

ANGUS COUNCIL

DEVELOPMENT CONTROL COMMITTEE
PLANNING AND TRANSPORT POLICY COMMITTEE

11 NOVEMBER 1999
23 NOVEMBER 1999

SUBJECT: WELLBANK - REQUEST FOR DRAINAGE CONSTRAINT

REPORT BY DIRECTOR OF PLANNING AND TRANSPORT

Abstract: This report outlines the background to the current drainage situation in Wellbank and highlights the terms of a request for a formal drainage constraint by the North of Scotland Water Authority. It further outlines the implications of a drainage constraint for future development in Wellbank.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the request by NoSWA for a drainage constraint affecting the Wellbank area and the implications for future land use planning;
2. agree to adopt the guidelines identified in this report as a basis for dealing with planning applications until such time as the constraint is removed, subject to NoSWA giving a firm commitment to accommodate drainage from those existing sites allocated for housing in the Finalised Angus Local Plan or with existing planning permission, total 58 houses as detailed in Appendix 1;
3. agree that the drainage constraint be reviewed on a biannual basis and request that NoSWA make an early commitment to the necessary improvements which will alleviate the constraints.

2 INTRODUCTION

- 2.1 For some time the North of Scotland Water Authority (NoSWA) have been concerned about aspects of the drainage network serving Wellbank village and have now requested implementation of a formal drainage constraint.
- 2.2 This report summarises the background to the present drainage position, the terms of the drainage constraint requested by NoSWA and the implications for future planning of Wellbank.

3 CURRENT DRAINAGE POSITION

- 3.1 Following analysis of the performance of the Wellbank Wastewater Treatment Plant (WWTP) and detailed assessment of the Buddon Burn by SEPA in 1997/98 stricter discharge consent standards were imposed. This was necessary in order to protect the water quality of the local receiving water course, the Buddon Burn. The revised consent included a reduction for Biochemical Oxygen Demand (from 20mg/l to 10mg/l) and a limit for Ammoniacal Nitrogen (NH₃) of 3 mg/l. This effectively reduces the volumetric capacity of the WWTP to a level well below that for which it was designed. The capacity was subsequently revised in July 1998 and a decision was made by NoSWA to seek to constrain additional flows from Wellbank.
- 3.2 NoSWA therefore consider it necessary to constrain further development in Wellbank to prevent excessive breaches of the discharge consent.

- 3.3 No provision for upgrading the Wellbank WWTP is made in the NoSWA Three Year Investment Plan 1999-2002. Reference to the requirement to improve unsatisfactory discharge is contained in the Consultation Draft of NoSWA's 10 year indicative needs profile 1999-2009 but NoSWA is unable to confirm the extent of the works required or timescale for implementation of the works.
- 3.4 Given the lack of any firm commitment to an upgrade project, it is expected that the drainage constraint may extend for some considerable time. This could have implications for future development plan policy in Wellbank beyond the current Approved Tayside Structure Plan 1993 and Finalised Angus Local Plan guidance.

4 TERMS OF CONSTRAINT

- 4.1 Following discussion with NoSWA, the terms of the proposed drainage constraint are set out below. In general it applies to all developments without the benefit of a valid planning permission or current Local Plan allocation.

Sites Already Issued with Planning Consents

No objection, in principle, to the development of these sites, subject to no increase in the level of drainage discharge allowed for when outline planning consent was granted.

Proposals Without Outline Planning Permission

- (a) Small scale extensions to existing properties, already connected to the public drainage system, will usually be acceptable.
- (b) Redevelopment should only be permitted where the existing development has a connection to the public drainage system and where the proposals do not lead to a significant increase in drainage discharge as determined by NoSWA.
- (c) Applications for business and commercial development or other economic development opportunities compatible with Development Plan guidelines or other approved Angus Council policy, would normally be acceptable where the proposed development involved a "dry" process or would not significantly increase the existing loading on the sewerage network or wastewater treatment infrastructure from the site, as determined by NoSWA. Proposals for processes involving water usage would not normally be acceptable.
- (d) Applications for community facilities (for example Doctors' Surgeries, Libraries, Community Halls, residential homes for the elderly, infirm or disabled etc.) would normally be acceptable where there is an established need for the facility as determined by Angus Council and agreed by NoSWA.
- (e) Where proposals require new connections to the public drainage system or involve increased discharge to the system, other than proposals considered to be acceptable in (a) to (d) above and the Angus Local Plan allocation for three houses at Wellbank South (Finalised Angus Local Plan Ref. W/H2), Angus Council would normally refuse these applications due to the lack of capacity in the sewerage network or ability of the treatment infrastructure to meet the loading demand.

