

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 09 APRIL 2019**

**PLANNING APPLICATION – PITSKELLY PARK, BARRY ROAD, CARNOUSTIE**

**GRID REF: 355027 : 734692**

**SERVICE LEADER – PLANNING & COMMUNITIES**

**Abstract:**

This report deals with planning application No. 18/00579/FULL for the erection of a new build early learning & childcare centre, associated works and improvements to existing open space for Angus Council at Pitskelly Park, Barry Road, Carnoustie. This application is recommended for conditional approval.

**1. RECOMMENDATION**

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

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

**3. INTRODUCTION**

3.1 Full planning permission is sought for the 'Erection of New Build Early Learning and Childcare Centre, Associated Works and Improvements to Existing Open Space' for Angus Council at Pitskelly Park, Barry Road, Carnoustie. A plan showing the location of the site is provided at Appendix 1.

3.2 The proposed early learning and childcare centre (ELCC) would be located within Pitskelly Park on a 2,200sqm grassed area of ground between an area of woodland to the north, east and west and playing fields to the south. The application site also incorporates an area of woodland to the north measuring around 1,500sqm extending towards the McBride Drive housing area.

3.3 The proposed building would accommodate a new ELCC. The building would have a footprint of approximately 1,100sqm and would be accessed at first floor level from Pitskelly Road via a new walkway to the east. The majority of the accommodation provided would be located on the ground floor of the proposed building which would sit at a lower level than Pitskelly Road. The building would contain both two storey and single storey sections and would provide flexible learning spaces. The building would have an overall height of approximately 7m and the single storey aspect would be around 3.5 metres high. The two storey section would have a pitched roof and the single storey section would have a flat sedum green roof. The supporting statement indicates that the external finishes of the building would include a mix of sedum green roofing, zinc effect cladding, Scottish larch and off white cladding. The south elevation would be largely clad in glass with a solar canopy providing shelter to the south elevation. A small plant room building is identified on the plans to the immediate north of the main building but elevations of the structure have not been provided. The building would connect to the public drainage network with surface water directed to sustainable drainage (SUDS). The proposed SUDS would be in the form of drainage crates which would be underground to the south of the building and adjacent to the sports pitches.

- 3.4 The external space around the building would consist of a mixture of hard and soft landscaped areas. 21 trees would be removed with 29 replacement trees planted. An area of woodland to the north of the building measuring around 1,500sqm would be incorporated into the site and would be surrounded by a new 1.8m powder coated welded mesh panel fence.
- 3.5 The parking area on the east side of Pitskelly Road to the south of Laing Park Football Ground would be improved to provide a parking and drop off location. 57 spaces would be available and a new pedestrian crossing point is proposed adjacent to the car park to enable safe crossing to the new building. New pavements, bin storage areas and accessible parking are also proposed.
- 3.6 The proposal also involves improvements to the BMX track located within the Pitskelly Old Tip Area (to the east) and the formation of two exercise areas – one in the open space to the north of Lochend Road and one in Pitskelly Park to the east of the Health Centre – which would link into the existing path networks in the open spaces and create a new circular route.
- 3.7 The application has been varied to alter the design and location of the ELC building (relocating it further to the south) and to include new grass reinforcement service vehicle access, relocation of the bin store and to provide a new area of pavement.
- 3.8 The application has been subject of statutory neighbour notification and was advertised in the press as required by legislation. Following changes to the application, neighbouring properties were re-notified of the proposal.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 There is no planning history which is relevant to the current application.

#### **5. APPLICANT'S CASE**

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

- Design Statement (including detailed appendices);
- Bat Survey;
- Transport Statement;
- Tree Works Plan (identifying 21.no. trees to be felled and 29 replaced).

- 5.2 The supporting information is available to view on the Council's Public Access system and is summarised at Appendix 2 below.

#### **6. CONSULTATIONS**

- 6.1 **Angus Council – Roads** – has considered the application in terms of the traffic likely to be generated by it; and its impact on the public road network. The Roads Service commented that site is readily accessible by all modes of transport except for pedestrians. Footway improvements, including a direct pedestrian link to the nearby health centre and pharmacy are to be provided. The Roads Service offers no objection subject to a number of conditions requiring the installation of footways; the deletion of the drop off layby on Pitskelly Road; the provision of a scheme for the provision of waiting and stopping restrictions on Pitskelly Road; provision of additional cycle parking; and a scheme of improvements to the car park/drop off area including lighting and resurfacing.
- 6.2 **Angus Council – Environmental Health** – has not objected to the proposal in respect of amenity impacts subject to planning conditions to control noise from plant equipment, details of ventilation systems being provided, restrictions on delivery hours, external lighting and noise associated with construction. In respect of contaminated land, Environmental Health has indicated that the land may have been upfilled in the past and has recommended that some consideration is given to the risk from landfill gas migrating from the neighbouring landfill area. A condition is proposed to address this.
- 6.3 **Angus Council – Flooding / Drainage**– has no objections subject to further surface water drainage information being provided. It has confirmed that this could be secured by planning condition.

