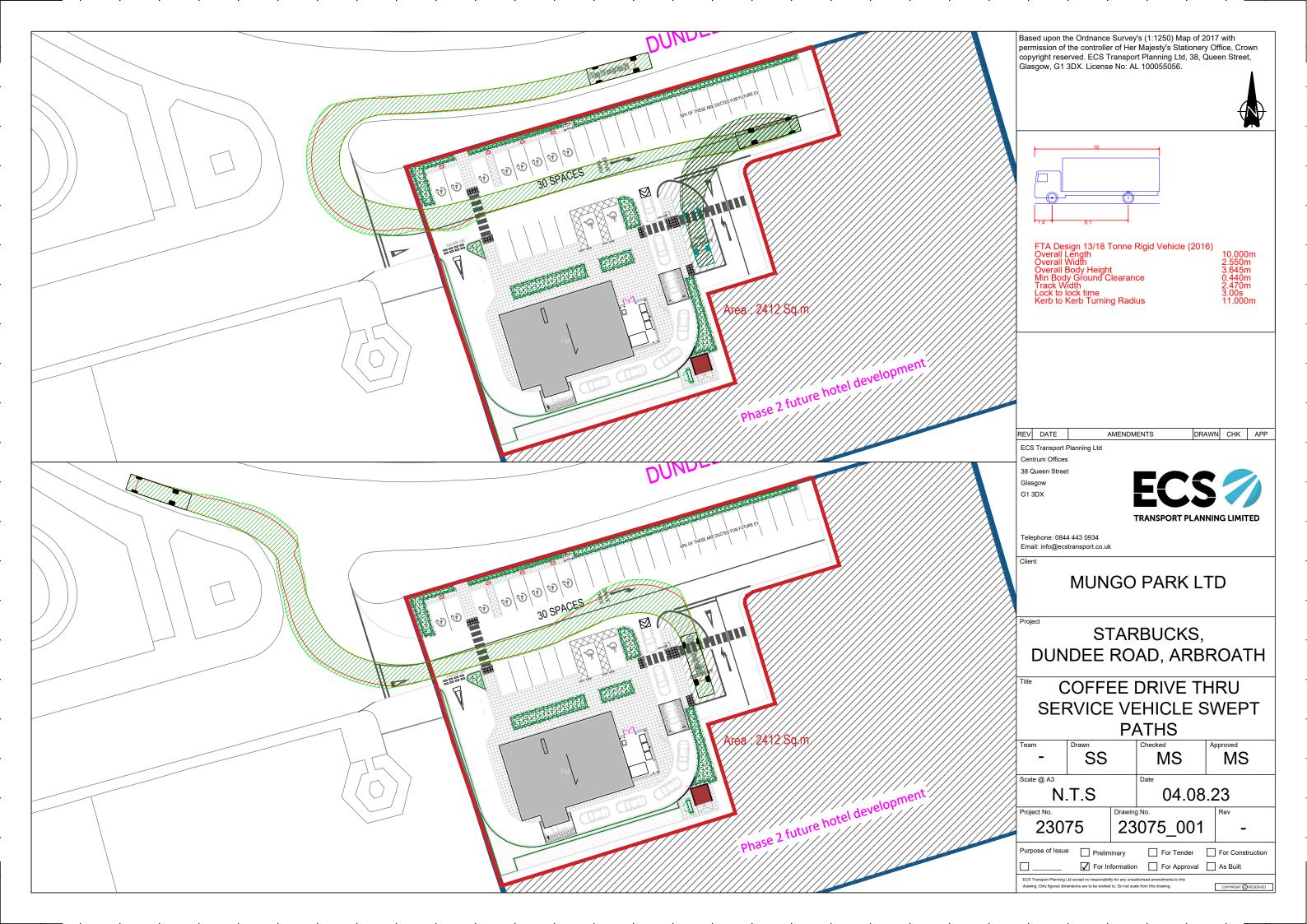
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B. Swept Path Analysis



C. TRICS Output

Drive Thru Fast Food

ECS Transport Planning Limited

38 Queen Street

Glasgow

Calculation Reference: AUDIT-654801-190806-0812

Tuesday 06/08/19

Licence No: 654801

Page 1

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 06 - HOTEL, FOOD & DRINK Category : D - FAST FOOD - DRIVE THROUGH

VEHICLES

Selected regions and areas:

04 EAST ANGLIA

CA CAMBRIDGESHIRE 1 days

10 WALES

CO CONWY 1 days

11 SCOTLAND

FI FIFE 1 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Secondary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: Gross floor area
Actual Range: 275 to 435 (units: sqm)
Range Selected by User: 182 to 600 (units: sqm)

Parking Spaces Range: All Surveys Included

Public Transport Provision:

Selection by: Include all surveys

Date Range: 01/01/11 to 19/09/17

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Tuesday 2 days Friday 1 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count 3 days
Directional ATC Count 0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaking using machines.

Selected Locations:

Suburban Area (PPS6 Out of Centre) 1
Edge of Town 2

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Development Zone 1
Residential Zone 1
Out of Town 1

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class.

A3 2 days A5 1 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

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Drive Thru Fast Food Page 2

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Secondary Filtering selection (Cont.):

Population within 1 mile:

5,001 to 10,000 2 days 15,001 to 20,000 1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

 25,001 to 50,000
 1 days

 100,001 to 125,000
 1 days

 125,001 to 250,000
 1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0 1 days 1.1 to 1.5 2 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

No 3 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present 3 days

This data displays the number of selected surveys with PTAL Ratings.

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LIST OF SITES relevant to selection parameters

1 CA-06-D-02 MCDONALD'S CAMBRI DGESHI RE

NEWMARKET ROAD CAMBRIDGE

Suburban Area (PPS6 Out of Centre)

Residential Zone

Total Gross floor area: 435 sqm

Survey date: TUESDAY 19/09/17 Survey Type: MANUAL

CO-06-D-01 MCDONALD'S CONWY

RHUDDLAN ROAD

ABERGELE

Edge of Town Out of Town

Total Gross floor area: 410 sqm

Survey date: FRIDAY 21/10/11 Survey Type: MANUAL

3 FI-06-D-02 KFC FIFE

WHIMBREL PLACE DUNFERMLINE HALBEATH Edge of Town Development Zone Total Gross floor area:

Total Gross floor area: 275 sqm

Survey date: TUESDAY 22/03/16 Survey Type: MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

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TRIP RATE for Land Use 06 - HOTEL, FOOD & DRINK/D - FAST FOOD - DRIVE THROUGH VEHICLES

Calculation factor: 100 sqm

BOLD print indicates peak (busiest) period

	ARRIVALS		DEPARTURES			TOTALS			
	No.	Ave.	Trip	No.	Ave.	Trip	No.	Ave.	Trip
Time Range	Days	GFA	Rate	Days	GFA	Rate	Days	GFA	Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00	1	410	6.829	1	410	5.366	1	410	12.195
07:00 - 08:00	2	423	8.757	2	423	7.219	2	423	15.976
08:00 - 09:00	2	423	12.189	2	423	11.716	2	423	23.905
09:00 - 10:00	2	423	10.414	2	423	10.769	2	423	21.183
10:00 - 11:00	3	373	6.696	3	373	7.321	3	373	14.017
11:00 - 12:00	3	373	9.554	3	373	8.750	3	373	18.304
12:00 - 13:00	3	373	15.536	3	373	13.661	3	373	29.197
13:00 - 14:00	3	373	11.875	3	373	14.554	3	373	26.429
14:00 - 15:00	3	373	9.464	3	373	10.982	3	373	20.446
15:00 - 16:00	3	373	10.268	3	373	9.286	3	373	19.554
16:00 - 17:00	3	373	11.071	3	373	10.625	3	373	21.696
17:00 - 18:00	3	373	9.911	3	373	10.089	3	373	20.000
18:00 - 19:00	3	373	10.179	3	373	9.911	3	373	20.090
19:00 - 20:00	3	373	10.625	3	373	11.161	3	373	21.786
20:00 - 21:00	3	373	6.696	3	373	7.500	3	373	14.196
21:00 - 22:00	3	373	6.250	3	373	5.893	3	373	12.143
22:00 - 23:00	2	343	4.234	2	343	5.401	2	343	9.635
23:00 - 24:00									
Total Rates:	Total Rates: 160.548					160.204			320.752

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.

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Parameter summary

Trip rate parameter range selected: 275 - 435 (units: sqm)
Survey date date range: 01/01/11 - 19/09/17
Number of weekdays (Monday-Friday): 3
Number of Saturdays: 0
Number of Sundays: 0
Surveys automatically removed from selection: 1

Surveys automatically removed from selection: 1 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are show. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.



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FLOOD RISK ASSESSMENT

PUB RESTAURANT & LODGE DEVELOPMENT
DUNDEE ROAD
ARBROATH



JOB NO: 12008

DATE: 12th December 2017











DOCUMENT HISTORY

Revision	Description	Date
-	First Issue.	12.12.17

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8.	SURFACE WATER MANAGEMENT & DRAINAGE STRATEGY
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APPENDIX B: SCOTTISH WATER RECORDS & CORRESPONDENCE

APPENDIX C: SITE LAYOUT PLAN

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1. INTRODUCTION

- 1.1 This report has been prepared by Simpson Associates on behalf of Marston's Inns & Taverns to accompany a planning application for a proposed pub restaurant and lodge development at Dundee Road, Arbroath.
- 1.2 The report considers the flood risk associated with the development proposals, which will comprise of a 150 cover pub restaurant and 24 bed lodge with associated car park, yard, garden, terrace and play area.
- 1.3 The report also details a strategy for the disposal of foul and surface water runoff that will generated by the development.
- 1.4 The report has been prepared in accordance with Scottish Planning Policy SPP7 Planning & Flooding, which provides advice on development and flood risk.

2. SITE LOCATION AND TOPOGRAPHY

2.1 The site is located at the western junction of Dundee Road and Queens Drive as shown on *Figure 1* below. The site is centred on Ordnance Survey grid reference NO635402 and co-ordinates X: 363518, Y: 740202, while the nearby post code is DD11 1QD.



Figure 1: Site Location

2.2 The site is approximately 0.56 hectares in area and is currently vacant. It is bounded by Dundee Road to the north, Queens Drive to the west and a pitch and put golf course to the south and east.

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2.3 A topographical survey of the site is included in *Appendix A*. The survey shows the site to vary in level from a contour level of approximately 7.00mAOD along the north-eastern boundary to a contour level of approximately 5.50mAOD along the south-western boundary.

3. EXISTING GROUND CONDITIONS

- 3.1 A geo-environmental report ref. SHF.413.003.GE.R.001.A has been prepared to accompany a planning application and includes a site investigation, which reports the ground conditions at the site to comprise topsoil between 0.1 to 0.7m in thickness overlying a layer of Made Ground between 0.1 to 1.7m in thickness consisting of gravelly sand and gravelly sandy clay with occasional coal, concrete, ash, and brick fragments. The Made Ground was underlain by Raised Marine Deposits between 0.5 to >2.0m in thickness consisting of clayed/silty sand and gravel.
- 3.2 An isolated area of groundwater was encountered within the south-western part of the site during site works at a depth of 2.00mbgl.
- 3.3 No evidence of contamination that would warrant the need for remediation was identified on site or from chemical testing results.
- 3.4 BRE 365 soakage testing carried out during the site investigation established a soakage rate of 3.42x10⁻⁴. Therefore, it is proposed to discharge surface water runoff from the development to ground via infiltration drainage techniques.

4. EXISTING DRAINAGE CHARACTERISTICS

- 4.1 The site is currently undrained. The nearest drainage infrastructure is shown on Scottish Water's Sewer Records included in *Appendix B*.
- 4.2 The records show a combined sewer along the sites northern boundary. The surveyed route of the sewer is shown on the topographical survey included in *Appendix A*.

5. PROPOSED SCHEME

- 5.1 The development proposals comprise of a 150 cover pub restaurant and 24 bed lodge with associated car park, yard, garden, terrace and play area. A car park, yard, garden, terrace and play area also form part of the development proposals.
- 5.2 Vehicle access would be gained from Queens Drive while pedestrian access would be gained from Dundee Road.
- 5.3 A plan showing the overall site layout is included in *Appendix C*.

6. SOURCES OF FLOODING

6.1 Angus Council have produced a Strategic Flood Risk Assessment (SFRA), which is dated February 2015 and provides details of sources of flood risk within the local area. The flood risk associated with sources of flooding identified within the report has been reviewed under the headings below.

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Tidal / Fluvial Flooding

- 6.2 The Scottish Environment Protection Agency (SEPA) has derived indicative flood maps of Scotland, from which it is possible to initially identify whether a site is located within an area that is at risk of tidal / fluvial flooding. The maps, which are available on SEPA's website, categorise land as being within areas at little or no risk of flooding, low to medium risk of flooding and medium to high risk areas of flooding.
- 6.3 The definitions of the Flood Zones extracted from Scottish Planning Policy SPP7 Planning & Flooding are described below:
 - Little or no risk area Annual probability of watercourse, tidal or coastal flooding: less than 0.1% (1:1000).
 - Low to medium risk area Annual probability of watercourse, tidal or coastal flooding: in the range 0.1% 0.5% (1:1000 1:200)
 - Medium to high risk area Annual probability of watercourse, tidal or coastal flooding: greater than 0.5% (1:200)
- 6.4 The flood zone map in *Figure 2* below has been taken from SEPA's website and shows the site and surrounding area to be located outside of low to high risk areas of fluvial / tidal flooding. Therefore, the site is assessed to be in an area at little or no risk of tidal / fluvial flooding.



Figure 2: SEPA Indicative Flood Map

- 6.5 This corresponds with advice contained in Angus Council's SFRA, which identifies the site to be allocation A7 and not at risk of tidal / fluvial flooding. The associated map and table extracted from the SFRA is included in *Appendix D*.
- 6.6 Flood maps extracted from the Angus Shoreline Management Plan SMP2 are also included in *Appendix D*, which identify the site to not be at risk of coastal flooding / erosion.

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Surface Water Flooding

6.7 SEPA have modelled locations along critical flow paths and areas situated in topographic depressions, which could flood following an extreme rainfall event when drainage capacity has been exceeded. *Figure 3* below shows a surface water flood risk map taken from the SEPA's website with the approximate location of the site identified.



Figure 3: SEPA Indicative Surface Water Flood Map

- 6.8 Figure 3 shows the south-western part of the site to be at low to medium risk of surface water flooding. This area is the sites natural low point and flooding would be linked to the accumulation of overland runoff from the wider site for a severe rainfall event.
- 6.9 To manage the risk from surface water flooding it is recommended that the buildings floor level is raised above surrounding areas with finished levels designed to convey flood flows away from buildings.
- 6.10 Whilst the site does not appear to be at significant risk of surface water flooding new development can increase the volume and rate at which surface water runoff is discharged from a site, which can cause an increase in surface water flood risk both on the site and elsewhere within the catchment. It is recommended that Sustainable Urban Drainage Systems (SUDS) are used to minimise the rate of discharge, volume and environmental impact of surface water runoff to ensure that the development can be occupied and operated safely and that there will be no increase in the level of surface water flood risk to the site or neighbouring sites because of the development.

Groundwater Flooding

6.11 SEPA has derived indicative groundwater flood maps, which shows where groundwater could influence the duration and extent of flooding from other sources.

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Figure 4: SEPA Indicative Groundwater Flood Map

- 6.12 Figure 4 shows a groundwater flood risk map taken from the SEPA's website, which indicates the site to be some distance from an area where groundwater flooding could influence the duration and extent of flooding from other sources.
- 6.13 Further to this *Section 3* identified that monitoring undertaken as part of an intrusive site investigation recorded a minimum groundwater level of 2.00m bgl in the southwestern part of the site.
- 6.14 Based on the above and the fact that no subterranean (basement) development is proposed, which would generally be most at risk of flooding from this source, the development is assessed to not be at risk of groundwater flooding.

Sewer Flooding

- 6.15 Scottish Water have confirmed that the existing combined sewer can accommodate foul water flows from the development but surface water should not be discharged to the sewer unless under exceptional circumstances it could be demonstrated that there were no reasonable alternative destinations available for the disposal of surface water runoff. Correspondence received from Scottish Water is included in *Appendix B*.
- 6.16 Further to the above the site plan in *Appendix C* shows that the building would set back beyond the 3.0m stand-off distance associated with the combined sewer located along the northern boundary and so would not impact on the structural integrity of the sewer.

Flooding from Artificial Sources

6.17 Flooding from artificial sources, is most likely to result from burst water mains or from infrastructure failure in an artificial watercourse or water body, i.e. canals or other water features such as reservoirs. These systems are maintained, improved and regularly inspected by the Canal and River Trust (canals), Scottish Water (water

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- mains) and SEPA (water bodies). Therefore, flood risk from these sources is generally considered to be low.
- 6.18 Indicative flood maps associated with large reservoirs that hold over 25,000 cubic meters of water are available on the SEPA's website. The maps help to identify areas that could potentially be affected by reservoir flooding and display a realistic worst case scenario of the largest area that may be flooded if a reservoir were to fail and release the water it holds.
- 6.19 The Reservoir Flood Map in *Figure 5* below taken from the SEPA's website shows the site to be located some distance from an area that could be affected by reservoir flooding, therefore, the development is not considered to be at risk of flooding from this source.



Figure 5: EA Reservoir Flood Map

- 6.20 There are no canals in the immediate surrounding area, therefore, the development is not considered to be at risk of flooding from this source.
- 6.21 Flood patterns associated with burst water mains would be similar to surface water flood patterns and it is considered that proposals for management of surface water flood risk would adequately address the risk of flooding from a burst watermain.

7. MANAGING THE RISK OF FLOODING

- 7.1 Section 6 of this report has established the site to be generally at low risk of flooding from all sources. However, it was identified that new development could increase the volume and rate at which surface water runoff is discharged from the site, which could cause an increase in surface water flood risk both on the site and elsewhere within the catchment.
- 7.2 It is possible to prevent such an increase in surface water flood risk by using Sustainable Urban Drainage Systems (SUDS), which would help to minimise the rate of discharge, volume and environmental impact of surface water runoff. The following

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section of this report sets out a strategy for the management of surface water runoff from the development using SUDS.

8. SURFACE WATER MANAGEMENT & DRAINAGE STRATEGY

Surface Water Disposal

8.1 The hierarchy for disposal of surface water runoff is summarised in *Table 1* below with an assessment of each methods suitability also provided.

