

ANGUS COUNCIL**DEVELOPMENT CONTROL COMMITTEE****9 JANUARY 1997****SUBJECT: LETHAM DRAINAGE EMBARGO****REPORT BY DIRECTOR OF PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT****Abstract: This report presents the terms and conditions in respect of the drainage embargo placed upon Letham village by the North of Scotland Water Authority.****1 RECOMMENDATION**

It is recommended that the Committee adopts the guidelines suggested by NOSWA as a basis for dealing with planning applications in Letham over the next two years, after which the situation should be reviewed.

2 INTRODUCTION

- 2.1 Following an urgent approach from NOSWA, the Committee at its last meeting agreed to a request for a drainage embargo to be placed upon Letham village in respect of new developments. The embargo took effect from 6 December but due to the extreme urgency of the matter, guidelines for developers and planning officials were not available at the time. One of the recommendations of that report, however, was to present the guidelines to the next meeting of the Committee.

3 LETHAM DRAINAGE CONSTRAINT - GUIDELINES

- 3.1 The guidelines suggested by NOSWA are virtually identical to those being operated within the Forfar area and this allow for a degree of flexibility e.g. "small" house extensions, community facilities and industrial/commercial development as long as the processes involved are "dry".
- 3.2 Planning officials are supportive of the proposed guidelines although a reasonably sympathetic approach from NOSWA towards house extensions will be sought.
- 3.3 As agreed by the Committee at the last meeting, it is reiterated that the embargo and therefore the guidelines should be subject to review after two years.
- 3.4 The guidelines suggested by NOSWA are as follows:-
- (1) Sites Already Having Planning Consent
 - (i) the Angus Council would have no objection in principle to the development of these sites subject to no significant increase, as determined by the Regional Director of the North of Scotland Water

Authority (NOSWA) in the level of drainage discharge allowed for when consent was granted; and

- (ii) on sites where planning permission already exists for one form of development, proposals for other uses, in addition to 2(i) and 2(ii) below, would be acceptable provided there was no increase in the level of anticipated discharge as determined by the Regional Director of the North of Scotland Water Authority (NOSWA).

(2) Proposals Not Already Having Planning Consent

- (i) applications for industrial, business and commercial development or other economic development opportunities compatible with Development Plan guidance or other approved Council policy would be acceptable where the proposed development involved a "dry" process or would not significantly increase the existing loading on the drainage system from the site as determined by the Regional Director of NOSWA. Proposals for processes involving water usage would not normally be acceptable;
- (ii) applications for community facilities (e.g. doctor's surgeries, libraries, community halls, residential homes for the elderly, infirm or disabled etc.) would normally be acceptable where there is a need for the facility as determined by Angus Council;
- (iii) small domestic extensions to existing properties which were already connected to the public drainage system would normally be acceptable. The determination of whether or not an extension to a domestic property is "small" would be made by the Regional Director of NOSWA after due consideration of the proposed possible increase in loading in the public drainage system;
- (iv) small extensions to existing hotels which were already connected to the public drainage system would normally be acceptable. The determination of whether or not an extension to an existing hotel is "small" would be made by the Regional Director of NOSWA after due consideration of the proposed possible increase in loading to the public drainage system; and
- (v) redevelopment would be permitted on the same site where the existing development has a connection to the public drainage system, and where the proposals would not significantly increase the existing loading on the drainage system from the site as determined by the Regional Director of NOSWA.

(3) Proposals Requiring New Connections

- (i) where proposals require new connections to the public drainage system or involve intensification of discharge to the system, other than those proposals considered to be acceptable to the Regional Director

of NOSWA in 2(i), 2(ii), 2(iii) and 2(iv) above, the Angus Council would normally refuse these applications due to the lack of capacity in the wastewater collection system and the inadequate facilities currently available for the treatment of the wastewater.

(4) All Development Proposals

- (i) in the interests of limiting possible increases in the flows of the drainage system, the attention of developers be drawn to the desirability of reducing, as far as possible, discharges to the main drainage network;
- (ii) for all new planning consents, the site to be drained by means of a separate system, i.e. surface water run off would not be permitted to foul sewers; and
- (iii) in cases where planning consent already existed it was expected that, where possible, the site would be drained on a separate system.

4 FINANCIAL IMPLICATIONS

4.1 There are no significant financial implications.

5 CONCLUSION

5.1 While it is regrettable that yet another Angus settlement has to be subjected to a development constraint due to lack of drainage capacity, it will permit the village a period of stabilisation free from the severe development pressures experienced of late. The flexibility contained within the guidelines is also welcome in permitting essential community facilities, most economically beneficial developments and house extension to be provided.

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.

AA/JJ/IAL
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