- 6.4 **Angus Council – Parks & Burial Grounds** – No objection. Indicated that the building would be located in a corner of the playing fields within Pitskelly Park. This park is identified in the Angus Local Development Plan as protected open space, as are the adjacent artificial pitch, Laing football park, the BMX track and the woodland on the former landfill site. The proposed enhancement works to the BMX track and the development of a cohesive exercise circuit would enhance the existing leisure facilities and result in an increased quality score as requested in the Angus Open Space Audit. Requested that the specific details of the works to the improvements to the open space be a condition of the planning permission. With regards to the tree works and replanting proposals, Parks & Burial Grounds is in agreement with the indicated tree protection zone and fence and consider that the replanting scheme is acceptable. Commented that the woodland would enhance the outdoor learning aspect for children in the ELCC .
- 6.5 **Sportscotland** – has not objected to the proposal. Noted that the proposed SUDS is close to the southern boundary of the site and that this would be in the form of drainage crates which will be underground, with the ground being reinstated level with the playing field. Sportscotland considers that the proposed SUDS scheme can, if appropriately constructed, not have an adverse long term impact on the pitch area and requested a condition requiring a detailed SUDS plan; a mitigation scheme during construction; and a pre and post survey of the drainage area to ensure no adverse impacts on the sports pitches.
- 6.6 **Scottish Water** – has not objected to the proposal and has advised that there is currently sufficient capacity at its water and waste water treatment works for the proposed development.
- 6.7 **Angus Council – Transport** – No response was received at the time of report preparation.
- 6.8 **Community Council** – No response was received at the time of report preparation.

## 7. REPRESENTATIONS

- 7.1 14 letters of representation have been received. The letters will be circulated to Members of the Development Standards Committee and a copy will be available to on the council's Public Access website.
- 7.2 The following matters have been raised in relation to the application and are discussed under Planning Considerations below: -
- Impacts of construction process on use of park and access for local football club (including car park);
  - Road traffic and pedestrian safety impacts including lack of lighting in the car park, lack of pavement improvements, inadequate crossing points;
  - Lack of neighbour notification / publication of application;
  - Potential amenity impacts (light pollution, noise and smell, privacy);
  - Concern over loss of open space and community woodland;
  - Other more suitable sites are available in Carnoustie;
  - Lack of information relating to finished floor levels relative to houses at McBride Drive and proposals for existing car park;
  - Concerns relating to the safety of the proposed wetland planting adjacent to the proposed ELCC;
  - Visual impact associated with the design of building and bin storage;
  - Redevelopment of old BMX track would remove activity space used by children in neighbourhood;
  - Queries why exercise area is so far from the nursery;
  - Queries the content of the transport statement;
  - Other concerns in the area (dog fouling) that should be addressed.

## 8. PLANNING CONSIDERATIONS

- 8.1 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.
- 8.2 In this case the development plan comprises:-