Table 1: Surface Water Runoff Destination Assessment

Surface Water Runoff Destination	Assessment
Into the ground (infiltration)	Soakaway tests carried out on the site recorded an infiltration rate of between 1.7m/hr to 2.4m/hr. The soakaway test results are included in <i>Appendix E</i> . The infiltration rate would permit the disposal of surface water to ground by means of infiltration and given groundwater levels were not found to be high by a site investigation, infiltration drainage techniques are assessed to be appropriate for the disposal of surface water runoff.
To a surface water body	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a surface water body.
To a surface water sewer, highway drain, or another drainage system	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a surface water sewer, highway drain, or another drainage system.
To a combined sewer	It has been assessed to be appropriate to discharge surface water runoff to ground via infiltration drainage techniques. On this basis, it is not necessary to consider the discharge of surface water to a combined sewer.

Sustainable Urban Drainage Systems (SUDS)

8.2 It is proposed to discharge surface water runoff from the development to ground via infiltration drainage techniques. Within the drainage strategy it is necessary to consider the use of SUDS, which encompass a wide range of drainage techniques intended to minimise the rate of discharge, volume and environmental impact of runoff and include; green roofs / rainwater harvesting; soakaways / infiltration systems; infiltration trenches and filter drains; permeable paving; swales and basins; ponds and wetlands. *Table 2* below provides an assessment of each methods suitability.

Table 2: SUDS Assessment

System	Assessment
Green Roofs	A pitched roof profile is proposed, which is appropriate to the site and its context, therefore, the use of green roofs is not considered suitable for the management of surface water runoff.
Rainwater Harvesting	Rainwater harvesting is unlikely to contribute to a reduction in surface water runoff volumes as the nature of the development would have limited requirement for recycled rainwater. Therefore,

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	rainwater harvesting has not been considered as part of the surface water drainage strategy for the development.
Swales, basins, ponds and wetlands.	The site falls in a south-westerly direction and an infiltration basin is considered appropriate in this part of the site to treat and attenuate runoff prior to allowing surface water to infiltrate into the underlying soils.
Filter Drains	Filter drains are assessed to be appropriate to intercept, retain, and treat precipitation prior to discharging surface water runoff to the infiltration basin.

- 8.3 Based on the assessment in *Table 2*, a surface water drainage scheme has been developed for the site and is shown on the proposed drainage layout included in *Appendix F* with a description of the proposals provided below.
 - Roof water is shown to discharge via a network of underground pipework to an infiltration basin located in the south-western part of the site,
 - Car park runoff is shown to discharge via trapped road gullies to a gravel filled filter drain, which would in turn discharge to the infiltration basin.

Hydraulic Analysis

8.4 The infiltration basin has been designed using the source control facility in the MicroDrainage software package based on the average infiltration rate of 2.1m/hr recorded by a soakaway tests. Design results for a variety of storm events up to and including the 1 in 200 year storm return period with 40% allowance for increase in peak rainfall intensity over the lifetime of the development are included in *Appendix G*. The design results confirm that the infiltration basin would store and attenuate surface water flows for all analysed storm events with no surface water flooding identified.

Exceedance

8.5 In the event that the capacity of the surface water drainage network was exceeded, site levels would allow surface water to be channelled away from the proposed pub restaurant / lodge building and towards the infiltration basin in the south-west corner of the site as shown on the finished level scheme included in *Appendix F*. Further to this the ground floor level of the pub restaurant / lodge building would be raised above surrounding levels, which would adequately address any further risk from exceedance of the capacity of the surface water drainage system.

Water Quality

- 8.6 Where surface water is likely to be contaminated, effective management is required to prevent negative impacts on the receiving water quality and/or protect downstream drainage systems including sewers.
- 8.7 CIRIA report C753 "The SUDS Manual" sets out requirements for delivering appropriate levels of treatment to surface water runoff using SUDS. Table 3 below identifies that the proposed SUDS components would have a total pollution mitigation index equal to or exceeding the recommended pollution hazard index thus confirming the SUDS components would provide suitable treatment to surface water runoff.

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Table 3: Surface Water Treatment

Use	Pollution Hazard Index			SUDS	Mit	tigation Inc	lex
	TSS	Metals	TPH	Component	TSS	Metals	TPH
Roof (Pub)	0.3	0.2	0.05	Porous sub- base	0.4	0.4	0.4
Car Park (Pub)	0.5	0.4	0.4	Permeable Paving	0.5	0.4	0.4

Amenity & Biodiversity

8.8 The proposed infiltration basin would provide amenity and biodiversity benefits by providing a habitat for local plants and wild life.

Implementation

8.9 It is recommended that the surface water drainage system is implemented in accordance with the SUDS Implementation Plan included in *Appendix H* with the Contractors Construction Health and Safety Plan to incorporate the measures proposed in plan.

Management & Maintenance Plan

8.10 It is recommended that the surface water drainage system is maintained in accordance with the SUDS Maintenance Plan included in *Appendix I*. The Plan should be incorporated into the site Operation and Maintenance Manual.

9. FOUL WATER DRAINAGE STRATEGY

- 9.1 Scottish Water have confirmed that the existing combined sewer can accommodate foul water flows from the development. Correspondence received from Scottish Water is included in *Appendix B*.
- 9.2 A foul water drainage scheme has been developed for the site on this basis and is shown on the proposed drainage layout plan included in *Appendix F*. The drainage layout plan shows foul water runoff from the development to be discharged to the combined sewer via a traditional network of below ground pipework.

10. CONCLUSIONS

- 10.1 The site is not located in an area at risk of tidal or fluvial flooding. The site was also assessed to be at low risk of flooding from most other sources considered in the Strategic Flood Risk Assessment available on Angus Council's website.
- 10.2 Soakaway tests carried out on the site recorded an average infiltration rate of 2.1m/hr. The infiltration rate would permit the disposal of surface water to ground by means of infiltration and given groundwater levels were not found to be high by a site investigation, infiltration drainage techniques are assessed to be appropriate for the disposal of surface water runoff.
- 10.3 A drainage scheme has been prepared for the development that allows for surface water runoff to be discharged to ground using Sustainable Urban Drainage Systems (SUDS) in the form an infiltration basin. The infiltration basin would ensure that runoff

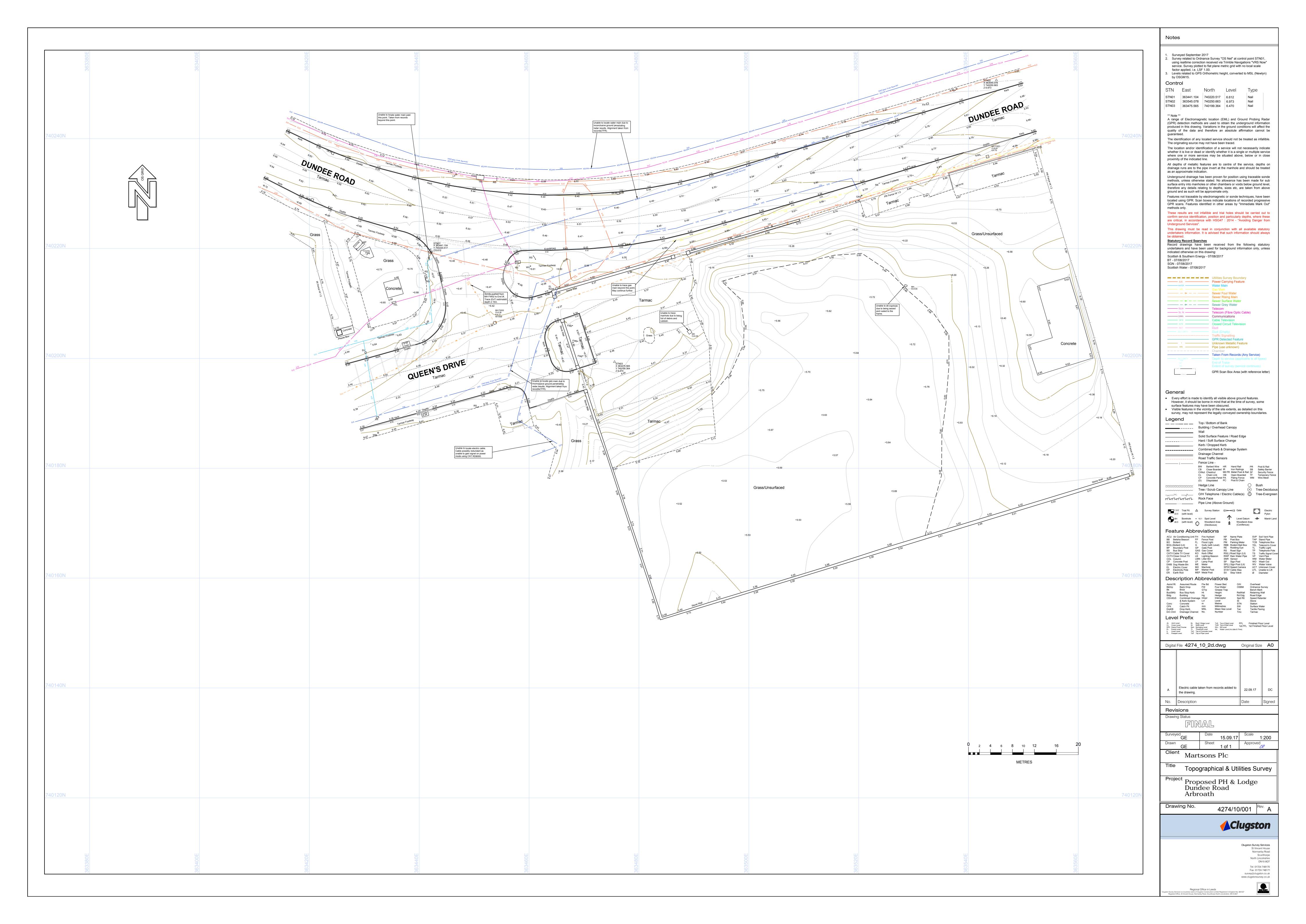
JOB NO:	12008	ISSUE NO:		ISSUE DATE:	12.12.17	Page 11 of 21
AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Crowther	



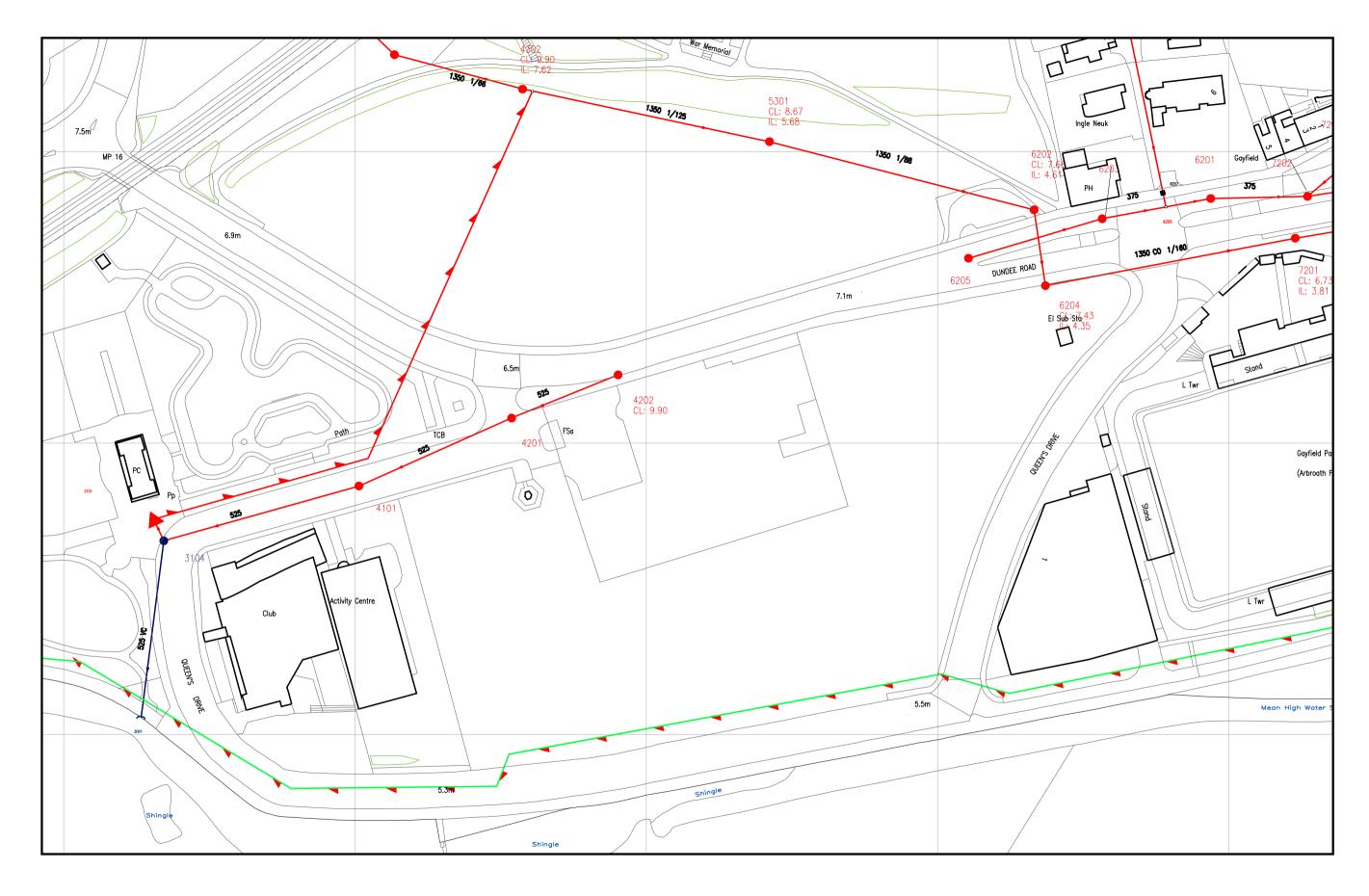
- is appropriately treated and attenuated on site up to and including a 1 in 200 year plus 40% climate change event.
- 10.4 Scottish Water have confirmed that a combined sewer, located along the sites northern boundary, could accommodate foul water flows from the development.
- 10.5 In terms of flood risk it is concluded that the development can be occupied and operated safely and that there will be no increase in the level of flood risk to the site or neighbouring sites as a result of the development.

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AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Crowther	

APPENDIX A
TOPOGRAPHICAL SURVEY



APPENDIX B SCOTTISH WATER RECORDS & CORRESPONDENCE





The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 07/08/2017

Seaforth Hotel, Dundee Road, Arbroath
Waste Water

Scale:

1:1250

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30th August 2017

Simpson Associates 8 Friday Street Henley-on-Thames Oxfordshire RG9 1AH Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Free phone Number - 0800 389 0379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Mr Singh,

DD11 Abroath Dundee Rd Land south Seaforth Hotel Pre-Development Enquiry Application – Capacity Review Our Ref: 749473

Thank you for your application regarding the above proposed development. Please note our reference number, which should be quoted on all future correspondence.

Following a capacity review we can now confirm the following:

Assessment of capacity at our treatment works:

- There is currently sufficient capacity in the Lintrathen Water Treatment Works to service your development.
- There is currently sufficient capacity in the Hatton PFI Waste Water Treatment works to service your development.
- Please note this is a foul only gravity connection. No discharge of surface water to combined sewer permitted.

Assessment of our network:

 There are no issues currently identified within our water and wastewater network that would adversely affect the demands of your development.

Please note:

Foul connection to connect to existing combined sewer.

- All surface water to be managed onsite. If a SUDS outlet is necessary, then
 attenuated discharge limited to 5 l/s to watercourse would require approval from
 SEPA and Local Authority. No discharge to the combined sewer permitted.
- Foul and surface water to be separated within the development. No build over of any existing sewer. All in accordance with Sewers for Scotland 3rd Ed.

General notes:

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public main. Any property which cannot be adequately serviced using this pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws.
- Scottish Water is unable to reserve capacity therefore connections to the water and wastewater networks can only be granted on a first come first served basis.
 For this reason we will review our ability to serve the development on receipt of an application to connect.
- Please be advised that Scottish Water will only accept surface water into the
 combined network under exceptional circumstances. In the consideration of any
 development, if due diligence has been carried out in fully investigating the
 available options for surface water drainage and if all of these options are
 subsequently deemed unreasonable to pursue, the remaining alternative options
 can then be considered for approval to allow the development to proceed.

Next steps:

You will require to apply for technical approval for your waste water/water infrastructure from our technical design team. In order to apply for technical approval you will need to apply through a licensed provider.

All non domestic connections required as of 1st April 2008 will need to be submitted via a licensed provider. For further details on the licensed providers available at present please go to www.scotlandontap.gov.uk for information on market separation etc.

On agreement of any quote issued by your Licensed Provider, certain procedural elements of the actual request for connection have altered under market competition. You should be aware that approximately **35 business days** notice will have to be supplied to your Licensed Provider for connection requests made from mid-February 2008 onwards.

