

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 : 18/00713/FULL

To: **Forfar Community Council - Phoenix Forfar Gymnastics Club**
c/o Paul J Wilson Ltd
Architectural Services
Nilebank Studio
3 Rosebank Lane
Forfar
DD8 2BG

With reference to your application dated **11 September 2018** for planning permission under the above mentioned Acts and Regulations for the following development viz:-

Proposed Erection of New Gymnastics Centre at Former Tennis Courts Craig O'Loch Road Forfar for Forfar Community Council - Phoenix Forfar Gymnastics Club

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

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

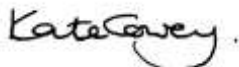
- 1 Prior to the commencement of development the following shall be submitted to and approved in writing by the Planning Authority:
 - a. A scheme for the provision of parking for 13 bicycles. The provision for cyclists shall be conveniently located for the main public entrance to the building and shall be covered, lit and adequately signed. Thereafter the bicycle parking shall be provided prior to the use of the building hereby approved.
 - b. A comprehensive contaminated land investigation report. The investigation shall be completed in accordance with a recognised code of practice such as 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. Where the contaminated land investigation report identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the written approval of the Planning Authority. No works, other than investigative, demolition or site clearance works shall be carried out on the site prior to the remediation strategy being approved by the Planning Authority. Prior to the occupation of the development the remediation strategy shall be fully implemented and a validation report confirming that all necessary remediation works have been undertaken shall be submitted for the written approval of the Planning Authority.
 - c. Details of the surface water drainage arrangements for the development. Thereafter the drainage arrangements shall be completed in accordance with the agreed details prior to the use of the building hereby approved
- 2 All amplified music or vocals associated with the use of the building hereby approved shall be controlled in such a way as to be inaudible when assessed within any habitable room of a dwelling or other room of any noise sensitive premises, with the receiver room window(s) partially open for ventilation.

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

- 1 To ensure that suitable bicycle parking arrangements are available and provided in a timely manner in order to encourage sustainable means of travel; b) in the interests of amenity and to minimise any harm to health through land contamination; and c) to ensure the drainage arrangements for the development are acceptable to the Planning Authority.
- 2 In the interests of the amenity of the surrounding area.

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

Dated this **7 November 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:

The application has not been subject of variation.

Informatives:

1. As there is a historic record of flooding at the site the applicant may wish to consider incorporating flood resilience within the design of the building. This could include actions such as raising the electrics above normal levels and ensuring that materials used in the buildings construction can be easily dried out in the event of a flood.

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: planning@angus.gov.uk
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 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*

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

NOTIFICATION OF INITIATION OF DEVELOPMENT

This notice must be fully completed by the person intending to carry out the development as approved in application reference **18/00713/FULL** for **Proposed Erection of New Gymnastics Centre** at **Former Tennis Courts Craig O'Loch Road Forfar** for **Forfar Community Council - Phoenix Forfar Gymnastics Club** dated **7 November 2018** and thereafter submitted to the Service Manager, Angus Council, Planning Service, Place, Angus House, Orchardbank Business Park, Forfar, DD8 1AN

Full Name:

Address:

Do you own the land subject to the above permission?

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

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

Date you intend to commence the above development:

NOTIFICATION OF COMPLETION OF DEVELOPMENT (NCD)

This notice should be fully completed by the person who completed the development approved in application reference **18/00713/FULL** for **Proposed Erection of New Gymnastics Centre** at **Former Tennis Courts Craig O'Loch Road Forfar** for **Forfar Community Council - Phoenix Forfar Gymnastics Club** dated **7 November 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 **Former Tennis Courts Craig O'Loch Road Forfar**

Notice is hereby given that planning permission has been granted subject to conditions to **Forfar Community Council - Phoenix Forfar Gymnastics Club** on **7 November 2018**.

Application reference **18/00713/FULL**

The development comprises **Proposed Erection of New Gymnastics Centre**

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 1AN

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 help I needed to submit my application/representation:-

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

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

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

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

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

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

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

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

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

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

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

OVERALL SATISFACTION: Overall satisfaction with the service:

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

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

OUTCOME: Outcome of the application:

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

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

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