- TAYplan
  - Angus Local Development Plan (ALDP) (Adopted 2016)
- 8.3 As the application is not of strategic significance the policies of TAYplan are not referred to in this report and the policies of the Angus Local Development Plan form the main basis for the consideration of the proposal. The relevant policies of the Angus Local Development Plan are reproduced at Appendix 3.
- 8.4 Policy DS1 states that the focus of development will be sites allocated or otherwise identified for development within the ALDP, which will be safeguarded for the use(s) set out. It suggests that proposals for alternative uses will only be acceptable where they do not undermine the provision of a range of sites to meet the developmental needs of the plan area.
- 8.5 Policy TC8 indicates that the Council will encourage the retention and improvement of public facilities including schools. It indicates that new community facilities should be accessible and of an appropriate scale and nature for the location. Where it is appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.
- 8.6 The site proposed for the new ELCC is located within Pitskelly Park, around 1.2km west of Carnoustie town centre. Information has been submitted which considers and discounts a range of alternative sites for a number of reasons including land contamination, cost, traffic constraints and flood risk. None of the sites considered were within the defined town centre area and there is no information available to suggest there would be a suitable site available in that location. Other education facilities within Carnoustie are located outside of the town centre and the proposed site is considered to be appropriate for this type of facility.
- 8.7 The proposed site is accessible by walking, cycling and public transport as well as for vehicles from the adjacent road network. The Transport Assessment submitted proposes a number of improvements to pedestrian access including a new crossing point from the car park on the east side of Pitskelly Road; new sections of footway alongside Pitskelly Road linking the development to Barry Road; and enhanced paths through Pitskelly Park towards the health centre. The site selected is reasonably accessible and is compatible with the locational tests of Policy TC8.
- 8.8 The development proposed would directly affect an area of protected open space in Pitskelly Park through construction of the new building and by enclosing an area of woodland to the north into its curtilage. The local development plan seeks to protect open spaces from development which might erode the function or characteristics for which they are valued. Policy PV2 indicates that development involving the loss of open space will only be permitted in limited circumstances including (i) where the development is ancillary to the principal use of the site as a recreational resource; or (ii) it is demonstrated that there is an excess of open space of that type to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or (iii) the retention or enhancement of existing facilities in the area can be best achieved by the redevelopment of part of the site where this would not affect its value or compromise its setting; or (iv) replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided in the local area.
- 8.9 The Council's Open Space Audit identifies the function and characteristics of Pitskelly Park as a 3HA area containing an equipped neighbourhood park; playing fields and woodland. The Audit provides recommendations for the park which includes resurfacing of paths; the creation of a circular path for people to use the site all year round; increased planting and filling gaps in hedging; and improvements to entrances to the park.
- 8.10 The proposed building would be located within an open area of the park which sits to the north of the playing fields and is surrounded by woodland planting to the north, east and west. The loss of this 2200sqm grassed area would not significantly erode the function or characteristics for which Pitskelly Park is valued and the playing fields and equipped neighbourhood park would be unaffected by the operation of the ELCC. An area of around 1500sqm of woodland to the north of the proposed building extending towards McBride Drive would be fenced off from the park to provide woodland trails and educational areas for the new early years centre. This area would continue to function as open space for children using the early years centre and there would be in excess of 8000sqm of woodland within Pitskelly Park which would be unaffected by the proposal. Sportscotland has offered no objection to

the proposal provided further information is submitted to demonstrate that the proposed surface water drainage arrangements would not adversely impact on the adjacent sports pitches (including pre and post development assessments of the area adjacent to the sports pitches). The Council's Parks and Burial Grounds Service has offered no objection to the development subject to the carrying out of enhancement works to the BMX track within the Pitskelly Old Tip Area; and the development of a cohesive exercise circuit in Pitskelly Park and the Pitskelly Old Tip area. Those works would enhance the function and characteristics of both Pitskelly Park and Pitskelly Old Tip Area to the east.