I trust that the above is acceptable however, if you have any questions relating to the above do not hesitate to contact me at the above address

Yours sincerely

Megan Innes Technical Analyst Megan.Innes2@scottishwater.co.uk

APPENDIX C SITE LAYOUT PLAN

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D 22/11/17 2NO. MOTORCYCLE BAYS ADDED 28/9/17 FORMER BUILDING FOOTPRINT SHOWN.
DRAY MOVEMENTS SHOWN. LAYOUT
AMENDED. SURVEY DETAIL UPDATED A 26/9/17 DRAINAGE EASEMENT SHOWN



1 Brooklands Yard Southover High Street Lewes East Sussex BN7 1HU
Tel. 01273 479434 www.axiomarchitects.co.uk

Client

MARSTONS PLC

STACKED 150 COVER PUB RESTAURANT & 24 BED LODGE DUNDEE ROAD ARBROATH

Drawing
SITE LAYOUT

Scale 1:500 @ A3 Date Drawn Checked 22.9.17 NDW

4434/P404

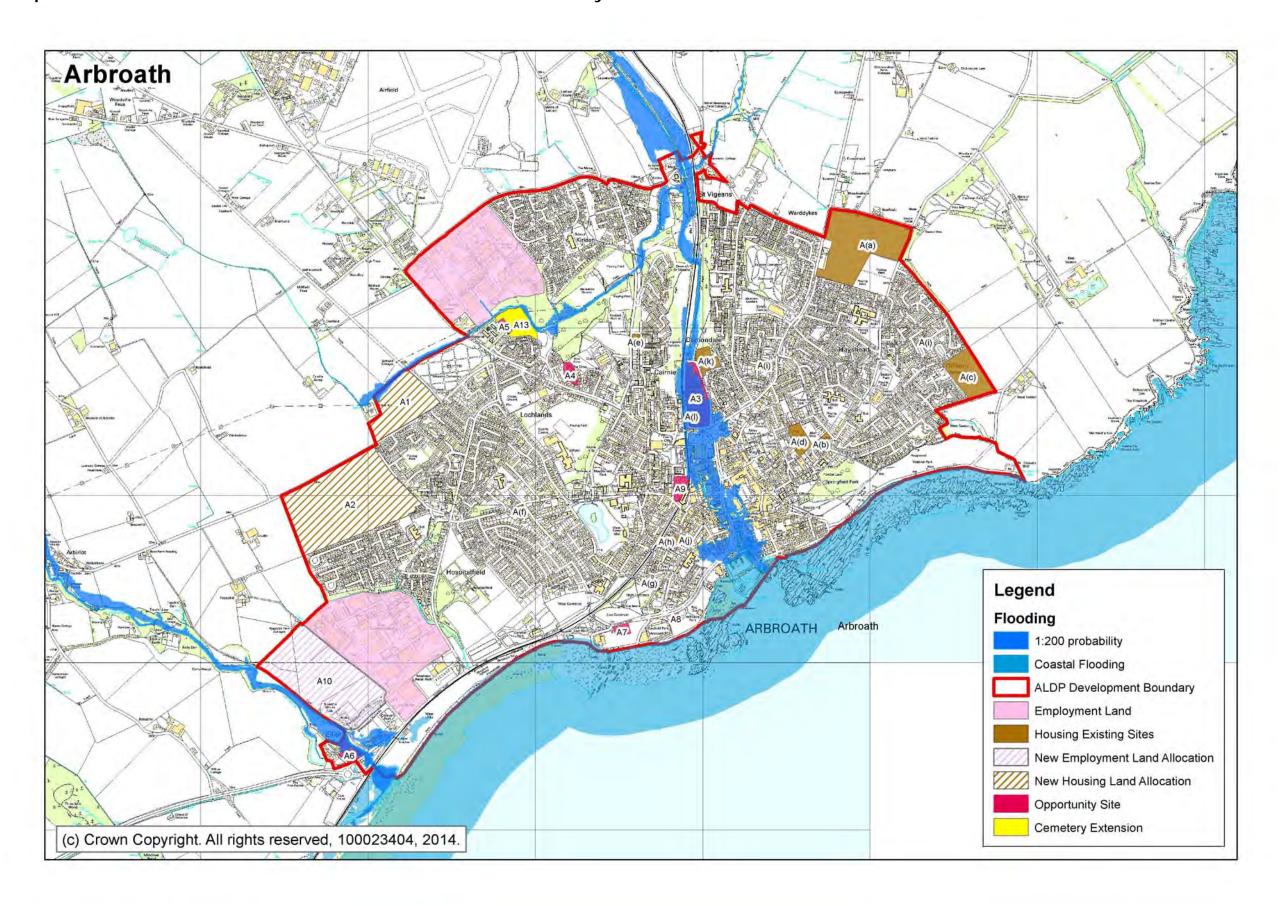


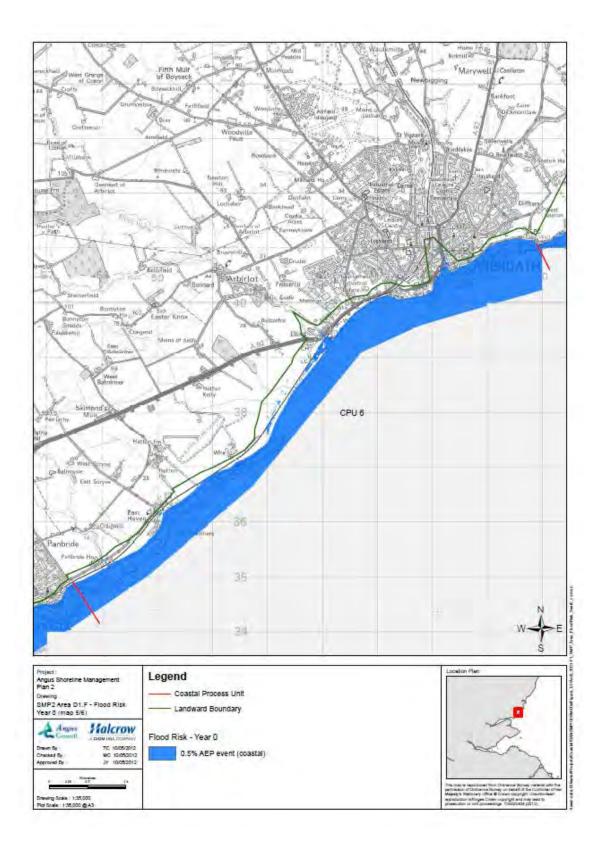
APPENDIX D
SFRA & SHORELINE MANAGEMENT PLAN FLOOD MAPS

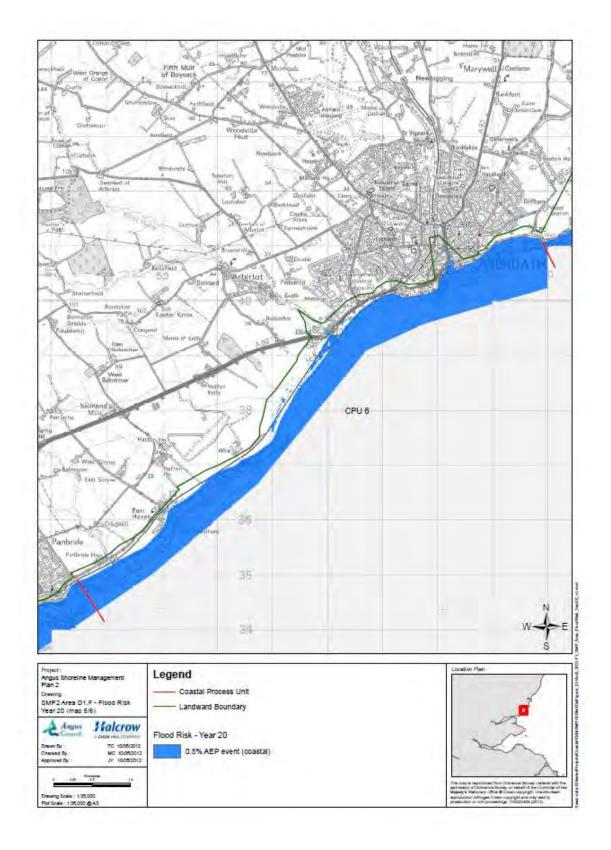
New ALDP allocations

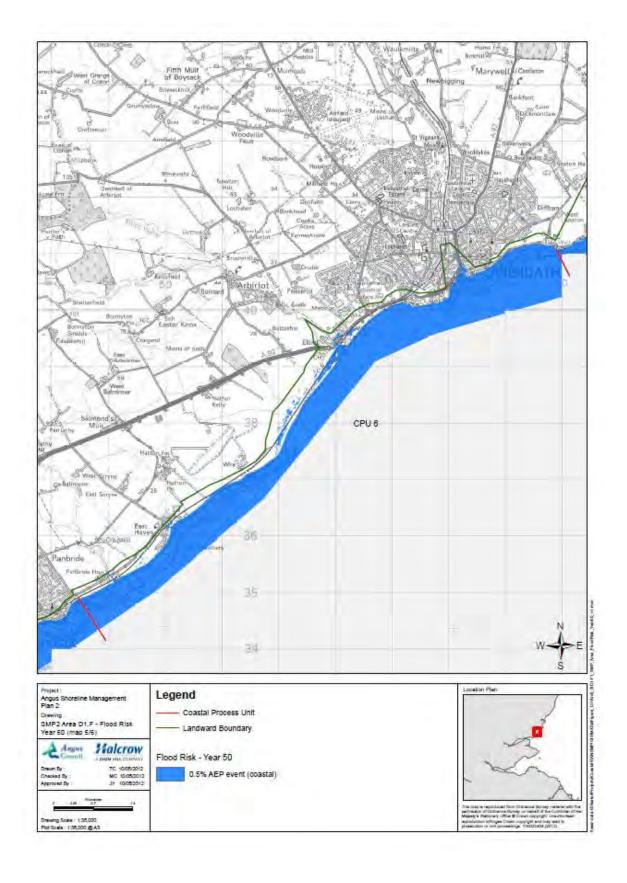
Site ref	Site name	Greenfield or Brownfield	Use	Fluvial	Surface	Coastal	SEPA Comments	F/Def	FRA	Res	STATUS/LA ACTION
A1	Crudie Acres, East Muirlands Road	G/F	Hsg	yes	yes	no		n/k	no	poss	ALDP - Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan required
A2	Crudie Farm, Arbirlot Road West (Phase 1)	G/F	Hsg	no	no	no		n/k	no	poss	ALDP - Drainage Impact Assessment, Sustainable Drainage and Surface Water Management Plan required
A7	Former Seaforth Hotel	B/F	Opp	no	no	no		n/k	no	no	Redevelopment site – development management will consult with the FPA and apply ALDP policy.
A8	Former Ladyloan Primary School	B/F	Opp	no	ne	no		n/k	no	no	Redevelopment site – development management will consult with the FPA and apply ALDP policy
A13	Western Cemetery Extension	G/F	Cem	yes	yes	no		n/k	no	no	Peripheral within landscaped not burial area.

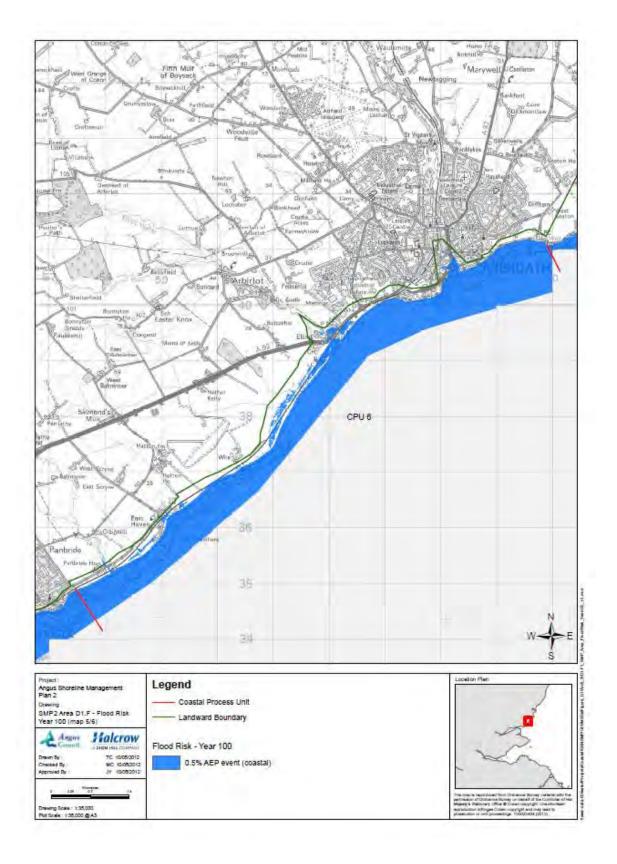
Map 2 ALDP sites / allocations in Arbroath with Coastal and 1:200 year fluvial flood data











APPENDIX E SOAKAWAY TEST RESULTS



08:29:00

08:30:00

Notes

Tel: 0141 772 2789 Web: www.ersremediation.com

INFILTRATION RATE CALCULATION

Pit Dimensions

Infiltration Run No. of

Width (m) Length (m) Depth (m) 0.80 1.50

SA01

1.52

TP/SA No.

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09/11/2017

Checked By:	GA

Time Vs Depth Measurement
Time (min) Depth (cmbGL)

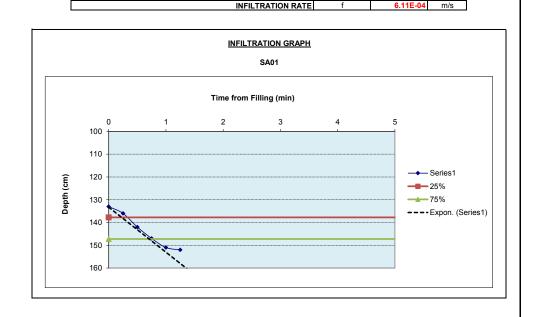
Contract Name:	Marstons, Arbroath	
Contract No.:	0916-024	
Engineer:	GL	
Date:	09/11/2017	
Checked By:	GA	

Infiltration Calculation						
MEASUREMENT	UNIT	VALUE	UNIT			
Maximum Wet Depth	Wd (max)	0.19	m			
Length of Trial Pit	L	1.60	m			
Width of Trial Pit	Wd (max)	0.80	m			
Depth 75%	d75	1.38	m			
Depth 25%	d25	1.47	m			
Average Wet Width of Wet	d50	0.10	m			
Average Wet Depth (50%)	d	1.43	m			
Time for 75%	t75	0.3	min			
Time for 25%	t25	0.9	min			
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.011	m ³			
Mean Surface Area through which Outlflow Occurs	ap50	1.736	m ²			
Time for the Outflow between 75% & 25%	tp75%-25%	0.6	min			

Time (Start):

Time (End):

U	133
0.25	136
0.25 0.5	136 136 142
0.5	142
0.75 1 1.25	147 151 152
0.75	177
1	151
1.25	152
1.23	132
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15/11/2017

Tel: 0141 772 2789
Web: <u>www.ersremediation.com</u>

INFILTRATION RATE CALCULATION

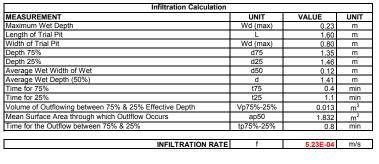
Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09/11/2017

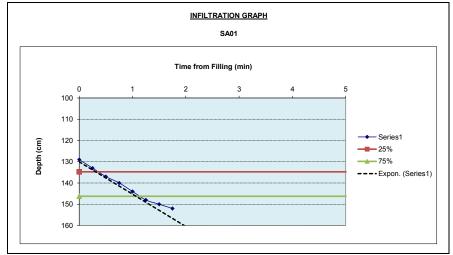
Date:	09/11/2017	
Observat Desir	- CA	
Checked By:	GA	

TP/SA No.	SA	.01
Pit Dimensions		
Width (m)	Length (m)	Depth (m)
0.80	1.50	1.52
Infiltration Run No.		
2	of	3

Time (Start):	09:08:00	
Time (End):	09:10:00	
Notes		

Time Vs Depth Measurement Time (min) Depth (cmbGL) 0 129		
Time (min)	Depth (cmbGL)	
0	129	
0.25	133	
0.5	137	
0.5 0.75	140	
1	144	
1 05		
1.25	148	
1.5	150	
1.75	152	
	 	
	<u> </u>	
	1	







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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

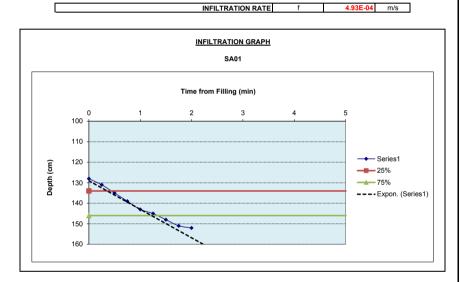
Contract Name.	Marstons, Arbroati	
Contract No.:	0916-024	
Engineer:	GL	
Date:	09-11-17	
Checked By:	ĜA	

TP/SA No.	SA01	
Pit Dimensions		
Width (m)	Length (m)	Depth (m)
0.80	1.50	1.52
Infiltration Run No.		
3	of	3

Time (Start):	9:46:00 AM	
Time (End):	9:48:00 AM	
Notes		

Time Vs Depth Measurement Time (min) Depth (cmbGL)		
Time (min)	Denth (cmhGL)	
0	128	
0.25	131	
0.5	135	
0.75	139	
1	143	
1.25	145	
1.5	148	
1.75	151	
2	152	
	 	
	-	
	 	
	 	
	-	

VALUE x) 0.24	UNIT
() 0.24	
	4 m
1.60) m
x) 0.80) m
1.34	4 m
1.40	6 m
0.12	2 m
1.40) m
0.4	4 min
1.3	3 min
5% 0.014	4 m ³
1.85	6 m ²
5% 0.8	3 min
5	1.856 5% 0.8



Checked By:



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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

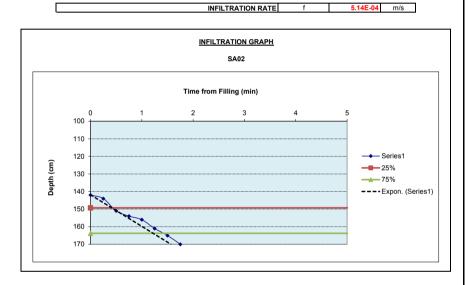
Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

TP/SA No.	SA02		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.71	
Infiltration Run No.			
1	of	3	

Time (Start):	12:31:00 PM	
Time (End):	12:33:00 PM	
Notes		

Time Vs Depth Measurement		
Time (min)	Depth (cmbGL) 142	
0	142	
0.25	144	
0.5	151	
0.75	154	
1	156	
1.25	161	
1.5	165	
1.75	170	
	1	
	1	

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.29	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.49	m
Depth 25%	d25	1.64	m
Average Wet Width of Wet	d50	0.15	m
Average Wet Depth (50%)	d	1.57	m
Time for 75%	t75	0.5	min
Time for 25%	t25	1.4	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.017	m ³
Mean Surface Area through which Outlflow Occurs	ap50	1.976	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	0.9	min



ers

15-11-17

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Time Vs Depth Measurement

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

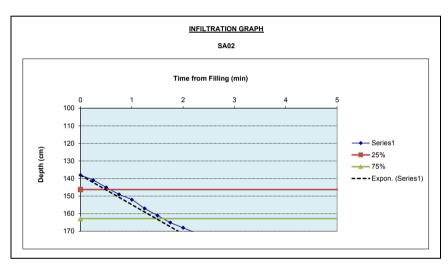
TP/SA No.	SA02		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.71	
Infiltration Run No.			
	of	2	

Time (Start):	1:04:00 PM	
Time (End):	1:06:00 PM	
Notes		

Time (min)	Depth (cmbGL)
0	138
0.25	141
0.5	145
0.75	149
1	152
1.25	157
1.5	161
1 1.25 1.5 1.75 2 2.25	165
1.70	168
2	
2.25	171
	+

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.33	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.46	m
Depth 25%	d25	1.63	m
Average Wet Width of Wet	d50	0.17	m
Average Wet Depth (50%)	d	1.55	m
Time for 75%	t75	0.6	min
Time for 25%	t25	1.7	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.019	m ³
Mean Surface Area through which Outlflow Occurs	ap50	2.072	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	1.1	min

INFILTRATION RATE f 4.69E-04 m/s



Checked By:



Tel: 0141 772 2789
Web: <u>www.ersremediation.com</u>

INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

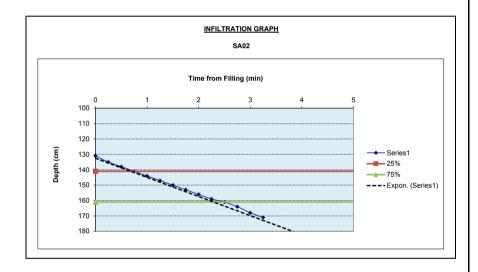
GA

SA02			
Pit Dimensions			
Length (m)	Depth (m)		
1.60	1.71		
Infiltration Run No.			
of	3		
	Dimensions Length (m) 1.60		

Time (Start):	1:47:00 PM
Time (End):	1:50:00 PM
	Notes

Time Vs Depth Measurement			
Time (min)	Depth (cmbGL)		
0	131		
0.25	135		
0.5	138		
0.75	141		
1	144		
1.25	147		
1.5	150		
1.75	153		
2	156		
2.25	159		
2.5	161		
2.75	164		
3	168		
3.25	171		

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.40	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.41	m
Depth 25%	d25	1.61	m
Average Wet Width of Wet	d50	0.20	m
Average Wet Depth (50%)	d	1.51	m
Time for 75%	t75	0.8	min
Time for 25%	t25	2.4	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.023	m ³
Mean Surface Area through which Outlflow Occurs	ap50	2.240	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	1.7	min
INFILTRATION RAT	El f	3.42E-04	m/s



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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath	
Contract No.:	0916-024	
Engineer:	GL	
Date:	09-11-17	

Contract No.:	0916-024		
Engineer:	GL		
Date:	09-11-17		
Checked By:	GA		

TP/SA No.	SA03		
Pit Dimensions			
Width (m)	Length (m)	Depth (m)	
0.80	1.60	1.69	
Infiltration Run No.			
1	of	3	

Time (Start):	10:28:00 AM
Time (End):	10:29:00 AM
	Notes

Time (min)	Donth (ami-Ol)
Time (min)	Depth (cmbGL)
0	153
0.25	155
0.5 0.75	161
0.75	169
	+
	+
	1
	1
	
	+
	1

Infiltration Calculation			
MEASUREMENT	UNIT	VALUE	UNIT
Maximum Wet Depth	Wd (max)	0.16	m
Length of Trial Pit	L	1.60	m
Width of Trial Pit	Wd (max)	0.80	m
Depth 75%	d75	1.57	m
Depth 25%	d25	1.65	m
Average Wet Width of Wet	d50	0.08	m
Average Wet Depth (50%)	d	1.61	m
Time for 75%	t75	0.3	min
Time for 25%	t25	0.6	min
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.009	m ³
Mean Surface Area through which Outlflow Occurs	ap50	1.664	m ²
Time for the Outflow between 75% & 25%	tp75%-25%	0.4	min
INFILTRATION R	ATE f	8.31E-04	m/s

INFILTRATION GRAPH SA03 Time from Filling (min) 100 110 120 → Series1 Depth (cm) ------25% 130 75% 140 ----Expon. (Series1) 150 160 170

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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

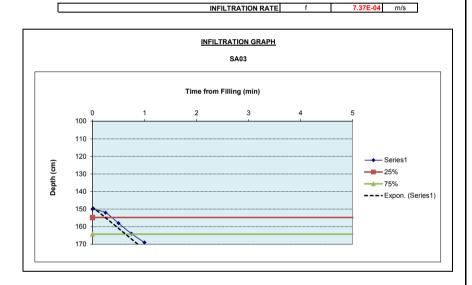
Contract Name:	Marstons, Arbroath	TP/S
Contract No.:	0916-024	
Engineer:	GL	Wid
Date:	09-11-17	0
Chankad Dur	GΔ	

TP/SA No.	SA03				
Pit Dimensions					
Width (m)	Length (m) Depth (m)				
0.80	1.60 1.69				
Infiltration Run No.					
2	of	3			

Time (Start):	11:12:00 AM
Time (End):	11:13:00 AM
	Notes

Time (min)	h Measurement
0	Depth (cmbGL) 150
0.25	152
0.5	158
0.75	
	164
11	169
	1
	1
	+
	<u> </u>
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	-
	1
	1
	1
	1

Infiltration Calculation				
MEASUREMENT	UNIT	VALUE	UNIT	
Maximum Wet Depth	Wd (max)	0.19	m	
Length of Trial Pit	L	1.60	m	
Width of Trial Pit	Wd (max)	0.80	m	
Depth 75%	d75	1.55	m	
Depth 25%	d25	1.64	m	
Average Wet Width of Wet	d50	0.10	m	
Average Wet Depth (50%)	d	1.60	m	
Time for 75%	t75	0.3	min	
Time for 25%	t25	0.8	min	
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.011	m ³	
Mean Surface Area through which Outlflow Occurs	ap50	1.736	m ²	
Time for the Outflow between 75% & 25%	tp75%-25%	0.5	min	



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INFILTRATION RATE CALCULATION

Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17

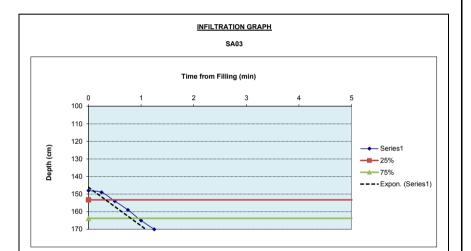
Contract Name:	Marstons, Arbroath
Contract No.:	0916-024
Engineer:	GL
Date:	09-11-17
Checked By:	GA

TP/SA No.	SA03				
Pi	Pit Dimensions				
Width (m)	Length (m) Depth (m)				
0.80	1.60 1.69				
Infil	Infiltration Run No.				
3	of	3			

Time (Start):	11:54:00 AM
Time (End):	11:55:00 AM
	Notes

Time Vs Depth Measurement Time (min) Depth (cmbGL)		
Time (min)	Depth (cmbGL)	
0	148	
0.25	149	
0.5	154	
0.75	159	
1	165	
1.25	170	
	 	
	1	
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	-	
	1	
	+	
	1	
	1	

Infiltration Calculation				
MEASUREMENT	UNIT	VALUE	UNIT	
Maximum Wet Depth	Wd (max)	0.21	m	
Length of Trial Pit	L	1.60	m	
Width of Trial Pit	Wd (max)	0.80	m	
Depth 75%	d75	1.53	m	
Depth 25%	d25	1.64	m	
Average Wet Width of Wet	d50	0.11	m	
Average Wet Depth (50%)	d	1.59	m	
Time for 75%	t75	0.4	min	
Time for 25%	t25	1.0	min	
Volume of Outflowing between 75% & 25% Effective Depth	Vp75%-25%	0.012	m ³	
Mean Surface Area through which Outlflow Occurs	ap50	1.784	m ²	
Time for the Outflow between 75% & 25%	tp75%-25%	0.6	min	
INFILTRATION RATE	f	6.77E-04	m/s	



APPENDIX F
PROPOSED DRAINAGE & FINISHED LEVEL LAYOUT



FINISHED LEVEL & DRAINAGE LAYOUT

PRELIMINARY

PB 10.11.17
BY DATE

DUNDEE ROAD ARBROATH

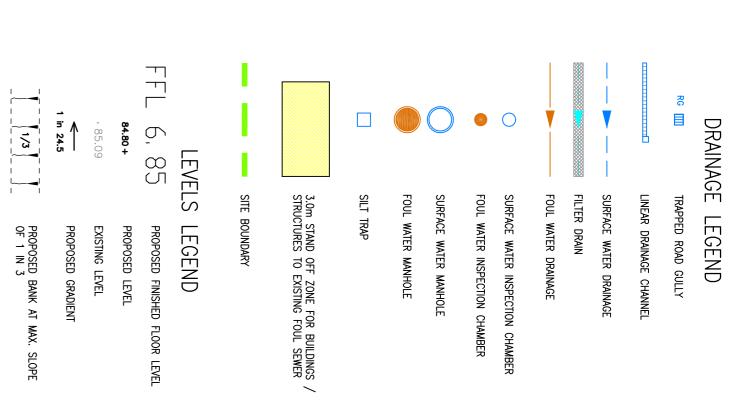
8 Friday Street
Henley on Thames
Oxfordshire RG9 1AH
T.01491 576221

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INFORMATION

12008-SK03

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APPENDIX G
MICRODRAINAGE DESIGN RESULTS

Simpson Associates		Page 1
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Designado
File INFILTRATION BASIN.SRCX	Checked by	namaye
Micro Drainage	Source Control 2015.1	

Summary of Results for 200 year Return Period (+40%)

Half Drain Time : 30 minutes.

Storm		Max	Max	Max	Max	Status	
	Even	t	Level	Depth	Infiltration	Volume	
			(m)	(m)	(1/s)	(m³)	
15	min	Summer	5.380	0.980	26.8	57.9	O K
30	min	Summer	5.496	1.096	30.9	72.7	O K
60	min	Summer	5.565	1.165	33.5	82.4	O K
120	min	Summer	5.563	1.163	33.4	82.2	O K
180	min	Summer	5.530	1.130	32.2	77.4	O K
240	min	Summer	5.491	1.091	30.7	71.9	O K
360	min	Summer	5.416	1.016	28.1	62.3	O K
480	min	Summer	5.351	0.951	25.8	54.5	O K
600	min	Summer	5.295	0.895	23.9	48.3	O K
720	min	Summer	5.245	0.845	22.3	43.1	O K
960	min	Summer	5.162	0.762	19.7	35.3	O K
1440	min	Summer	5.041	0.641	16.1	25.5	O K
2160	min	Summer	4.923	0.523	12.8	17.6	O K
2880	min	Summer	4.844	0.444	10.8	13.2	O K
4320	min	Summer	4.740	0.340	8.3	8.5	O K
5760	min	Summer	4.675	0.275	6.8	6.1	O K
7200	min	Summer	4.630	0.230	5.8	4.6	O K
8640	min	Summer	4.597	0.197	5.1	3.7	O K
10080	min	Summer	4.572	0.172	4.5	3.0	O K
15	min	Winter	5.443	1.043	29.0	65.7	O K

Storm		Rain	Flooded	Time-Peak	
	Event		(mm/hr)	Volume	(mins)
				(m³)	
15	min	Summer	94.523	0.0	16
30	min	Summer	67.289	0.0	25
60	min	Summer	45.327	0.0	42
120	min	Summer	29.089	0.0	76
180	min	Summer	22.241	0.0	110
240	min	Summer	18.315	0.0	142
360	min	Summer	13.893	0.0	204
480	min	Summer	11.397	0.0	266
600	min	Summer	9.766	0.0	326
720	min	Summer	8.604	0.0	388
960	min	Summer	7.041	0.0	510
1440	min	Summer	5.305	0.0	750
2160	min	Summer	3.996	0.0	1104
2880	min	Summer	3.265	0.0	1468
4320	min	Summer	2.452	0.0	2200
5760	min	Summer	1.998	0.0	2936
7200	min	Summer	1.704	0.0	3656
8640	min	Summer	1.496	0.0	4400
10080	min	Summer	1.340	0.0	5136
15	min	Winter	94.523	0.0	16

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Simpson Associates		Page 2
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micco
Date 12.12.17	Designed by G.S.C.	Desipago
File INFILTRATION BASIN.SRCX	Checked by	Diamage
Micro Drainage	Source Control 2015.1	

Summary of Results for 200 year Return Period (+40%)

	Stor Even		Max Level (m)	Max Depth (m)	Max Infiltration (1/s)	Max Volume (m³)	Status
30	min	Winter	5.563	1.163	33.4	82.2	O K
60	min	Winter	5.625	1.225	35.8	91.5	ОК
120	min	Winter	5.598	1.198	34.7	87.3	ОК
180	min	Winter	5.539	1.139	32.5	78.7	ОК
240	min	Winter	5.479	1.079	30.3	70.4	O K
360	min	Winter	5.372	0.972	26.5	56.9	ОК
480	min	Winter	5.282	0.882	23.5	47.0	ОК
600	min	Winter	5.208	0.808	21.1	39.6	O K
720	min	Winter	5.146	0.746	19.2	33.9	O K
960	min	Winter	5.048	0.648	16.3	26.0	O K
1440	min	Winter	4.917	0.517	12.7	17.3	O K
2160	min	Winter	4.800	0.400	9.7	11.1	O K
2880	min	Winter	4.728	0.328	8.0	8.0	O K
4320	min	Winter	4.641	0.241	6.0	4.9	O K
5760	min	Winter	4.589	0.189	4.9	3.5	O K
7200	min	Winter	4.554	0.154	4.2	2.6	O K
8640	min	Winter	4.528	0.128	3.7		O K
10080	min	Winter	4.508	0.108	3.3	1.6	O K

Storm		Rain	Flooded	Time-Peak	
	Even	t	(mm/hr)	Volume	(mins)
				(m³)	
30	min	Winter	67.289	0.0	26
60	min	Winter	45.327	0.0	46
120	min	Winter	29.089	0.0	82
180	min	Winter	22.241	0.0	116
240	min	Winter	18.315	0.0	148
360	min	Winter	13.893	0.0	212
480	min	Winter	11.397	0.0	274
600	min	Winter	9.766	0.0	336
720	min	Winter	8.604	0.0	396
960	min	Winter	7.041	0.0	512
1440	min	Winter	5.305	0.0	750
2160	min	Winter	3.996	0.0	1104
2880	min	Winter	3.265	0.0	1468
4320	min	Winter	2.452	0.0	2196
5760	min	Winter	1.998	0.0	2912
7200	min	Winter	1.704	0.0	3632
8640	min	Winter	1.496	0.0	4352
10080	min	Winter	1.340	0.0	5136

Simpson Associates		Page 3
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Desipago
File INFILTRATION BASIN.SRCX	Checked by	Dialilade
Micro Drainage	Source Control 2015.1	

Rainfall Details

Return Period (years) 200 Cv (Summer) 0.750
Region Scotland and Ireland Cv (Winter) 0.840
M5-60 (mm) 14.000 Shortest Storm (mins) 15
Ratio R 0.250 Longest Storm (mins) 10080
Summer Storms Yes Climate Change % +40

Time Area Diagram

Total Area (ha) 0.415

Time (mins) Area From: To: (ha)

Simpson Associates		Page 4
1 Market Place Mews	Infiltration Basin	
Henley-on-Thames	Dundee Road, Arbroath	4
RG9 2AH		Micro
Date 12.12.17	Designed by G.S.C.	Desipago
File INFILTRATION BASIN.SRCX	Checked by	Dialilade
Micro Drainage	Source Control 2015.1	

Model Details

Storage is Online Cover Level (m) 6.000

Infiltration Basin Structure

Invert Level (m) 4.400 Safety Factor 5.0 Infiltration Coefficient Base (m/hr) 2.10000 Porosity 1.00 Infiltration Coefficient Side (m/hr) 2.10000

Depth (m)	Area (m²)	Depth (m)	Area (m²)	Depth (m)	Area (m²)	Depth (m)	Area (m²)
0.000	10.9	0.700	81.0	1.400	186.3	2.100	0.0
0.100	18.8	0.800	93.8	1.500	204.2	2.200	0.0
0.200	27.3	0.900	107.4	1.600	222.8	2.300	0.0
0.300	36.6	1.000	121.8	1.700	0.0	2.400	0.0
0.400	46.6	1.100	136.8	1.800	0.0	2.500	0.0
0.500	57.3	1.200	152.6	1.900	0.0		
0.600	68.8	1.300	169.1	2.000	0.0		

APPENDIX H DRAINAGE IMPLEMENTATION PLAN



DRAINAGE IMPLEMENTATION PLAN

PUB RESTAURANT & LODGE DEVELOPMENT DUNDEE ROAD, ARBROATH

- 1.1. This SUDS Implementation Plan sets out measures to be implemented during construction of the surface water drainage system for the scheme to ensure the site and areas downstream are protected from runoff during construction of the development. It is recommended that the plan is incorporated into the Contractors Construction Health and Safety Plan with the development carried out in accordance with the measures proposed.
- 1.2. During construction, it is normal practice for a drainage system to be installed at an early stage in the programme. However, it is not always possible to ensure that new impermeable areas created as part of the development are immediately connected to the new drainage system.
- 1.3. To ensure areas downstream of the development are protected during construction of the development it is recommended that the following management measures are implemented during construction:
 - Protective coverings should be used to help prevent runoff stripping material stockpiles.
 - Plant and wheel washing should take place in a designated location. The area should be tanked and not allowed to discharge into the drainage system or infiltrate into the ground. Effluent should be treated as contaminated waste and disposed off site by a licensed waste management operator.
 - Surfaces used as access roads and storage areas during construction should be swept regularly to prevent the accumulation of dust and mud.
 - Should groundwater be encountered in excavations such water should not be discharged to the drainage system until the amount of suspended solids has been reduced though the controlled use of skips or tanks, which will act as stilling basins.
 - To prevent contamination associated with the use of oils and hydrocarbons during construction, the Contractor should ensure that the following precautionary measures are employed during construction:
 - Regular maintenance of machinery and plant.
 - Use of drip trays.
 - Regular checking of machinery and plant for oil leaks.
 - Use of correct storage facilities.
 - Regular checks for signs of wear and tear on tanks.
 - Specific procedures are followed when refuelling.
 - Use of a designated area for refuelling.
 - Emergency spill kit to be located near refuelling area.
 - Regular emptying of bunds.
 - Tanks should be located in secure areas to stop vandalism.

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AUTHOR:	G. Crowther	OFFICE:	HENLEY	CHECKED BY:	G. Cro	owther



- 1.4. The above measures would help to ensure that untreated construction runoff would not be discharged to the surface water drainage system.
- 1.5. Should the infiltration basin be constructed at an early stage of the programme to assist in managing construction runoff, topsoil and seeding of the basin should not take place until site works have been completed. During the construction period, the surface of the basin should be lined with a sacrificial geotextile filter fabric, which would help to trap silt and prevent it from washing into the underlying soils.
- 1.6. During construction, all components of the drainage system should be constructed in accordance with relevant drawings, specifications and manufacturer's guidelines. Further to this Building Control should visit site on a regular basis to inspect completed works and ensure that the drainage system is installed correctly.

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APPENDIX I DRAINAGE MAINTENANCE & MANAGEMENT PLAN



DRAINAGE MAINTENANCE & MANAGEMENT PLAN

PUB RESTAURANT & LODGE DEVELOPMENT DUNDEE ROAD, ARBROATH

- 4.1 This Drainage Maintenance and Management Plan provides details of the plan proposed for maintenance and management of the drainage system associated with the scheme.
- 4.2 On occupation of the development, the maintenance and management plan should be incorporated into the sites Operation and Maintenance Manual with the as-built drainage system operated and maintained in accordance with the regime set out in the tables below.