All Applications for Planning Permission

In the interest of limiting possible increases in the flows to the drainage network, the attention of applicants will be drawn to the requirement of reducing discharges to the main drainage network as much as possible.

5 DISCUSSION

- 5.1 The draft June 1999 Dundee & Angus Housing Land Audit shows an outstanding planning permission for 52 units at South Mattocks Road, (Buddon Ltd.) which contributes to the overall housing requirement for the wider Monifieth/Sidlaws area. The site is currently under construction. In addition there are three individual house sites with planning permission in the village which are also under construction.
- 5.2 The Finalised Angus Local Plan (published April 1999) also re-affirms the allocation of land for three houses at Wellbank South (Ref. W/H2). Taken together this gives a total of 58 units with planning permission or allocated by a Development Plan. The terms of any embargo should ensure that provision is made for these 58 units.
- 5.3 There continues to be considerable developer pressure to allocate further housing land in Wellbank. Objections to the Finalised Angus Local Plan (published April 1999) have been made to omission of the allocation of housing land to the south and east of the village (Wellbank Developments Ltd.) and a single house plot at the south west entrance to the village (Norman Jamieson).
- 5.4 In response to the above objections, and given the scale of new development underway, the current drainage position, and the availability of housing elsewhere in the Monifieth/Sidlaws area, which contribute to meeting the Tayside Structure Plan allowances, Angus Council has previously indicated that the allocation of further housing land would be inappropriate. A draft modification to the Finalised Local Plan has also been published which will reinforce a period of consolidation and development constraint in Wellbank during the Local Plan period. This approach is fully supported by NoSWA in requesting the introduction of a formal drainage embargo.
- 5.5 It should be noted that Local Plan objections related to Wellbank will be determined at the forthcoming Public Local Inquiry dealing with all outstanding objections to the Finalised Angus Local Plan or related draft modifications commencing in mid-January 2000.
- 5.6 Given the scale of housing allocations and permissions in the Monifieth/Sidlaws planning area (which assist in meeting the allowances of the Tayside Structure Plan 1993) there is no immediate housing land shortfall arising from a constraint being placed on new development in Wellbank. However, while NoSWA have recognised the need to undertake improvements at Wellbank WWTP, there is a need to establish both the nature of the works required and a firm commitment to implement the necessary measures within a reasonable timescale.
- 5.7 It is considered that the requirement for an embargo should be reviewed biannually, and that discussions continue with NoSWA to secure full implementation of the necessary remedial works during the early part of the 1999-2009 period.

6 FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising from this report.

7 CONSULTATION

- 7.1 The Chief Executive, Director of Law & Administration and Director of Finance have been consulted in preparation of this report.

8 CONCLUSION

- 8.1 While it is regrettable that another Angus settlement is subject to development constraints due to lack of available drainage, some flexibility is contained within the proposed guidelines with regard to essential community facilities, economic development proposals and house extensions. The Finalised Angus Local Plan has sought to resist developer pressure for additional housing land release beyond existing committed and allocated sites in the village and the implementation of a drainage constraint reinforces this position. Nonetheless, it will be important to continue dialogue with NoSWA to secure an early commitment to measures to resolve the drainage difficulties affecting Wellbank.

NOTE

The following 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.

- North of Scotland Water Authority Investment Plan, March 1999.

AA/RM/KW/IAL
2 November 1999

Alex Anderson
Director of Planning and Transport

APPENDIX 1

SCHEDULE OF HOUSING SITES - WELLBANK

Location	Developer	Status	Number of Units
Mattocks Road	Buddon Ltd.	Under construction	52
Wellbank South	R. Croal	Local Plan allocation	3
Mattocks Road 4	D. & R. Denoven	Under construction	1
Mattocks Road 19	Mr. & Mrs. S. Higgins	Under construction	1
Braeside of Gagie (B)	Mr. & Mrs. D. Murray	Under construction	1
Total with planning permission/allocated			58

Source: Angus Housing Land Audit: Draft 1999