- 8.11 It is considered that the loss of around 2200sqm of open space to allow for the ELCC would not erode the function or characteristics for which Pitskelly Park is valued. Any minor tension with the strict wording of Policy PV2 is justified by the community benefit of providing a new ELCC and the improvements elsewhere in Pitskelly Park and the Old Pitskelly Tip recreation area.
- 8.12 A Transport Statement has been submitted in support of the planning application. That document considers the accessibility of the site for modes of traffic other than the private car and the capacity of the road network to accommodate traffic associated with the development. It concludes that the site is well located in relation to neighbouring residential areas and that there are established pedestrian links to the site which should be enhanced. That would include provision of additional paths alongside Pitskelly Road linking to Barry Road and through Pitskelly Park towards the Health Centre; as well as a new pedestrian crossing point from the upgraded car park/drop of point to the east of Pitskelly Road (which would contain 57 spaces). The Roads Service has reviewed the Transport Statement and accepts that there is capacity in the local road network to accommodate the development. It has requested a number of additional measures including waiting and stopping restrictions on Pitskelly Road in the vicinity of the proposed ELCC and the provision of disabled spaces within the upgraded car park. The site would benefit from good accessibility and would provide safe and suitable access arrangements.
- 8.13 There are residential properties adjacent to the northern boundary of the site on McBride Drive. The closest house would be approximately 40m from the proposed building but there would be an area of woodland between the building and those properties. Whilst 21 trees would be removed to accommodate the development, they would mainly be located close to the building and pedestrian access onto Pitskelly Road to the east and would have little impact on the screening from the housing to the north. Additional planting would be provided to compensate for those trees that would be removed. The distance between the proposed building and residential properties is comparable to the relationship between other schools and neighbouring residential property. Having regard to the separation distances involved and the likely hours of operation of the ELCC, impacts in relation to loss of privacy and amenity are not significant. Due to the distances involved and design of the building there are no windows associated with the new building that would result in any significant overlooking of neighbouring property. The building would not result in any significant overshadowing or overbearing impacts in relation to neighbouring property. The outdoor woodland area would be close to residential properties but its use would take place during daytime hours and would not result in significant amenity impacts. Car parking would be provided to the east of Pitskelly Road and this would also reduce amenity impacts on neighbouring properties to the north. The Environmental Health Service has considered the proposal and offered no objection subject to planning conditions to regulate external lighting, extraction equipment and associated noise from plant and machinery. The proposal represents a fairly sizeable development in an area that is close to housing. A condition is therefore proposed which seeks to control noise limits associated with the construction process in order to minimise impact on nearby residents.
- 8.14 The proposed building is mainly single storey with a smaller two storey section to the north east of the building. The site is reasonably well screened by woodland to the north, west and east. It would be open to the south but when viewed from that angle it would benefit from a backcloth of woodland. The site sits at a lower level than the housing to the north and Pitskelly Road to the east and the building would sit comfortably within the site without any significant visual impacts. The proposed external materials would result in a modern but high quality finish for the building. The design of the building is considered to be acceptable for this location and in accordance with the guidance provided in the Council's Design and Placemaking Supplementary Guidance.
- 8.15 The proposed foul drainage connection to the public sewer is appropriate and Scottish Water

has confirmed capacity for the development. The proposed underground drainage crates for the management of surface water is acceptable in principle, but further information is required to ensure that this form of drainage would not adversely impact on the adjacent sports pitches.

- 8.16 The site is not designated for any natural heritage reasons. A Bat Survey was submitted in support of the application because 21 trees are proposed to be removed. This survey confirmed no trees with bat roost potential are proposed to be felled and the proposal would result in no unacceptable impacts on the natural environment.
- 8.17 The proposal is compatible with development plan policy subject to the proposed planning conditions.
- 8.18 A number of issues have been raised in the submitted letters of representation and those have been taken into account in the preparation of this report. The substantive issues and material planning considerations raised in those letters have been considered above. Issues raised regarding road traffic and pedestrian safety have been considered by the Roads Service and it is satisfied that the proposal does not give rise to any significant issues in terms of safety or accessibility. The provision of new and upgraded footpaths and the new crossing point on Pitskelly Road would improve pedestrian safety in the area. The proposal includes provision for car parking and stopping restrictions to reduce impacts associated with traffic movements on Pitskelly Road. Detailed information on surface water drainage has not been submitted but the Roads Service is satisfied that there is no reason that it could not be appropriately delivered. The plans highlight a rainwater garden play area and concerns were raised regarding safety. The applicant has confirmed that this area within the grounds of the ELCC would be a damp grassed area with perennial flowers and that there would not be areas of open water. This area would not be accessible to children outwith the operation of the building, which would be fenced off from the adjacent play area.
- 8.19 With regards to street lighting, the applicant has indicated that a street lamp already exists close to the proposed crossing point at Pitskelly Road but lighting improvements to the car parking area are sought by planning condition. The application does not include details of external lighting associated with the building but the Environmental Health Service has requested that amenity impacts associated with artificial lighting are regulated via planning condition. Neighbour notification has been carried out in accordance with the relevant regulations and the application has been advertised in the press. Some concern has been raised that the exercise areas are located away from the school but they are not intended to serve the school but are for wider public use within the park. The construction compound would be primarily located within the proposed ELCC site with a small area of the adjacent car park utilised. The majority of that car park would not be affected during the construction process and would continue to be available for parking. Issues relating to other matters such as dog fouling are not material planning considerations. There are no material planning considerations raised in the representations that cannot be addressed by planning conditions or that would justify refusal of the planning permission.
- 8.20 In conclusion, the proposal provides for the construction of a new education facility which would provide a modern learning environment in an appropriate location. Consultees have raised no significant issues regarding the proposal. Matters raised by third parties are addressed above and where appropriate the proposed planning conditions seek to mitigate impacts. The proposal complies with the development plan subject to appropriate planning conditions and there are no material considerations that justify refusal of the application.
- 8.21 The Council has a financial interest in the application. However, the proposal is not significantly contrary to the development plan and there is therefore no requirement to notify Scottish Ministers in the event that committee determines to approve the application.