Table 1: Below Ground Drainage System - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency	
Pogulor	Remove all litter and debris from external hard landscaped areas and adjacent landscaping, which may pose a risk to the performance of the system.	Monthly.	
Regular maintenance	Remove build-up of sediment / silt in catchpits and dispose of oils / petrol residues using safe standard practices. Stabilise and mow adjacent landscaped areas and remove weeds.		
Remedial	Repair or rehabilitate inlet and outlets to ensure they are in good condition and operating as designed.	As required.	
actions	Remediate any landscaping, which has raised to within 50mm of the level of adjacent hard landscaping.		
Monitoring	Check of all inlets / outlets for blockages or evidence of physical damage with any necessary remedial action or clearance carried out if required.	On a monthly basis for the first 3 months of operation, thereafter every 6 months & following severe rainfall events.	
	Inspect all surfaces for ponding, or silt accumulation. Record areas where water is ponding for more than 48 hours and carry out any remedial work deemed necessary.	After severe storms.	

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Table 2: Grease Separator - Operation and Maintenance Requirements

Maintenance schedule				
Regular maintenance	Chambers should be desludged (grease / sediment removed) by vacuum tanker to remove sediment or grit from the bottom of the unit and accumulated grease from the surface.	Every 3, 6 or 12 months depending on site conditions (or following poor performance).		
Remedial actions	Repair of erosion damage, or damage to the separator.	As required.		
Monitoring	Separator repairs. Inspection of the separator for build up of grease and sediment.	Every 3, 6 or 12 months depending on site conditions (or following poor performance).		

Table 3: Gravel Filter Drains - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency
	Litter and debris removal from trench surface, access chambers and pretreatment devices.	Monthly (or as required).
Regular maintenance	Trimming of any roots that may be causing blockages.	Annually (semiannual the first year).
	Remove weeds on the trench surface.	Monthly (at start, then as required)
Occasional	Removal of sediment from pre-treatment devices.	Every 6 months.
Maintenance	Remove tree roots or trees that grow close to the trench.	As required.
	Clear perforated pipework of blockages.	As required.
Remedial actions	Inspect inlets, outlets and inspection points for blockages, clogging, standing water and structural damage.	Monthly
Monitoring	Inspect pre-treatment systems, inlets, trench surfaces and perforated pipework for silt accumulation. Establish appropriate silt removal frequencies.	Every 6 months.

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Table 4: Infiltration Basin - Operation and Maintenance Requirements

Maintenance schedule	Required action	Frequency
	Litter, debris and trash removal.	Monthly.
Regular	Grass cutting – for landscaped areas and access routes.	Monthly during growing season, or as required.
maintenance	Grass cutting – meadow grass in and around basin.	Half yearly (spring – before nesting season, and autumn).
	Manage other vegetation and remove nuisance plants.	Monthly (at start, then as required).
Occasional	Re-seed areas of poor vegetation growth.	Annually, or as required.
Maintenance	Prune and trim trees and remove cuttings.	_
Walliteriance	Remove sediment from pre-treatment system when 50% full.	
	Repair of erosion or other damage by reseeding or re-turfing.	
	Realignment of rip-rap.	
Remedial	Repair/rehabilitation of inlets, outlets and overflows.	As required.
actions	Rehabilitate infiltration surface using scarifying and spiking techniques if performance deteriorates.	
	Re-level uneven surfaces and reinstate design levels.	
	Inspect inlets, outlets and overflows for blockages, and clear if required.	
	Inspect banksides, structures, pipework, etc for evidence of physical damage.	Monthly.
Monitoring	Inspect infiltration surfaces for compaction and ponding.	
	Inspect inlets and pre-treatment systems for silt accumulation. Establish appropriate silt removal frequencies.	Every 6 months.

- 4.3 The Site Manager should ensure that the Maintenance Contractor tasked with carrying out any maintenance works provides a risk assessment and method statement that adopts best practice health and safety policies for maintenance personnel throughout the duration of any maintenance works. Measures may include:
 - Ensure the use of safe systems of work and procedures are followed.
 - Certificated operatives only to be used for all confined space entry.
 - Ensure appropriate ppe is worn at all times including the use of safety goggles, ear defenders and other relevant equipment when using high pressure jetting.
 - Do not work in weather conditions where flooding or surging is likely.
 - Erect barriers where appropriate and provide adequate lighting.

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- No operations to be carried out by operatives working alone.
- Time maintenance to not conflict with other on-site activities.
- Method statement to be prepared and approved prior to entry into confined space.

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ITEM 10i

North Planning & Development 2nd Floor Tay House 300 Bath Street Glasgow G2 4JR

03 October 2023

Planning and Building Angus Council

FAO Ben Freeman

Dear Sir/Madam

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel, Dundee Road, Arbroath (app. ref. 23/00558/FULL)

I am writing with regards to the above-mentioned planning application to respond to matters raised in a 29th September email from the planning officer, Ben Freeman, to the agent for the application, Bhargav Somarouthu. This letter specifically responds to the comments in the planning officers email relative to Angus Local Development Plan Policies DS1 and A7.

The planning officer's email places reliance on the policies in the Angus Local Development Plan, specifically Policies DS1, DS3 and A7. Whilst this is understood, it is relevant to the consideration of this application that the Plan was adopted in September 2016 and so the policies therein effectively became out of date after 5 years in September 2021, resulting in them have more limited weight in decision making. NPF4 has been much more recently adopted, in February 2023, and so the policies therein should be afforded significant weight, and as we have demonstrated in the Planning Statement which accompanies the application the proposal aligns with the relevant policies of NPF4.

Notwithstanding that, LDP Policy DS1 establishes that all proposals will be expected to support delivery of the Development Strategy, which seeks to:

- guide the majority of development, including local housing and employment opportunities, to locations within the towns that have the capacity to accommodate new development well integrated with existing infrastructure, and which serve as locally accessible centres serving a diverse rural hinterland:
- maintain and protect the diversity and quality of the rural area and encourage local development which supports the population and services of local communities;
- provide opportunities for appropriate diversification of the rural economy; and
- maintain the quality of valued landscapes, the natural, built and historic environment, and biodiversity.

The application is for development within the town of Arbroath, for a use that will provide employment and on a site that is allocated for commercial development, and as the proposal is for the partial redevelopment of a vacant brownfield site and with a modern and contemporary building it will maintain and enhance the quality of the built environment. In all of these respects the application aligns with the Development Strategy and therefore also with Policy DS1.

The application is for the redevelopment of part of a the wider site of the former Seaforth Hotel, and rather than failing to safeguard the site for future hotel use the application proposal actually protects the potential for the remaining part of the site to accommodate a new hotel development. Also, by putting a

new access road and service connections into the site, allied to providing a coffee shop that can complement a future hotel use, the proposal actually enhances rather than undermines the potential of the site to accommodate a hotel.

Policy DS1 specifically establishes 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 relevant policies of the Plan. The application is for the development of part of a brownfield site that has been vacant for some considerable period and, as set out in the Planning Statement and below, the proposal aligns with the other relevant policies in the Plan and NPF4 and it therefore follows that the proposals align with this element of Policy DS1.

The Development Strategy of the Plan also includes protecting and enhancing Arbroath's wide range of visitor assets and further developing tourism and recreation facilities and accommodation particularly along the seafront, redeveloping a number of sites and properties to support the Harbour and West Links. The application proposal is for a Class 3 coffee shop, which will serve Arbroath residents and visitors alike, and which will complement and support the existing visitor, tourism and recreation assets that are in close proximity along the seafront and the West Links, including Arbroath FC, Pleasureland amusement centre, West Links Golf Course, Jumping Joey's children's play centre, cinema, West Links Playground, Go Kart track, and tennis courts. In these respects, the proposal is in line with the Development Strategy as it will protect and enhance Arbroath's wide range of visitor assets and tourism and recreation facilities.

Contrary to the suggestion in the planning officer's email, whilst Local Development Plan Policy A7 establishes that the former Seaforth Hotel site "provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use" the policy does not specifically establish that this is for Class 7 and/or Class 11 uses. The absence of any such reference in the LDP results in it being open to interpretation what types of uses fall within the ambit of leisure, tourism or recreation, and it is our position that a Coffee Shop can be reasonably regarded as being and/or supporting leisure, tourism and recreational uses, particularly in the context of this site, which is surrounded by other such uses that the Coffee Shop would complement and support.

Whilst Policy A7 establishes that development proposals should be in accordance with the approved Supplementary Guidance it is noted that the 'Guidance' is actually held within the Development Briefs part of the Council website and so if this is in fact a Development Brief it not form part of the development plan and therefore does not have as much weight. Notwithstanding that, on the understanding that the Guidance, or Brief, was prepared in tandem with the Local Development Plan, it is also now more than 5 years old and so effectively out-of-date.

The Guidance, or Brief, includes a preference for the site to accommodate a hotel or travel lodge type development, and as this is stated as a preference it suggests that the Council will afford reasonable consideration to alternative other uses that complement the existing visitor, tourism and recreation uses. The "travel lodge" reference is taken to be to Travelodge or equivalent type of branded hotel. That being the case is significant, as "travel lodge type" hotels are typically of fairly standardised design and materials, and whilst that principle appears to be being welcomed by the Council for a hotel development the planning officer's email suggests that an equivalent approach for a Class 3 coffee shop is not deemed to be suitable. Notwithstanding this apparent inconsistency, it is our position that the design that is being proposed is of a high standard, is contemporary in style, form and materials, and is suitable and appropriate to the site and its setting, and that it will be an enhancement to the site and the existing character of the area, many of which the planning officer judges to be "utilitarian in their appearance".

The application proposals will redevelop part of a vacant brownfield site for a coffee shop use that will support the visitor, tourism and recreational uses along the seafront and West Links part of Arbroath; which will safeguard and not prejudice the remainder of the site being available for a future hotel development; and by putting a road and services into the site and providing a coffee shop the development will act as a catalyst to support the feasibility of and support and complement a future hotel use. Taking all of these considerations together, allied to the assessment set out in the Planning Statement that accompanies the application, leads to the conclusion that the application proposals align with the requirements of LDP Policies DS1, A7 and DS3 as well as the requirements of the Supplementary Guidance/Development Brief.

The preceding Planning Statement also demonstrated that the proposal aligns with the requirements of NPF4 and the guidance set out in the February 2023 letter from the Chief Planner and the Planning

Minister, and for all of these reasons we are strongly of the view that the key material considerations in this case weigh in favour of the proposal and that planning permission should therefore duly be granted.

Yours sincerely



David Campbell MRTPI Director North Planning & Development

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ITEM 10ii

North Planning & Development

2nd Floor

Tay House

300 Bath Street

Glasgow G2 4JR

08 November 2023

Planning and Building Angus Council

FAO Ben Freeman

Dear Sir/Madam

Mixed use development comprising café and drive thru at Site Of Former Seaforth Hotel, Dundee Road, Arbroath (app. ref. 23/00558/FULL)

I am writing with regards to the above-mentioned planning application and to provide further comment to supplement the content of an August 2023 Planning Statement and a letter of 3rd October 2023, both of which have been previously submitted to support the application.

Firstly, please find a note attached which has been prepared by the acting agent, which sets out a timeline of the site marketing that has taken place between 2006, when the former Seaforth Hotel went on fire, to now. This clearly demonstrates that the site has been marketed as a hotel development opportunity on numerous occasions over an approximate 17 year period, and whilst some interest has been shown over the period no party has ever concluded. Whilst it is not impossible that hotel interest will transpire in the future there is none at present.

Notwithstanding the lack of current market interest to develop a hotel on the site, a typical modern hotel development of the size that could potentially be brought forward in Arbroath in the future would not require the full extent of the former Seaforth Hotel site. This letter is accompanied by a wider site masterplan which demonstrates that the Class 3 coffee shop that is proposed can be accommodated along with a two storey 40 room hotel with associated parking on the remaining part of the site. plan clearly demonstrates that the proposed coffee shop does not prejudice the potential for the remainder of the site to accommodate a hotel development should market interest transpire. Conversely, it is our contention that introducing a coffee shop use will act as a catalyst which can help attract development interest to the other part of the site, both by being a complimentary use and have linked trip benefits which will help to support the commercial viability of another use and also by virtue of the coffee shop development funding and delivering much of the core site infrastructure including the access road and service connections. Coffee shop uses of the type and form that is being proposed are commonplace and are often located so as to co-exist and support other uses, including hotels, and part of the justifying case for a coffee shop in this particular location is that it can act as a catalyst to attract, complement and support development on the other part of the site, and which has otherwise not yet been attracted to the site.

The August 2023 Planning Statement, which accompanied the initial planning application submission, included reference to preceding application 19/00954/FULL, and albeit that application was refused the Report of Handling said that "The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose ... The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre". This clearly establishes that the Planning Department considered that the principle of a coffee shop with drive thru facility was acceptable on the site, and that is further emphasised by the fact that the reasons that were given by the Council for that application being refused do not include any reference to the drive thru coffee shop.

Whilst that is significant, the terms of a preceding permission (ref.17/01048/FULL), which was for the Erection of a Mixed Use Development incorporating a Hotel and Pub/Restaurant, are also significant and material to the consideration of the current application. As can be seen from the description, the Council approved permission for the development of a hotel and a pub/restaurant. The component elements of this permission fall within Use Class 7 (Hotels and hostels), sui generis (pub) and Class 3 (Food and drink), and the application which is currently under consideration is for a café/coffee shop, which also falls within the same Class 3 as the previously granted restaurant. The granting of this previous permission clearly established that the Council was supportive of Class 3 development over part of the Seaforth Hotel site, and the current application is for the same and also retains part of the site for future development of other complementary uses, potentially including for a two storey 40 bedroom hotel.

The terms of the preceding August 2023 Planning Statement, letter of 3rd October 2023, and of this letter, demonstrate that the application for a Class 3 coffee shop over part of the former Seaforth Hotel site aligns with the requirements of NPF4, the associated guidance set out in the February 2023 letter from the Chief Planner and the Planning Minister, the relevant policies of the Local Development Plan, and also that preceding decisions by the Council have established a precedent that Class 3 development over part of this site has been accepted and supported. For all of the reasons set out in these various submissions we are strongly of the opinion that planning permission can and should be granted and trust that the content of the Statement and letters will be afforded due consideration by the Council when determining the application.

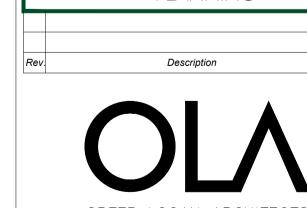
Yours sincerely

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Client	MUNGO PARK	LTD

Project	STARBUCKS	DRIVE-THRU
	A 1 11	

PROPOSED SITE MASTERPLAN WITH INDICATIVE HOTE

Scale 1:200 @ A1

*Drawing No.*SP−05 NOVEMBER 2023

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Rev. __

DUNDEE ROAD 50% OF SPACES TO BE DUCTED FOR FUTURE EV 88 SPACES HGV DELIVERY

Pitch and Putt Course

HGV DELIVERY

HOTEL SINGLE STORY BOH / KITCHEN / BAR

HOTEL EXTERNAL SERVICE AREA



DETAILED SITE PLAN TOPO OVERLAYED 1:200

LANDSCAPING

2 STOREY HOTEL ACCOMODATION c.40 ROOMS

LANDSCAPING

0 2 4

→ ENTRANCE

RED LINE INDICATES APPLICATION BOUNDARY

BLUE LINE INDICATES RESIDUAL LAND OWNERSHIP



Dundee Road, Arbroath Timeline – October 2023

Date	Comments
2006	In August of this year the original Seaforth Hotel burnt down in a fire and the remaining building was subsequently demolished and the site cleared.
2007-2010	We understand that the owner at the time explored the possibility of redeveloping the site for a new 17 beds hotel and 44 residential flats. This proposal was put forward for planning consent over the remaining course of 2006 and 2007 however, was ultimately refused after the applicant went through an appeal process.
	The property was subsequently marketed to try and identify another hotel or commercial end user and J&E Shepherd Chartered Surveyors were appointed to undertake a marketing campaign. It is understood (from past correspondence in 2008) that J&E Shepherd approached a number of hotel operators including a client of Gerald Eve who had a successful hotel business in Dundee and Premier Inn, however they were not able to get traction for a hotel operator to consider the subjects.
2015	Following an unsuccessful marketing campaign by J&E Shepherd to identify a suitable end user, Coates and Co were appointed in June 2015 to try and identify a retail, leisure or hotel end user for the site.
2017-2018	In 2017, after 2 years of marketing and being unable to identify a hotel user for the site, Coates and Co picked up a dialogue with Marston's who had a specific interest for a restaurant and bar on the site. From these discussions Marton's were persuaded to also include a small hotel as part of their concept for this site. Terms were therefore agreed and Marston's purchased this site in October 2018 following successful receipt of planning consent (17/01048/FULL) to redevelop the site for a small 24 bedroom hotel and bar / restaurant development (with 116 covers).



2019	Unfortunately, Marston's made the decision in 2019 that the proposed development was not financially viable
	based on cost and catchment and the site was placed on the market in summer 2019.
	In November 2019, Euro Garages agreed a price with Marston's to purchase this site conditionally on planning. An
	application was submitted for a petrol filling station with supporting drive thru facilities. This application
	(19/00954/FULL) was refused consent in May 2020 and this sale did not go ahead.
	The property was remarketed by Rapley's Chartered Surveyors over the course of 2020, 2021 and the first half of 2022.
2022	The site was purchased by our client in June 2022.
	A marketing campaign was undertaken by Canning Vale Property Consultants to try and identify new end users.
	As part of this marketing campaign, we have spoken with active roadside and hotel occupiers.
	Specifically we have targeted hotel operators that run smaller scale concepts in similar towns to Arbroath such as
	Premier Inn, Travelodge and Holiday Inn Express. We have also undertaken various targeting for niche hoteliers in
	the wider Angus and Dundee areas. The consistent feedback has been that the demographics for the town and
	catchment might have some justification over summer months but this would not work all year round (which it needs to justify the investment). As a result, none of these parties were willing to explore this further.
	We did speak to some of the larger formats such as Hampton by Hilton, Moxy, Raddison and Marriott however,
	these end users are primarily focused on major City Centre expansions.



2023	An offer was received in Spring 2023 from Mungo Park trading as Starbucks to acquire part of the site (circa 0.45 acres) subject to a planning change of use being secured for a Class 3 Restaurant use with drive thru lane and supporting EV charging facilities.
	On the basis of the current planning consent for a full format restaurant / pub with an accompanied small scale hotel, we felt that the progressing the above transaction would be the right thing to do in terms of a proposed use. The agreement to only sell part of the site would leave a remaining proportion of 0.95 acres which could still be developed for a small 24 bedroom hotel at a later stage.

Angus Council

Application Number:	23/00558/FULL
Description of Development:	Mixed use development comprising café and drive thru
Site Address:	Site Of Former Seaforth Hotel Dundee Road Arbroath
Grid Ref:	363496 : 740197
Applicant Name:	Mungo Park Ltd & CW Properties

Report of Handling

Site Description

The application site measures around 2400sqm and consists of part of a brownfield site which previously accommodated the Seaforth Hotel. Remnants of the original boundary walls of the original Seaforth House remain around the site but otherwise the site is clear. The site is located on the West Links which consists of a managed open space which runs from the harbour area of Arbroath at the east to the West Sands and is punctuated by a range of recreational uses (such as a cinema, children's indoor soft play area, arcades & amusements and a football ground). Other outdoor recreational activities including an outdoor play area, pitch & putt and children's carting are also found in the West Links Area.

Proposal

Planning permission is sought for the western part of the former Seaforth Hotel Site for the erection of a Starbucks café and associated drive thru facility. The proposed building would have a footprint of 189sqm (221sqm including service/bin area) and is of a fairly typical design for the type of building proposed. A mono pitched roof would rise from 3.1m at the rear (south) to 4.3m at the front (north), with a central brick projection to 7.3m in height to accommodate signage. Materials are proposed as grey panelling, a grey roof, timber or synthetic timber cladding and extensive areas of glazing, along with the central brick tower feature to accommodate signage.

The proposal also includes the formation of a new access, parking for 30 vehicles, cycle parking and landscaping. Foul drainage would be connected to the public drainage network, and surface water drainage would be dealt with on site utilising sustainable urban drainage (SUDS) scheme.

The submitted drawings indicate that the remainder of the 5600sqm former Seaforth Hotel site would be developed as a hotel as part of a separate planning submission.

The application has not been subject of variation.

Publicity

The nature of the proposal did not require the application be the subject of Neighbour Notification.

The application was advertised in the Dundee Courier on 1 September 2023 for the following reasons:

Neighbouring Land with No Premises

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

Relevant Planning History

17/01048/FULL for Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works was determined as "approved subject to conditions" on 1 June 2018.

19/00954/FULL for Erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works was determined as "Refused" on 1 May 2020 for the following reason(s):

- 1 The proposal is contrary to Policy A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the proposed roadside services facility is not a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- The proposal is contrary to policies DS3 and A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a land mark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3 The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a roadside service facility would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Applicant's Case

The applicant has submitted the following information in support of the application:

Planning Statement – considers the proposal against the development plan and material considerations. The statement concludes that the proposals align with the principle and predominant requirements of NPF4 and the adopted Local Development Plan, and as there are no material considerations which reasonably weigh against planning permission should be granted.

Transport Assessment – indicates that the development site will be accessible by sustainable modes of travel and integrate well within the existing transport network with the introduction of additional non-car promoting measures. In addition, the site can be accessed safely from the adjacent road network by private vehicles without compromising the safety or efficiency of existing road users.

Flood Risk Assessment and Drainage Design (2017) - concludes that the development can be occupied and operated safely and that there will be no increase in the level of flood risk to the site or neighbouring sites as a result of the development.

Supplementary planning statement (3 October 2023) – indicates that in the applicant's view the proposal is compliant with NPF4. It suggests that the Angus Local Development Plan and associated Supplementary Guidance is out of date and therefore carries little weight in the consideration of the planning application.

Marketing information (8 November 2023) – indicates that the site has been marketed as a hotel development opportunity on numerous occasions over an approximate 17 year period. Whilst some interest has been shown over the period no party has ever concluded. Whilst it is not impossible that hotel interest will transpire in the future there is none at present. It provides an indicative site masterplan encompassing the remainder of the land allocation which it suggests shows that a 40-bedroom hotel could still be delivered on the balance of the allocated area. It opines that the proposed coffee shop and

drive thru would act as a catalyst for the development of the remainder of the site by delivering key infrastructure.

Consultations

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

Roads (Traffic) - Having considered the submitted Transport Assessment, there are no objections to the proposal, subject to a suitable condition to ensure the delivery of appropriate parking, including cycle parking.

Scottish Water - no objections

Environmental Health - no objections subject to an appropriate condition to ensure no noise related detriment to amenity is generated.

Archaeology Service - no objections

Scottish Environment Protection Agency - no comments

Flood Prevention Authority - There was no response from this consultee at the time of report preparation.

Angus Council - Economic Development Unit - There was no response from this consultee at the time of report preparation.

Representations

2 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 2 objected to the proposal and 0 supported the proposal.

The main points of concern were as follows:

- A global business should not be supported, a drive through coffee shop will impact on the environment in all aspects.
- Arbroath should not be treated as a drive through or truck stop.
- Support should be given to the local community which will in turn support the community.
- It would be good to see this type of development go above and beyond as a leading example of sustainable, accessible economic development for the area.
- Considering Arbroath is still developing the Places for Everyone scheme, it seems this development
 for a drive-thru is very much a backwards step. This area already prioritises vehicles to the point
 where it is a detriment to walk, cycle or wheel in the area (accessing West Links Park, Gayfield Park
 for example).
- Would like to see further work done to address sustainable travel in the plan i.e bike parking facilities
 on site, smart junctions and a report on the wider footprint of the area, in particular the expected
 impact on parking/ road areas to access Westlinks Park and the shared footpath/ cycle way on the
 Dundee Road.
- Would also like to see some work towards the impact this will have on sustainable and active tourism,
 whether this will be a benefit or a detriment to the beachfront. I've noted the NCN 1 has recently been
 included in new cycle tour routes (The Pictish Trail in particular), with Angus coming in for heavy
 criticism for lack of access through the area from users of the route.
- Considering the recent planning application for a retail park around the corner was called "against development policy", this is disappointing to see yet another drive-thru being prioritised.
- The Tayside and Central Scotland Regional Transport Strategy 2024- 2034 which acknowledges Angus and Tayside have a 11% increase on the rest of Scotland for car use. How would this

Development Plan Policies

NPF4 – national planning policies

Policy 1 Tackling the climate and nature crises

Policy 2 Climate mitigation and adaptation

Policy 3 Biodiversity

Policy 9 Brownfield, vacant and derelict land and empty buildings

Policy 11 Energy

Policy 12 Zero waste

Policy 13 Sustainable transport

Policy 14 Design, quality and place

Policy 15 Local living and 20 minute neighbourhoods

Policy 18 Infrastructure first

Policy 20 Blue and green infrastructure

Policy 22 Flood risk and water management

Policy 27 City, town, local and commercial centres

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

Policy DS1: Development Boundaries and Priorities

Policy DS2: Accessible Development

Policy DS3: Design Quality and Placemaking

Policy DS4 : Amenity

Policy TC10: Roadside Facilities Policy TC17: Network of Centres

Policy TC20: Local Convenience Shops and Small Scale Retail

Policy PV6: Development in the Landscape Policy PV8: Built and Cultural Heritage Policy PV12: Managing Flood Risk Policy PV13: Resilience and Adaptation Policy PV15: Drainage Infrastructure

Policy PV16: Coastal Planning

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.

In this case the development plan comprises: -

- National Planning Framework 4 (NPF4) (Adopted 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report. The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located within the development boundary of Arbroath. ALDP Policy DS1 states that all proposals will be expected to support delivery of the Development Strategy. It indicates that the focus of development will be sites allocated or otherwise identified for development within the local development plan, which will be safeguarded for the use(s) set out. It also indicates that 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.

The development strategy for Arbroath seeks to protect and enhance Arbroath's wide range of visitor assets and further develop tourism and recreation facilities and accommodation particularly along the seafront, redeveloping a number of sites and properties to support the Harbour and West Links. To that end, the application site is identified in the ALDP as an opportunity site (A7) for development for a hotel and possible complementary leisure, tourism or recreation use.

Opportunity Site A7 requires proposals to be in accordance with the approved Supplementary Guidance. The Supplementary Planning Guidance - Seaforth Hotel Site states that the preferred use for the site is a hotel or travel lodge type development. It indicates that other uses under Class 11 (assembly and leisure) may be acceptable where these complement existing provision of leisure or recreation facilities within the town.

The application seeks permission for a mixed use café and drive through development. A café and drive through is not a suitable hotel, leisure, tourism or recreation use. Furthermore, the proposal would compromise the ability to provide a land mark hotel or suitable alternative assembly or leisure development on the site, missing the opportunity to enhance Arbroath's range of visitor assets, and develop tourism and recreation facilities and accommodation along the West Links part of the seafront.

The proposed use is contrary to the Opportunity site A7 designation in the ALDP and the associated Supplementary Planning Guidance - Seaforth Hotel Site and would prejudice the Council's ability to deliver the Development Strategy for Arbroath. To this end, the proposal is also contrary to ALDP Policy DS1.

The physical characteristics of the proposed development also fall to be considered against development plan policies relating to design. Both NPF4 and the ALDP require development proposals to deliver a high design standard. Amongst other things they require consideration of local architectural styles, the drawing upon of 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. The Supplementary Planning Guidance indicates that this important seafront location presents a unique opportunity for regeneration with a vision to secure a land mark development that will complement the existing uses and be an attraction in its own right that enhances the wider area. The Supplementary Guidance articulates the Council's desire to secure a design solution which can make a positive contribution to this important seafront location.

The site occupies a prominent position on the south side of Dundee Road and previously occupied an art deco style hotel which was demolished following significant fire damage. The site sits within a significant expanse of open space lying between the residential area of Arbroath, located to the north of Dundee Road, and the sea front. This area is characterised by large areas of well-maintained open space, interspersed with leisure and tourism attractions and facilities. Most of these facilities are fairly utilitarian in their external appearance. Notwithstanding that, the Supplementary Guidance aspires to deliver a landmark development on this site that would enhance the sense of arrival to the town and the wider West Links area.

The standardised design of the proposed café and drive through, along with the associated array of signage and curtilage clutter that goes with national chain development of this nature would not constitute a design solution which draws upon existing landscape or townscape features that contribute positively to the character and sense of place in the surrounding area. It would not represent a land mark development that would be an attraction in its own right, and it would not make a positive contribution to this important seafront location. The redevelopment of the site in the manner proposed is contrary to development plan design policy, the A7 opportunity site designation and the associated Supplementary Guidance.

ALDP Policy TC17 and NPF4 Policy 27 establish the town centre first approach for commercial developments which will generate significant footfall. That approach seeks to direct such uses to the town centre. NPF4 27(d) indicates that drive-through developments will only be supported where they are specifically supported in the LDP. Further clarification on the application of Policy 27(d) is provided in a Chief Planner letter of 8 February 2023.

The application site is outwith the defined town centre and no information has been submitted to consider the impact of the development on the vibrancy, vitality, or viability of the town centre. While that impact may not be particularly significant, it is unquantified. The site is not allocated for drive-through development, or related retail or class 3 uses. The site is safeguard for hotel or assembly and leisure uses. The proposal does not attract support from the town centre first approach nor from NPF4 Policy 27(d).

While the submitted Transport Assessment indicates that the site is accessible by a range of modes of transport, and that the impact on the road network is acceptable, this does not address the fact that the drive through element of the development targets vehicular traffic only. NPF4 Policy 13 states that development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area. This must be balanced against the likelihood of the site attracting existing passing and linked trips, which the Transport Assessment states will constitute the majority of traffic movements, due to the location on the A92. On balance, it is not considered that the proposal would generate substantial levels of new traffic, and therefore does not significantly conflict with NPF4 Policy 13. The Roads Service has considered potential impact on the local road network and has offered no objection to the proposal subject to planning conditions to secure appropriate provision for multi modal parking.

The site is not subject of any designation for natural heritage and the proposal is unlikely to result in any significant direct or indirect impacts on the natural environment. The site is noted as being of archaeological interest having previously contained the art deco Seaforth Hotel. The building was demolished after fire damage and all that remains on site are some of the boundary walls. The archaeology service has previously commented that it doesn't anticipate any significant below ground archaeology is likely to survive and has advised that no archaeological mitigation is required. The proposal is unlikely to result in any significant impact on the cultural heritage.

The site is located within an area that is identified on SEPA flood maps as being at risk of surface water flooding. The application is supported by proposals for the management of foul and surface water drainage including arrangements for the sustainable management of surface water. The Council's Flood Prevention team have not commented, but previously offered no objection to the redevelopment of the site in relation to flooding and drainage.

In terms of contaminated land, the Environmental Health Service previously commenting on development on this site, offering no objection subject to a planning condition requiring a remedial strategy to mitigate any land contamination. This would be a suitable solution in this instance too.

The proposal is reasonably divorced from residential property and is unlikely to result in any significant impacts on residential amenity. The Environmental Health Service has suggested that planning conditions could be utilised to mitigate impacts associated with noise from plant or machinery.

It is acknowledged that the proposal would generate some employment which could work towards the aim of reducing inequalities in Arbroath. However, the proposal would provide a relatively small number of mostly low paid jobs. It would not diversify the offer currently available in Arbroath and may result in displacement of current spend/jobs in the area, including the town centre. The delivery of a hotel or other appropriate leisure use on the site could generate more jobs and could have greater economic benefit for the town and surrounding area.

It is also acknowledged that it would be beneficial for the site to be brought back into a purposeful use. NPF4 Policy 9 supports the sustainable re-use of brownfield sites. However, the site has been cleared and is not a significant blight on the surrounding area. The local development plan protects the site for a land mark development which is compatible with the recreation, leisure, and tourism function of the West Links area. The proposed development would not meet the aspirations of the policy and associated Supplementary Guidance and the benefit of redeveloping the site in the manner proposed does not outweigh the development plan requirement for the site to be safeguarded for hotel, leisure, tourism, or recreation use.

While the proposal conforms to some aspects of the development plan, the principle of the site being developed for a mixed-use café and drive through on land protected for hotel, leisure, tourism or recreation development is contrary to the development plan.

Turning to material considerations, the applicant's case is largely premised on the aspersion that the ALDP and the associated designation of the site is out of date, and therefore carries reduced material weight in the determination of planning applications. They also discount the materiality of the site-specific Supplementary Guidance that was prepared to guide and secure appropriate development at the site.

The ALDP remains the adopted local development plan. There is nothing in NPF4 which undermines the ALDP development strategy for Arbroath or the A7 opportunity site designation for a hotel and possible complementary leisure, tourism or recreation use. Furthermore, NPF4 Policy 27(d) does not support the development of a drive through proposal on a site identified for another purpose in the local development plan.

The applicant also contends that the proposal would support the visitor, tourism and recreational uses along the seafront and West Links part of Arbroath and would not prejudice the remainder of the site from delivering a future hotel development. They submit an indicative site masterplan in an attempt to illustrate this. The application is for a mixed-use café and drive through facility and does not include a hotel proposal. The indicative masterplan information submitted is not a reliable basis to be satisfied that adequate space would remain available for a hotel or other acceptable use on the remainder of the site. It is hard to see how the reduced area could deliver the type of land mark building envisaged by the site designation and associated supplementary guidance. The indicative masterplan information does not lend support to the proposal.

The application has attracted representations raising objections to the proposal. Those representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report. There is nothing in representations which alters the conclusions reached in the foregoing assessment.

The application proposes a mixed-use café and drive through development on a site which is explicitly identified for a hotel and possible complementary leisure, tourism or recreation use in the ALDP and associated supplementary guidance. While it is accepted that the site has been redundant for some time, this factor does not justify setting aside the aspiration for the site set out in policy and guidance. While NPF4 was adopted after the ALDP, there are no incompatibilities between the two that lend support to the proposal. The proposal is contrary to the development plan. There are no material considerations that justify approval of planning permission contrary to the provisions of the development plan.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general

interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Decision

The application is refused.

Reason(s) for Decision:

- 1. The proposal is contrary to the Opportunity Site A7 designation in the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the proposed café and associated drive through uses do not constitute a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2. The proposal is contrary to Policy DS3 and the Opportunity Site A7 designation of the Angus Local Development Plan (2016) and the associated Supplementary Planning Guidance Seaforth Hotel Site because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a landmark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a café and associated drive through would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Notes:

Case Officer: Ben Freeman
Date: 17 November 2023

Appendix 1 - Development Plan Policies

NPF4 – national planning policies

Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
- i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats:
- ii. wherever feasible, nature-based solutions have been integrated and made best use of;
- iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 9 Brownfield, vacant and derelict land and empty buildings

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for

development or the proposal is explicitly supported by policies in the LDP.

- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

Policy 11 Energy

- a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:
- i. wind farms including repowering, extending, expanding and extending the life of existing wind farms:
- ii. enabling works, such as grid transmission and distribution infrastructure;
- iii. energy storage, such as battery storage and pumped storage hydro;
- iv. small scale renewable energy generation technology;
- v. solar arrays;
- vi. proposals associated with negative emissions technologies and carbon capture; and
- vii. proposals including co-location of these technologies.
- b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.
- c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.
- e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:
- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
- ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable:
- iii. public access, including impact on long distance walking and cycling routes and scenic routes;
- iv. impacts on aviation and defence interests including seismological recording;
- v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- vi. impacts on road traffic and on adjacent trunk roads, including during construction;
- vii. impacts on historic environment;
- viii. effects on hydrology, the water environment and flood risk;
- ix. biodiversity including impacts on birds;
- x. impacts on trees, woods and forests;
- xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration:
- xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
- xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree

connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity.

Policy 12 Zero waste

- a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) Development proposals will be supported where they:
- i. reuse existing buildings and infrastructure;
- ii. minimise demolition and salvage materials for reuse;
- iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
- iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
- v. use materials that are suitable for reuse with minimal reprocessing.
- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
- i. provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross- contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.
- d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:
- i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;
- ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;
- iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
- iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
- v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
- vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
- i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
- ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.
- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
- ii. can demonstrate that a functional heat network can be created and provided within the site for

appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified:

- iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
- iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
- v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

Policy 13 Sustainable transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
- ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
- iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse

impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

Policy 14 Design, quality and place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 15 Local living and 20 minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- o sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- o employment;
- o shopping;
- o health and social care facilities;
- o childcare, schools and lifelong learning opportunities:
- o playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- o publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

Policy 18 Infrastructure first

- a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.
- b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

Policy 20 Blue and green infrastructure

- a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.
- b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multifunctional and well integrated into the overall proposals.

- c) Development proposals in regional and country parks will only be supported where they are compatible with the uses, natural habitats, and character of the park.
- d) Development proposals for temporary open space or green space on unused or under- used land will be supported.
- e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

Policy 22 Flood risk and water management

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.
- b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.
- c) Development proposals will:
- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;
- iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy 27 City, town, local and commercial centres

- a) Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.
- b) Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:
- i. will be supported in existing city, town and local centres, and
- ii. will not be supported outwith those centres unless a town centre first assessment demonstrates that:
- o all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable:
- o the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and
- o the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.
- c) Development proposals for non-retail uses will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. These uses include:

- i. Hot food takeaways, including permanently sited vans;
- ii. Betting offices; and
- iii. High interest money lending premises.
- d) Drive-through developments will only be supported where they are specifically supported in the LDP.