## **9. OTHER MATTERS**

### **HUMAN RIGHTS IMPLICATIONS**

The decision to grant permission/consent has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified.

## EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

### 10. CONCLUSION

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

#### **Reason(s) for Approval:**

That the proposal will provide for a new education facility in a manner that complies with relevant policies of the development plan subject to the stated planning conditions. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

#### **Conditions:**

1. No development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
  - (a) Existing and proposed ground levels across the site and proposed floor levels for the building(s). Thereafter the development shall be undertaken in accordance with the approved levels prior to the occupation/use of the new early learning and childcare centre building;
  - (b) Precise details of the means and location of site enclosure, bin storage enclosure and plant room. Thereafter the approved structures shall be erected / completed prior to the occupation/use of the new early learning and childcare centre building;
  - (c) A detailed landscaping plan and scheme for open space improvements (including timescales for completion of works). The approved landscaping shall be completed in the first planting season following occupation of the early learning and childcare centre and the scheme of open space improvements shall be completed within the approved timescales. Any plants or trees that within a period of 5 years from the completion of development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species;
  - (d) Precise details of all external lighting. Those details shall be accompanied by sufficient information to allow consideration of light emission and potential impact on amenity of occupants of neighbouring property. Thereafter only the approved external lighting shall be installed within the site.
  - (e) Details of the proposed means of surface water management. The development shall not be brought into use until the approved means of surface water management has been provided in its entirety.
  - (f) Precise details of all ventilation equipment. Those details shall be accompanied by sufficient information to allow consideration of potential impact on amenity of occupants of neighbouring property. Thereafter only the approved ventilation system shall be installed.

*Reason: In order that the planning authority may verify the acceptability of the finished ground and floor levels in the interests of visual amenity; in order that the visual amenity of the area shall not be adversely affected; to ensure the timely provision of landscaping and compensatory planting in the interests of amenity and biodiversity; to ensure any external lighting and ventilation will not adversely affect occupants of neighbouring property and to ensure that the surface water management details are acceptable.*

2. No development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
  - A detailed plan which shows the sports pitch area (including its run-off) relative to the proposed surface water drainage layout;
  - A scheme to ensure that the sports pitches are available for use (as far as reasonably practicable) during the construction process as well as measures to reinstate any areas affected by construction operations to pre-construction condition;
  - A pre construction survey of the SUDS area. Thereafter a post construction survey shall be undertaken one year following completion of the development (and thereafter submitted for the written approval of the planning authority within 14 months of completion of the development). The post construction survey shall contain any measures necessary to ensure that the surface of the SUDS area is returned to pre development condition and timescales for the completion of those works.

Thereafter the development shall be undertaken in accordance with the approved details.

*Reason: In order to ensure that the development will not adversely impact on the use and operation of the existing sports pitches.*

3. Prior to commencement of any development works, a ground gas risk assessment report shall be submitted for the written approval of the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "Guidance on Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds (VOCs)" (BS 8576: 2013) and British Standards Institution "The Investigation of Potentially Contaminated Sites – Code of Practice" (BS 10175: 2011). The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 and any measures required to mitigate risk. Thereafter, any measures identified in the assessment shall be carried out prior to the occupation of the building hereby approved.

*Reason: To ensure that any ground gas which could migrate to the site is appropriately mitigated in the interests of protecting the health of occupants of the building.*

4. Prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the planning authority:

Detailed drawings and specifications in accordance with the standards of Angus Council for:

(a) the construction of a 2.0 metre wide footway on the east side of Pitskelly Road adjacent to the Pitskelly Leisure Arena car park and the new pathway connecting the car park to the road crossing point as illustrated on Drawing. No. 129551/sk1003 Revision A as contained within the Proposed Early Learning and Childhood Centre, Carnoustie Transport Assessment (January 2019) providing for a connection to the Pitskelly Leisure Arena car park and the existing footway heading southwards on Pitskelly Road. Thereafter the footways shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(b) the construction of a 2.0 metre wide footway within the existing verge on the west side of the southernmost section of Pitskelly Road as illustrated on Drawing. No. 129551/sk1004 Revision A as contained within the Proposed Early Learning and Childhood Centre, Carnoustie Transport Assessment (January 2019). Thereafter the footways shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(c) the construction of a 2.0 metre wide footway or footpath along the eastern edge of Pitskelly Park following the alignment of Pitskelly Road as illustrated on Drawing. No. 129551/sk1005 Revision A as contained within the Proposed Early Learning and Childhood Centre, Carnoustie Transport Assessment (January 2019). The new footway or footpath shall continue northbound and connect to the existing footway and footpath exiting Pitskelly Park. Thereafter the footways shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.



(d) the construction of a 2.0 metre wide footpath between Pitskelly Road and the Parkview Care Centre as illustrated on Drawing. No. 129551/sk1006 Revision A as contained within the Proposed Early Learning and Childhood Centre, Carnoustie Transport Assessment (January 2019). Thereafter the footways shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(e) the formation of a pedestrian crossing point on Pitskelly Road as illustrated on Drawing. No. 129551/sk1003 Revision A as contained within the Proposed Early Learning and Childhood Centre, Carnoustie Transport Assessment (January 2019). Thereafter the crossing point shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(f) a scheme for the provision of waiting and stopping restrictions on Pitskelly Road in the vicinity of the proposed Early Learning & Childcare Centre. The waiting / stopping restrictions should extend from a point adjacent to the on-street parking area in front of 33 Pitskelly Road in a northerly direction to a point north of the junction of McBride Drive with Pitskelly Road. The keep clear marking shall be centred on the road crossing point described in condition 1(e), above. Thereafter the scheme for the provision of waiting and stopping restrictions on Pitskelly Road shall be formed in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(g) a scheme for the provision of a minimum of 27 covered, secure, lit and adequately signed cycle parking spaces. Thereafter the cycle spaces shall be provided in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

(h) a scheme for the formation, resurfacing, layout, lighting and marking of the Proposed Early Learning & Childcare Centre Car Park on the east side of Pitskelly Road. Thereafter the scheme for the car park shall be provided in accordance with the approved details prior to the occupation of the Early Learning & Childcare Centre hereby approved.

The detailed drawings and specification shall allow for deletion of the servicing layby proposed on the west side of Pitskelly Road to the south of the Early Learning & Childcare Centre hereby approved.

*Reason: to ensure that the development is constructed in an orderly manner; to provide for appropriate pedestrian and vehicle access facilities and to ensure the provision of adequate cycle parking in order to encourage sustainable means of travel and in accordance with Policy DS2 of the Angus Local development Plan (2016).*

5. 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.

*Reason: In the interests of residential amenity.*

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

*Reason: In the interests of residential amenity.*

7. Noise associated with construction works including the movement of materials, plant and equipment shall not exceed the noise limits shown in table B below. At all other times noise associated with construction or demolition operations shall be inaudible at any sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.

Table B: Construction Noise limits

Day	Time	Average Period (t)	Noise limit
Monday-Friday	0700-1900	12 hour	70 dBA Leq t
Saturday	0700-1300	6 hour	70 dBA Leq t

*Reason: In the interests of residential amenity.*

**KATE COWEY  
SERVICE LEADER - PLANNING & COMMUNITIES**

**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.

**REPORT AUTHOR: KATE COWEY  
EMAIL DETAILS:**

**DATE:**

APPENDIX 1: LOCATION PLAN

APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION

APPENDIX 3: DEVELOPMENT PLAN POLICIES

## Appendix 1: Location Plan

## **Appendix 2 – Summary of Applicant Supporting Information**

**Design Statement** (and appendix 1,2,3,4) - This document provides an assessment of the site's context and characteristics that informed the identification of the design solution. The statement indicates that:

Angus Council is committed to ensuring that 1140 hours per annum of early learning and childcare (ELCC) is available for all 3 to 5 year olds, and eligible 2 year olds, within Angus by August 2020. Due to local demand, a date of August 2019 has been set for the Carnoustie site.

Angus Council has a planned programme of building adaptations, extensions and improvements which will provide increased and enhanced education and play space for the youngest children in our care. Previous feasibility studies have identified the need for the construction of a new, purpose-built early learning and childcare centre within Carnoustie. The new facility will provide a comprehensive range of facilities for children and their families, with up to 205 places for 2 to 5 year olds.

A number of sites have been considered and discounted, with details included in the report attached at Appendix 1. This document was originally prepared to provide elected members with an overview of the suitability of various site options, and with accompanying site visits was the guiding document which drove the involved parties to determine Pitskelly Park as a clear first choice.