Town centre living

- e) Development proposals for residential development within city/town centres will be supported, including:
- i. New build residential development.
- ii. The re-use of a vacant building within city/ town centres where it can be demonstrated that the existing use is no longer viable and the proposed change of use adds to viability and vitality of the area.
- iii. The conversion, or reuse of vacant upper floors of properties within city/town centres for residential.
- f) Development proposals for residential use at ground floor level within city/town centres will only be supported where the proposal will:
- i. retain an attractive and appropriate frontage;
- ii. not adversely affect the vitality and viability of a shopping area or the wider centre; and
- iii. not result in an undesirable concentration of uses, or 'dead frontages'.
- g) Development proposals for city or town centre living will take into account the residential amenity of the proposal. This must be clearly demonstrated where the proposed development is in the same built structure as:
- i. a hot food premises, live music venue, amusement arcade/centre, casino or licensed premises (with the exception of hotels, restaurants, cafés or off licences); and/or
- ii. there is a common or shared access with licenced premises or other use likely to be detrimental to residential amenity.

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

0.6 ha of land at the Former Seaforth Hotel provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use. Development proposals should be in accordance with the approved Supplementary Guidance for this site updated as a Development Brief to reflect policies in this Local Development Plan. Surface water management measures may be required.

Proposals should provide supporting information including a Drainage Impact Assessment.

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 DS2: Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, laybys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- o appropriate planning obligations in line with Policy DS5 Developer Contributions.

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 TC10: Roadside Facilities

The provision of roadside facilities to meet the needs of road users will only be acceptable where they extend the range and quality of existing facilities.

On the A90(T), extended roadside facilities, including the provision for overnight lorry parking, will only be supported at the following existing facilities:

- o Brechin Castle Centre, which has direct access from the A935 to and from the A90(T);
- o Orchardbank Business Park, Forfar, at the junction with the A94; or
- o Stracathro Services.

New roadside facilities serving the A92 should be accommodated within existing development boundaries. Proposals in the open countryside will not be supported.

Policy TC17: Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

Policy TC20: Local Convenience Shops and Small Scale Retail

Within development boundaries, proposals for the development and improvement of local convenience shops* will not be subject to the sequential approach. Such proposals will be supported where they are not detrimental to the surrounding amenity and are in keeping with the townscape and pattern of development. Preference will be given to development proposals which effectively reuse or redevelop vacant or derelict land.

Outwith development boundaries, proposals for small scale retail development (around 500 m2) will only be supported where the proposal constitutes rural diversification and is ancillary to tourism, agricultural, equestrian, horticultural or forestry operations and where the proposal:

- o does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus;
- o is of a scale and nature in keeping with the character of the local landscape and pattern of development; and
- o is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, traffic levels, access or infrastructure.

Where planning permission is granted, conditions may be attached limiting the range of goods which can be sold.

*A local convenience shop is broadly defined as retailing drinks, tobacco, newspapers, magazines, food and confectionary which are purchased regularly for relative immediate consumption and measure 500 m2 gross floorspace or less and are located outwith defined town centre boundaries as identified within the Proposals Maps.

Policy PV6: Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and landmarks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- o the site selected is capable of accommodating the proposed development;
- o the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- o potential cumulative effects with any other relevant proposal are considered to be acceptable; and
- mitigation measures and/or reinstatement are proposed where appropriate.

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation areas in Angus will be set out in a Planning Advice Note.

Policy PV8: Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits: and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully in order to preserve or enhance the character and setting of the listed building.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.

Policy PV12 : Managing Flood Risk

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

- o on the functional floodplain;
- o 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:

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

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o 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 PV13 : Resilience and Adaptation

Development should not require an increase in the provision and / or maintenance of flood defences.

To increase resilience to the effects of climate change such as flood and drought, extreme weather events and rising sea levels Angus Council may require development proposals to incorporate adaptation measures including:

- o use of flood resistant materials and construction techniques;
- o removal of culverts and other engineering works where opportunity arises and avoidance of development over or requiring new culverts or other unnecessary engineering works unless there is no practical alternative;
- o minimising the area of impermeable surfaces by using permeable surfaces where possible for car parking and hard landscaping and where appropriate, green roofs and green infrastructure; and
- o natural flood management measures which reduce water flow and enhance biodiversity and the quality of the water environment. Such schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

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)

Policy PV16: Coastal Planning

The Coast is subject to natural and human pressures ranging from climate change to caravan parks. The environmental, economic and defensive role of the coast will be protected by Angus Council and development proposals will be assessed within the context of the Shoreline Management Plan (SMP) and relevant landscape capacity studies.

Development requiring new sea defences will not be supported and proposals should be directed to the

developed coast or be associated with existing development.

Within the undeveloped coast proposals will only be supported where there is:

- o a justifiable locational requirement for the development;
- o no conflict with designated or proposed marine heritage sites; and
- o no conflict with existing coastal protection works.

Areas liable to ground instability and at risk from current or future inundation as identified in the second SMP for Angus will be considered for managed realignment.

Angus Council will work with adjacent terrestrial and marine authorities as appropriate to promote coordinated coastal planning on and offshore and will consider development proposals within this context.

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.

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: 17/01048/FULL

To: Marston's Estates Ltd
c/o Mackay Planning
Scott Mackay
PO Box 12
145 Kilmarnock Road
Glasgow
G41 3JA

With reference to your application dated 11 January 2018 for planning permission under the above mentioned Acts and Regulations for the following development viz:-

Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works at Site Of Former Seaforth Hotel Dundee Road Arbroath for Marston's Estates 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 docqueted as relative hereto in paper or identified as approved on the Public Access portal.

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

- 1. That no development in connection with this planning permission shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) A scheme for the provision of the minimum number of parking spaces for bicycles, motorcycles, disabled users and car drivers. The submitted scheme shall ensure parking spaces are provided at the following minimum rates cars 80 spaces (including 5 disabled parking spaces); motor cycles 5 spaces; and bicycle parking 14 spaces. This shall include details of the lighting and signing of the bicycle parking. Thereafter the parking shall be provided in accordance with the approved details prior to the occupation or commencement of use of the building.
 - (b) Full elevational details of the means of site enclosure. Thereafter the approved boundary treatments shall be erected before occupation of the development.
- 2. That, prior to the occupation or use of the building, the proposed alterations to the public footway on Queens Drive shall be completed in accordance with the standards of Angus Council.
- 3. That the recommendations contained within the submitted Remedial Strategy and Method Statement Summary Report by enzygo (ref: SHF 413 003 Marston's Dundee Road, Arbroath) dated January 2018 shall be implemented upon commencement of the development. Prior to the occupation of the development a validation report confirming that all necessary remediation works have been undertaken shall be submitted to and approved in writing by the Planning Authority.

4. That the hard and soft landscaping illustrated on drawing no. SPP3014 P 001 Rev. A: Proposed Landscape Masterplan by Swan Paul Partnership Ltd dated December 2017 shall be implemented in full prior to the occupation or use of the building. Any plants or trees which within a period of 5 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.

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

- 1. In order to encourage sustainable, multi-modal means of travel and in order that the visual amenity of the area shall not be adversely affected.
- 2. To ensure a satisfactory standard of road construction in a timely manner.
- 3. In order to ensure there is no unacceptable risk of contaminated land to the prospective users of the site.
- 4. In order to assist the integration of the development within the wider landscape in the interests of the visual amenity of the area.

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

1. The proposed development will result in the redevelopment of a brownfield site for a tourist facility in a manner that complies with relevant policies of the development plan. There are no material considerations that justify refusal of the planning application.

Dated this 1 June 2018

Kate Cowey
Service Manager
Planning
Angus Council
Place
Angus House
Orchardbank Business Park
Forfar
DD8 1AN

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

Amendments:

1. Amended drawings were submitted on 2 and 3 May 2018. The amended drawings (4434/P404 Rev. I; 4434/P405 Rev. D; 4434/P406 Rev. F; 4434/P407 Rev. F and 4434/P408 Rev. B) make alterations to the appearance of the south elevation and the external areas adjacent to the south elevation of the building.

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
Place
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 Place Angus House Orchardbank Business Park Forfar DD8 1AN

Telephone 01307 473212 / 473207 / 473335

E-mail: <u>planning@angus.gov.uk</u>
Website: <u>www.angus.gov.uk</u>



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 Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, 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.



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

- 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 be found the national e-plannina site guidance can on 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 17/01048/FULL for Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works at Site Of Former Seaforth Hotel Dundee Road Arbroath for Marston's Estates Ltd dated 1 June 2018 and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:
Address:
De veu eur the land subject to the above nermission?
Do you own the land subject to the above permission?
If not, please provide the full name and address of the land owner:
il noi, pieuse provide me foil name and address of me fand 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 17/01048/FULL for Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works at Site Of Former Seaforth Hotel Dundee Road Arbroath for Marston's Estates Ltd dated 1 June 2018 and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, 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 Site Of Former Seaforth Hotel Dundee Road Arbroath

Notice is hereby given that planning permission has been granted subject to conditions to **Marston's Estates Ltd** on **1 June 2018**.

Application reference 17/01048/FULL

The development comprises Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works

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
Place
Angus House
Orchardbank Business Park
Forfar
DD8 1 AN

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

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 he	lp I needed to submit m	y application/re	epresentation:-	
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
Q.2 The Council ke	pt me informed	about the progress of th	ne application tl	nat I had an interest in:-	
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
Q.3 The Council de	ealt promptly wit	h my queries:-			
Strongly Agree	Agree	Neither Agree nor	Disagree	Strongly Disagree	It does not
		Disagree			apply
Q.4 The Council de	alt helpfully with	n my queries:-			
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
		Disagree			арріу
Q.5 I understand th	e reasons for th	e decision made on the	application the	nt I had an interest in:-	
Strongly Agree	Agree	Neither Agree nor	Disagree	Strongly Disagree	It does not
		Disagree			apply
Q.6 I feel that I was	treated fairly a	nd that my view point w	as listened to:-		
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not
		Disagree			apply
OVERALL SATISFACTION:	Overd	all satisfaction with the se	ervice:		
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	d Neither Satisfied Dissatisfied		ly Dissatisfied Ve	ry Dissatisfied
OUTCOME: Outcome of the application:					
Q.8 Was the application that you had an interest in:-					
Granted Permission/Co	onsent	Refused Permissi	on/Consent	Withdre	awn
Q.9 Were you the:-	Applicant	Agent		Third Party objector who	<u> </u>

ANGUS COUNCIL

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



PLANNING PERMISSION REFUSAL REFERENCE: 19/00954/FULL

To Euro Garages Group
c/o Clarendon Planning & Development Ltd
FAO Rachel Gee
5 Castle Terrace
Edinburgh
EH1 2DP

With reference to your application dated 10 January 2020 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works at Site Of Former Seaforth Hotel Dundee Road Arbroath for Euro Garages Group

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

The reasons for the Council's decision are:-

- The proposal is contrary to Policy A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the proposed roadside services facility is not a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- The proposal is contrary to policies DS3 and A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a land mark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3 The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a roadside service facility would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Amendments:

The application has not been subject of variation.

Dated this 1 May 2020

Kate Cowey - Service Leader Planning & Communities Angus Council 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
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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
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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 Place Angus House Orchardbank Business Park Forfar DD8 1AN

Telephone 01307 492076 / 492533 E-mail: <u>planning@angus.gov.uk</u> Website: www.angus.gov.uk



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
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may appeal to the Scottish Ministers to review the case under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of appeal should be addressed to Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, 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 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.



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 of the planning authority
 - a) to refuse permission for the proposed development;
 - b) to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c) to grant planning permission or any approval, consent or agreement 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 beginning with the date of this notice. The notice of review should be addressed to 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 website 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.

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.

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Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
Q.2 The Council ke	pt me informed	about the progress of the	e application that	at I had an interest in:-	
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not
		Disagree			apply
Q.3 The Council de	ealt promptly wit	th my queries:-			
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
		Disagree			арріу
Q.4 The Council de	ealt helpfully with	h my queries:-			
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not apply
		Disagree			арріу
Q.5 I understand th	e reasons for th	e decision made on the	application that	I had an interest in:-	
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not
		Disagree			apply
Q.6 I feel that I was	s treated fairly a	nd that my view point wa	as listened to:-		
Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	It does not
		Disagree			apply
OVERALL SATISFACTION:	Overa	all satisfaction with the se	rvice:		
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		nor Fairly	Dissatisfied Ver	y Dissatisfied
		Dissatisfied			
OUTCOME: Outcome of the application:					
Q.8 Was the application that you had an interest in:-					
Granted Permission/Co	onsent	Refused Permissio	n/Consent	Withdra	wn
Q.9 Were you the:-	Applicant	t Agent		nird Party objector who nade 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 Council

Application Number:	19/00954/FULL
Description of Development:	Erection of roadside services comprising petrol filling station, associated ancillary retail unit, drive-thru coffee shop and provision of related electricity meter kiosks, landscaping and works
Site Address:	Site Of Former Seaforth Hotel Dundee Road Arbroath
Grid Ref:	363511 : 740195
Applicant Name:	Euro Garages Group

Report of Handling

Site Description

The application site measures around 5600sqm and consists of a brownfield site which previously accommodated the Seaforth Hotel. Remnants of the original boundary walls of the original Seaforth House remain around the site but otherwise the site is clear. The site is located on the West Links which consists of a managed open space which runs from the harbour area of Arbroath at the east to the West Sands and is punctuated by a range of recreational uses (such as a cinema, children's indoor soft play area, arcades & amusements and a football ground). Other outdoor recreational activities including an outdoor play area, pitch & putt and children's carting are also found in the West Links Area.

Proposal

Planning permission is sought for the erection of a roadside services facility comprising a petrol filling station, associated retail unit and a drive-thru coffee shop. The proposal also includes access roads, parking, electricity charging meters and landscaping.

The site would be split into 2 distinct areas with a drive through coffee shop on the west side and the petrol filling station on the east side. The site would connect to Dundee Road (A92) via the existing site access onto Queens Drive at the north-west corner.

The coffee shop building would be located towards the south boundary of the site and orientated to face north towards the parking area. The north elevation of the building would be located around 48m from Dundee Road with the proposed car parking area intervening. The building would have a footprint of 215sqm and a flat roof with eaves height of 3.8m. The external materials would consist of a light brown membrane and timber effect panelling on external walls with large glazed panel sections. An external yard area would sit adjacent to the west elevation enclosed by panelling to integrate it into the building. The drive through facility would wrap around the east, south and west elevations of the building, with the drive through kiosk located on the south facing elevation.

The petrol filling station (PFS) would include a retail unit and parking area. The proposed canopy over the forecourt area would have a height of around 6.4m. The retail unit would have a footprint of 505sqm with a mono-pitch roof with a ridge height of 5.2m. The external materials would consist of light grey roofing panels and external walls comprising large glazing panels, off-white 'honey' coloured wall panelling and horizontal feature timber panels.

Foul drainage would be connected to the public drainage network. Surface water would be dealt with by a sustainable drainage (SUDS) system with 15 soakaways across the overall site and a separator system at the PFS forecourt.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 24 January 2020 for the following reasons:

Schedule 3 Development

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

Planning History

17/01048/FULL for Erection of Mixed Use Development of Hotel and Pub/Restaurant including Formation of Car Parking, Drainage Infrastructure, Landscaping and Associated Works was determined as "approved subject to conditions" on 1 June 2018.

06/01540/FUL for Erection of 17 Bedroom Hotel and 44 Unit Flatted Development was determined as "Refused" on 19 March 2007.

06/00356/FUL for Conversion of Seaforth House to form 5 Flats and Erection of a Residential Development Comprising of 46 Flats was determined as "Application Withdrawn" on 7 August 2006.

Applicant's Case

The Design & Access Statement provides an assessment of the site, covering site history, sun path and flood risk matters. It indicates that the design of the site has been sensitively considered to highlight the existing boundary walling, which is the last remaining artefact from the former Seaforth Hotel. It indicates that the proposed buildings represent a high quality, modern, clean aesthetic.

The Drainage Strategy Report provides details on the design of the proposed foul and surface water drainage systems for the development along with an assessment on the risk of flooding on the site. The report indicates the proposed development would have separate foul and surface water drainage systems. Foul drainage would discharge into the public network and surface water would infiltrate to ground through soakaways. Sustainable drainage systems (SuDS) would be used for the surface water design.

The Hotel Viability Report & Valuation provides a review of demand and a viability study on the assumption that certain schemes are granted consent and are constructed and operated by local operators. The result of the viability study indicates:-

- There is no corporate demand to operate a bar/hotel on the subject site.
- There is no corporate demand for a lodge style development.
- Although it is highly unlikely that there would be demand from a local operator, the local operator would
 either develop out the scheme as a restaurant/hotel or a lodge development on the assumption this
 would gain consent. However, on both scenarios the current site Market Value generates significant
 negative values.
- The detailed demand analysis and viability studies show the site is not commercially viable for a bar/hotel or lodge development.

The Planning Statement provides an assessment against policies of the development plan. That assessment acknowledges that the proposed development does not accord with the required land uses for the site as prescribed by the local development plan and supplementary guidance. The statement suggests that there are material considerations which justify approval of planning permission including the evidence submitted that illustrates that there is no operator demand for a hotel or leisure uses on the site and a hotel or travel lodge development is not commercially viable. It suggests that the site has remained vacant for 13 years and has the appearance of a derelict site which would be regenerated by the proposed development, making a positive contribution to the character and aesthetic of this important gateway into the town. The statement indicates that the roadside services would provide economic benefit through employment opportunities.

The Transport Statement provides an assessment of existing conditions, the proposed development, details on access by non-car modes and an assessment of trip generation. The statement indicates that the site

would be served via an improved access junction with Queens Drive that would connect to Dundee Road for vehicle and pedestrian movements. A swept path analysis has been undertaken which demonstrates that all required types of vehicle can safely access and manoeuvre within the site and around the drive-thru lane. The road accident data has been reviewed for the most recently available three-year road safety record for the area surrounding the site access and it is considered that the data does not demonstrate any pre-existing patterns or trends of incidents that could be affected by the development proposals. In order to quantify the potential land-use based trips that could be associated with the uses proposed the TRICS database has been utilised to generate anticipated vehicle movements. This assessment shows around 100 trips arriving and around the same departing in the busiest peak hour. The statement concludes that, on the basis of the assessment, there are no outstanding reasons why the proposed redevelopment of the site should not be granted planning permission on highways grounds.