The site within the Carnoustie boundary deemed to be best suited for development was identified as a portion of Pitskelly Park to the rear of the football pitches. This area of grass sits significantly lower than Pitskelly Road and is bounded on three sides by a developed Millennium tree belt, with the south side being open to the main park area.

Discussions regarding the use of a portion of the park were commenced with the Angus Council Parks Service during the preparation of the aforementioned site analysis document. It was determined through the course of these discussions that the use of this area was feasible, with the proviso that suitable enhancements were undertaken in nearby open green spaces.

A part of the existing Angus Millennium Forest is to be incorporated into the school grounds on the proviso that it will be maintained and protected in the future to the standard of the AMF scheme. Additional tree planting will be carried out in gaps in the existing planting using a wide palette of native trees and shrubs as an educational tool in the school environment.

Fencing (1.8m high) will be erected around the outer perimeter to delineate it from the remainder of the AMF in Pitskelly Park and secondary fencing (0.9m high) between the immediate school playground and existing woodland to allow for the initial woodland management works.

- Roads and car parking – Confirms a short stay parking area for drop off and collection is to be provided in Angus Council car parking area;
- No requirement for crossing person as children will be under 5 years of age and accompanied by parents at all times; However there will be a suitable crossing point;
- All deliveries will arrive at main entrance and a delivery layby will be formed.
- A diverse outdoor play area will be created;
- Part of the millennium forest is to be incorporated within the school grounds and fencing erected to delineate this;
- Sustainability – SUDS include open filtration systems incorporating a sedum roof, wet garden and travel tracks;
- All bins will be set back from street level;
- Metal boundary fencing at 1.8m in height being provided;
- Green space enhancements (Appendix 3) – Identifies 3 areas being linked with exercise zones proposed;
- Two options for open space enhancements had been proposed for public comment on social pinpoint;
- Describes public consultation– and comments taken into account;
- 4 Appendices attached (detailed below).

### **Appendix 1: Early Years Site Selection Report Carnoustie – March 2018:**

It identifies 9 different sites which were considered for the proposed development. They include:-

- Pitskelly Park – cost effective with recently upgraded road and area for parking available;

- Millennium Forest / Garage – potential contaminated land issues and higher costs in developing that site;
- Millennium Forest / Lochend Park - potential contaminated land issues and higher costs in developing that site;
- Kinloch Centre Site - ruled out because of concerns relating to congestion at peak times due to central location;
- Grounds of Burnside PS – flood risk issues in developing in its grounds and would reduce playground area available to school;
- Grounds of Woodlands PS - would reduce playground area available to school;
- Grounds of Carlogie PS – sites unsuitable for various reasons;
- Panmure Centre – site too small; and
- Millennium Forest BMX Track – contaminated land issues.

None of the sites considered are located within the defined town centre boundary.

## **Appendix 2: Early Years Expansion Programme Workstream 1 – Capital Expansion Guiding Principles:**

Discusses Scottish Government funding criteria, education and place space requirements and non educational place space requirements. Provides details on all facilities required for the facility (toilets etc).

Some of the key design considerations also included in the guidance can be are detailed as follows:

- The provision of suitable, high quality outdoor space, acknowledging the importance of outdoor experiences in a child's development
- The use of different landscapes, textures and areas in outdoor space to maximise play, adventure and stimulation
- Maximisation of natural lighting wherever possible
- The consideration of noise levels and acoustics in both the design of the space and the materials to be used
- The consideration of sensory impairments and learning difficulties within the design and layout of the setting, removing barriers to learning and participation wherever possible
- The availability of wash hand basins within, or close to, the educational and play space to promote good hand hygiene
- Where possible, separate space for children to be able to rest or sleep

Angus Council early years service has also expressed a number of preferences for local ELC provision, applicable where appropriate:

- The provision of a separate room for Nurture, with a closing door
- The provision of separate internal space for sensory stimulation
- The inclusion of wet play areas
- The ability for ELC staff to use the educational and play space flexibly, e.g. with a minimum of set fixtures and furnishings in the main classroom area
- The ability in larger rooms to temporarily close off sections of the room, e.g. using closing screens / partitions from floor to ceiling to create smaller areas
- The use of glazed doors to outdoor play areas, to maximise the connection between indoor and outdoor areas and to allow staff to see outside easily
- The use of neutral colours throughout ELC settings

## **Appendix 3: Consultation of Pitskelly Park Open Green Space Enhancement Proposals – June 2018;**

Copy of proposed options for greenspace works.

## **Appendix 4: Proposals for Green Space Enhancement as presented during public consultation period – 27 July 2018 to 09 August 2018.**

Zone 1 - Two options proposed – one with 5 a side pitch on BMX track and option two was upgrading BMX track.

Zone 2 – Moveable exercise equipment positioned in Pitskelly park to be used independently or part of wider circuit;

Zone 3 –site within millennium forest and to have an exercise wall.

**Ground Tree Survey for Roosting Bats** - In general the trees on site were all deciduous semi-mature trees with few potential features for bat roosting. As no trees with bat roost potential were identified within the trees that will be felled or limbed, works can proceed as planned on these trees. If works are required to trees that have been identified with bat roost potential as shown on Figure 2 further surveys should be undertaken, following the guidance in Table 2. Provides recommendations on works to trees to avoid impact on nesting birds and also impacts Japanese Knotweed will have on development.

#### **Transport Statement (January 2019) –**

- Short stay parking for drop off and collection of children is to be provided in Angus Council's car parking area utilised by Pitskelly Park FC, located on the opposite side of Pitskelly Road within 40m of the buildings entrance.
- Consideration of the formalisation of the Pitskelly Car Park has also been undertaken and presents a car park layout that could be provided. This incorporates the existing disabled provision provided for the pavilion and the new provision that would be required for the ELC centre.
- A grasscrete area to the south of the development through Pitskelly Park and connecting with Pitskelly Road would be provided to allow emergency vehicles to access the development.
- A service layby is to be provided to the east of the main entrance on Pitskelly Road with parking / waiting restrictions, including keep clear markings, proposed on Pitskelly Road in the vicinity of the ELC centre.
- A crossing point will be provided;
- An additional 2.0m wide footway would be constructed on the east side of Pitskelly Road adjacent to Pitskelly Car Park providing a connection to Pitskelly Car Park and the existing footway which provides a link southwards to the wider footway network of Carnoustie.
- In addition to this new footway, a further 3 options have been considered to provide improved pedestrian and cycle linkage to the wider Carnoustie area. All options incorporate 2m wide footways or footpaths to encourage pedestrian movements to the proposed ELC centre.
- Concludes that footpath provision proposed will further enhance pedestrian accessibility;
- Accessibility for public transport is good given the location of bus services within 400m
- Detailed junction analysis indicated that the A930 / Pitskelly Road junction would continue to operate well within capacity and with minimal queuing with the development traffic included and therefore no requirement for any junction improvements.
- The site can be highly accessible by walking, cycling and public transport, as well as for vehicles to/from the adjacent local and strategic road network. A number of options for the improvements to the pedestrian access from the south have been provided.
- It is concluded that the site's location and characteristics meet with both local and national policies on sustainable development, and there are no traffic impacts that require to be mitigated.

## **Appendix 3 – Development Plan Policies**

### **Angus Local Development Plan**

#### **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;
- make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- allow easy access for people with restricted mobility;
- 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
- 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:

- 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:

- **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.

#### **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 TC8: Community Facilities and Services**

The Council will encourage the retention and improvement of public facilities and rural services.

Proposals resulting in the loss of existing public community facilities will only be supported where it can be demonstrated that:

- the proposal would result in the provision of alternative facilities of equivalent community benefit and accessibility; or
- the loss of the facility would not have an adverse impact on the community; or
- the existing use is surplus to requirements or no longer viable; and



- no suitable alternative community uses can be found for the buildings and land in question.

The Council will seek to safeguard rural services that serve a valuable local community function such as local convenience shops, hotels, public houses, restaurants and petrol stations. Proposals for alternative uses will only be acceptable where it can be demonstrated that:

- the existing business is no longer viable and has been actively marketed for sale as a going concern at a reasonable price/rent for a reasonable period of time;
- the building is incapable of being reused for its existing purpose or redeveloped for an appropriate local community or tourism use; or
- equivalent alternative facilities exist elsewhere in the local community.

New community facilities should be accessible and of an appropriate scale and nature for the location. In the towns of Angus, and where appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.

### **Policy PV2: Open Space Protection and Provision within Settlements**

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

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

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

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

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

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

### **Policy PV7: Woodland, Trees and Hedges**

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

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

- protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

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

### **Policy 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.

### **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.