The Arbroath Inequalities of Outcomes report was produced for Angus Community Planning Partnership in February 2017 and identifies communities experiencing significant inequalities of outcome across a wide range of indicators. The report seeks to determine how outcomes can be improved within communities so to reduce these inequalities. The report points out the themes of inequalities of outcomes to be considered within locality plans. This aims to assist in informing future decisions around how locality plans can improve outcomes for those living in our communities.

Consultations

Aberdeenshire Council Archaeology Service - Confirmed that no archaeological mitigation would be required for this site and offered no objection to the proposal.

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

Angus Council - Roads - Offered no objection subject to the attachment of conditions regulating a minimum number of multi modal parking spaces and the provision of details relating to access; road layout design, specification and construction, and surface water drainage arrangements.

Scottish Water - Offered no objection to the proposal.

Scottish Environment Protection Agency - Offered no objection to the proposed development on flood risk grounds.

Angus Council - Flood Prevention - Offered no objection subject to the attachment of a condition regulating surface water infrastructure.

Angus Council Environmental Health - Offered no objection subject to the attachment of conditions regulating noise levels from plant and machinery at the site and requiring remediation of contaminated land.

Angus Council - Economic Development Unit - Indicated that the proposal would utilise a currently unused site and provide a relatively small number of mostly low paid jobs. However, this would not diversify the offer currently available in Arbroath, despite bringing welcome development. The development may result in displacement of current spend/jobs in the area and would not contribute to additional benefits. The Service considers the opportunity and potential to develop this site as a hotel / leisure venue and the demand for such, outweighs the plans submitted in this proposal.

Representations

14 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 12 objected to the proposal and 2 supported the proposal.

The main points of concern were as follows:

- There is no need for another petrol filling station;
- A hotel is needed;
- The site is allocated for recreational/leisure use;

- A hotel/restaurant would attract tourism;
- Visual appearance/Impacts on the landscape;
- An insufficient number of electric vehicle charging points are provided.

The main points of support were as follows:

- Accurate hotel viability report submitted;
- Would provide for development of a prominent site;
- Would be a viable use for the site.

The matters are discussed in the Assessment Section below.

Development Plan Policies

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

Policy DS1: Development Boundaries and Priorities

Policy DS2: Accessible Development

Policy DS3: Design Quality and Placemaking

Policy DS4: Amenity

Policy TC10: Roadside Facilities Policy TC17: Network of Centres

Policy TC20: Local Convenience Shops and Small Scale Retail

Policy PV6: Development in the Landscape Policy PV8: Built and Cultural Heritage Policy PV12: Managing Flood Risk Policy PV13: Resilience and Adaptation Policy PV15: Drainage Infrastructure Policy PV16: Coastal Planning

Policy PV18: Waste Management in New Development

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 states that all proposals will be expected to support delivery of the Development Strategy. It indicates that the focus of development will be sites allocated or otherwise identified for development within the local development plan, which will be safeguarded for the use(s) set out. It indicates that 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.

The development strategy for Arbroath seeks to protect and enhance Arbroath's wide range of visitor assets and further develop tourism and recreation facilities and accommodation particularly along the seafront, redeveloping a number of sites and properties to support the Harbour and West Links. To that end, the application site is identified as an opportunity for development of a hotel and possible complementary leisure, tourism or recreation use in the local development plan.

Policy A7 indicates that the Former Seaforth Hotel site provides an opportunity for hotel and possible complementary leisure, tourism or recreation use and requires proposals to be in accordance with the

approved Supplementary Guidance. The Seaforth Hotel Site Supplementary Planning Guidance (hereafter referred to as 'the Supplementary Guidance') states that the preferred use for the site is a hotel or travel lodge type development. It also indicates that other assembly and leisure uses may be acceptable where these complement existing provision of leisure or recreation facilities within the town.

The provision of roadside services facility comprising a petrol filling station, associated retail unit and coffee shop with drive through facility would not constitute a suitable hotel, leisure, tourism or recreation use on the site. Furthermore, the development would result in the loss of the unique opportunity the site presents to provide a land mark hotel or suitable alternative assembly or leisure use which enhances Arbroath's range of visitor assets and develops tourism and recreation facilities and accommodation along the West Links part of the seafront.

The proposed use is contrary to Policy A7 and the Supplementary Guidance and would prejudice the Council's ability to deliver the Development Strategy for Arbroath. To this end, the proposal is also contrary to the relevant provisions of Policy DS1 in the ALDP.

In addition to providing guidance on appropriate land use for the site, the Seaforth Hotel Site Supplementary Planning Guidance also provides direction on what development on the site should achieve in terms of design and placemaking. It indicates that this important seafront location presents a unique opportunity for regeneration with a vision to secure a land mark development that will complement the existing uses and be an attraction in its own right that enhances the wider area. The Supplementary Guidance articulates the Council's desire to secure a design solution which can make a positive contribution to this important seafront location.

The physical characteristics of the proposed development also fall to be considered against Policy DS3. Policy DS3 requires development proposals to 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.

The site occupies a prominent position on the south side of Dundee Road and previously occupied an art deco style hotel which was demolished following significant fire damage. The site sits within a significant expanse of open space lying between the residential area of Arbroath, located to the north of Dundee Road, and the sea front. This area is characterised by large areas of well maintained open space, interspersed with leisure and tourism attractions and facilities. Most of these facilities are fairly utilitarian in their external appearance. Notwithstanding that factor, the Supplementary Guidance aspires to deliver a land mark development on the former Seaforth Hotel site that would enhance the sense of arrival to the town and the wider West Links area.

Whilst it is accepted that the site has been redundant for some time, this factor does not justify setting aside the clear and specific policy guidance that has been formulated for the site, or it's aspiration to deliver a high quality land mark development. The appearance of a petrol filling station and the utilitarian nature of a garage forecourt with fuel pumps, a large flat roof forecourt canopy and the associated array of signage that goes with that type of development would not constitute a design solution which draws upon existing landscape or townscape features that contribute positively to the character and sense of place in the surrounding area. It would not represent a land mark development that would be an attraction in its own right and would not make a particularly positive contribution to this important seafront location. As such, the redevelopment of the site in the manner proposed is contrary to policies DS3 and A7 of the local development plan and the associated Supplementary Guidance.

The proposal is contrary to the development plan for the reasons detailed above. For completeness, an assessment against other policies is provided below.

Policy TC10 deals with roadside facilities and indicates the provision of roadside facilities to meet the needs of road users will only be acceptable where they extend the range and quality of existing facilities. It indicates that new roadside facilities serving the A92 should be accommodated within existing development boundaries.

While Arbroath is reasonably well served by petrol filling stations (PFS), the proposal raises no significant conflicts against what Policy TC10 is seeking to achieve. The proposed PFS retail unit would have a gross

retail floor area of around 360sqm. While this is larger than the policy promotes as 'meeting the reasonable needs of travellers' (usually limited to 200sqm), it could also act as a local convenience shop for which there is scope under Policy TC20. The proposed coffee shop with drive through facility can also be considered as catering provision to meet the reasonable needs of travellers. Other similar roadside services developments have been granted planning permission in Forfar and Montrose, albeit they were not on sites which are protected for hotel, leisure, tourism and recreation uses. The development is unlikely to result in any significant impact on the vibrancy, vitality or viability of the town centre

The site is not subject of any designation for natural heritage and the proposal is unlikely to result in any significant direct or indirect impacts on the natural environment. The site is noted as being of archaeological interest having previously contained the art deco Seaforth Hotel. The building was demolished after fire damage and all that remains on site are some of the boundary walls. The archaeology service has commented that it doesn't anticipate any significant below ground archaeology is likely to survive and has advised that no archaeological mitigation is required. The proposal is unlikely to result in any significant impact on the cultural heritage.

The site is located within an area that is identified on SEPA flood maps as being at risk of surface water flooding. The application is supported by proposals for the management of foul and surface water drainage including arrangements for the sustainable management of surface water. Both SEPA and the Council's Roads Flooding Service have been consulted on the application and have offered no objection to the proposal in relation to flooding and drainage. In terms of contaminated land, the Environmental Health Service offered no objection to the proposal subject to the attachment of a planning condition requiring a remedial strategy to mitigate any land contamination.

The proposal is reasonably divorced from residential property and is unlikely to result in any significant impacts on residential amenity. The Environmental Health Service has suggested that planning conditions could be utilised to mitigate impacts associated with noise from plant or machinery.

The application is supported by a transport assessment which indicates that there are no outstanding reasons why the proposed development should not be granted permission on highways grounds. The Roads Service has considered potential impact on the local road network and has offered no objection to the proposal subject to planning conditions to secure appropriate provision of multi modal parking spaces and the timeous provision of all roads and drainage infrastructure within the site.

While the proposal conforms to some aspects of the development plan, the principle of the site being developed for roadside services on land protected for hotel, leisure, tourism or recreation development is contrary to the development plan. That conflict with the development plan is acknowledged in the applicant's planning statement.

The applicant has raised a number of material planning considerations which are relevant to the assessment of the application and are addressed below.

Information is submitted suggesting that planning permission should be granted for the development because there is no demand to operate a bar/hotel or lodge style development on the site and because such a use is not commercially viable.

Interest in developing the site for hotel, tourism, recreation or leisure use is evidenced by the application for planning permission for a hotel and pub/restaurant granted in June 2018. While that development has not commenced in the relatively short period since the grant of planning permission, it is not unreasonable to anticipate that over the 10-year period of the local development plan, demand for land for a hotel and complementary leisure, tourism or recreation use is likely to fluctuate.

While the applicant suggests that the 2 forms of development they have modelled are not commercially viable, the information does not demonstrate that an alternative model of accommodation would not be viable; nor an alternative mix of accommodation and/or tourism, recreation or leisure use(s) which meets the aims of the policy and supplementary guidance.

The applicant also suggests that planning permission should be granted because the site is derelict and has remained vacant and unused for 13 years. They suggest that the development would result in a

significant environmental improvement contributing positively to the appearance of this important gateway into Arbroath town centre. They contend that the proposal would provide much needed employment in Arbroath and suggest that the proposal gains support from the Scottish Planning Policy (SPP). A copy of the Arbroath – Inequalities of Outcomes Report produced in February 2017 was also provided by the applicant.

It is acknowledged that it would beneficial for the site to be brought back into a purposeful use. However, the site has been cleared and is not a significant blight on the surrounding area. The local development plan protects the site for a land mark development which is compatible with the recreation, leisure and tourism function of the West Links area. The proposed development would not meet the aspirations of the policy and associated Supplementary Guidance and the benefit of redeveloping the site in the manner proposed does not outweigh the development plan requirement for the site to be safeguarded for hotel, leisure, tourism or recreation use.

It is acknowledged that the proposal would generate some employment which could work towards the aim of reducing inequalities in Arbroath. However, as noted by the Council's Economic Development Unit, the proposal would provide a relatively small number of mostly low paid jobs. It would not diversify the offer currently available in Arbroath and may result in displacement of current spend/jobs in the area. The Economic Development Unit considers the opportunity and potential to develop the site as a hotel / leisure venue and the demand for such, outweighs the plans submitted in this proposal.

The applicant indicates that Scottish Planning Policy is the most relevant material consideration in the determination of the proposed development. While SPP introduces a presumption in favour of development that contributes to sustainable development, it indicates that this does not change the statutory status of the development plan. The development plan is up to date and was adopted in 2016 taking account of the SPP (2014). There is nothing in the SPP which justifies the grant of planning permission contrary to the development plan.

In relation to other material considerations it is relevant to note that a number of representations have been submitted in relation to the proposal. Those representations are material in so far as they relate to relevant planning matters and have been taken into account in the preparation of this report.

Third parties have raised concern that the development would result in the loss of land safeguarded for a hotel or suitable leisure use. That matter is discussed above and the proposal is contrary to development plan policy. Information submitted by the applicant indicates there is no demand for a hotel at the site and suggests that a development of that nature is not viable. However, there is an extant permission for a hotel development granted in 2018 and while that has not been implemented in the relatively short period of time since it was granted, it is reasonable to anticipate that demand can fluctuate over the 10 year period of the local development plan. It is an important component of the development strategy for Arbroath to protect and enhance Arbroath's wide range of visitor assets and further develop tourism and recreation facilities and accommodation particularly along the seafront. The safeguarding of the site for suitable hotel, leisure, tourism or recreation use is a key element of that strategy and the site represents the only available area along the seafront of sufficient size to secure that vision.

The proposal is contrary to the development plan. There are no material considerations that justify approval of planning permission contrary to the provisions of the development plan.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is refused

Reason(s) for Decision:

- 1. The proposal is contrary to Policy A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the proposed roadside services facility is not a suitable use on a site safeguarded for hotel and/or leisure, tourism or recreation use.
- 2. The proposal is contrary to policies DS3 and A7 of the Angus Local Development Plan (2016) and the associated Seaforth Hotel Site Supplementary Planning Guidance because the appearance of the proposed development would not constitute a design solution which would contribute positively to the character and sense of place in the surrounding area; and because the proposal would not meet the aspiration of the Supplementary Guidance to provide a land mark hotel and/or leisure, tourism or recreation development in an important seafront location.
- 3. The proposal is contrary to Policy DS1 of the Angus Local Development Plan (2016) and the Development Strategy for Arbroath because the site is safeguarded for hotel and/or leisure, tourism or recreation use; and because the development of the site for a roadside service facility would not protect and enhance Arbroath's wide range of visitor assets or develop tourism and recreation facilities and accommodation along the seafront.

Notes:

Case Officer: Fraser MacKenzie Date: 29 April 2020

Appendix 1 - Development Plan Policies

Angus Local Development Plan 2016

A7 Opportunity Site - Former Seaforth Hotel

0.6 ha of land at the Former Seaforth Hotel provides an opportunity for a hotel and possible complementary leisure, tourism or recreation use. Development proposals should be in accordance with the approved Supplementary Guidance for this site updated as a Development Brief to reflect policies in this Local Development Plan. Surface water management measures may be required.

Proposals should provide supporting information including a Drainage Impact Assessment.

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 DS2: Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- o are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, laybys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- appropriate planning obligations in line with Policy DS5 Developer Contributions.

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 TC10: Roadside Facilities

The provision of roadside facilities to meet the needs of road users will only be acceptable where they extend the range and quality of existing facilities.

On the A90(T), extended roadside facilities, including the provision for overnight lorry parking, will only be supported at the following existing facilities:

- o Brechin Castle Centre, which has direct access from the A935 to and from the A90(T);
- o Orchardbank Business Park, Forfar, at the junction with the A94; or
- Stracathro Services.

New roadside facilities serving the A92 should be accommodated within existing development boundaries. Proposals in the open countryside will not be supported.

Policy TC17: Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

Policy TC20: Local Convenience Shops and Small Scale Retail

Within development boundaries, proposals for the development and improvement of local convenience shops* will not be subject to the sequential approach. Such proposals will be supported where they are not detrimental to the surrounding amenity and are in keeping with the townscape and pattern of development.

Preference will be given to development proposals which effectively reuse or redevelop vacant or derelict land.

Outwith development boundaries, proposals for small scale retail development (around 500 m2) will only be supported where the proposal constitutes rural diversification and is ancillary to tourism, agricultural, equestrian, horticultural or forestry operations and where the proposal:

- o does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus;
- o is of a scale and nature in keeping with the character of the local landscape and pattern of development; and
- o is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, traffic levels, access or infrastructure.

Where planning permission is granted, conditions may be attached limiting the range of goods which can be sold.

*A local convenience shop is broadly defined as retailing drinks, tobacco, newspapers, magazines, food and confectionary which are purchased regularly for relative immediate consumption and measure 500 m2 gross floorspace or less and are located outwith defined town centre boundaries as identified within the Proposals Maps.

Policy PV6: Development in the Landscape

Angus Council will seek to protect and enhance the quality of the landscape in Angus, its diversity (including coastal, agricultural lowlands, the foothills and mountains), its distinctive local characteristics, and its important views and land marks.

Capacity to accept new development will be considered within the context of the Tayside Landscape Character Assessment, relevant landscape capacity studies, any formal designations and special landscape areas to be identified within Angus. Within the areas shown on the proposals map as being part of 'wild land', as identified in maps published by Scottish Natural Heritage in 2014, development proposals will be considered in the context of Scottish Planning Policy's provisions in relation to safeguarding the character of wild land.

Development which has an adverse effect on landscape will only be permitted where:

- o the site selected is capable of accommodating the proposed development;
- o the siting and design integrate with the landscape context and minimise adverse impacts on the local landscape;
- o potential cumulative effects with any other relevant proposal are considered to be acceptable; and
- o mitigation measures and/or reinstatement are proposed where appropriate.

Landscape impact of specific types of development is addressed in more detail in other policies in this plan and work involving development which is required for the maintenance of strategic transport and communications infrastructure should avoid, minimise or mitigate any adverse impact on the landscape.

Further information on development in the landscape, including identification of special landscape and conservation areas in Angus will be set out in a Planning Advice Note.

Policy PV8: Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated:
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully in order to preserve or enhance the character and setting of the listed building.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.

Policy PV12: Managing Flood Risk

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

- o on the functional floodplain;
- o 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:

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

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o 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 PV13: Resilience and Adaptation

Development should not require an increase in the provision and / or maintenance of flood defences.

To increase resilience to the effects of climate change such as flood and drought, extreme weather events and rising sea levels Angus Council may require development proposals to incorporate adaptation measures including:

use of flood resistant materials and construction techniques;

- o removal of culverts and other engineering works where opportunity arises and avoidance of development over or requiring new culverts or other unnecessary engineering works unless there is no practical alternative;
- o minimising the area of impermeable surfaces by using permeable surfaces where possible for car parking and hard landscaping and where appropriate, green roofs and green infrastructure; and
- o natural flood management measures which reduce water flow and enhance biodiversity and the quality of the water environment. Such schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

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)

Policy PV16: Coastal Planning

The Coast is subject to natural and human pressures ranging from climate change to caravan parks. The environmental, economic and defensive role of the coast will be protected by Angus Council and development proposals will be assessed within the context of the Shoreline Management Plan (SMP) and relevant landscape capacity studies.

Development requiring new sea defences will not be supported and proposals should be directed to the developed coast or be associated with existing development.

Within the undeveloped coast proposals will only be supported where there is:

- o a justifiable locational requirement for the development;
- o no conflict with designated or proposed marine heritage sites; and
- o no conflict with existing coastal protection works.

Areas liable to ground instability and at risk from current or future inundation as identified in the second SMP for Angus will be considered for managed realignment.

Angus Council will work with adjacent terrestrial and marine authorities as appropriate to promote coordinated coastal planning on and offshore and will consider development proposals within this context.

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.

Policy PV18: Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.















