

Reference Number	Address	Date of Development Standards Committee	Details of Breach/ Complaint	Summary of Action	Future Action/Update
08/00007	Strathmartine Hospital	08.01.2008	Deterioration in condition of listed building.	Several fire damaged buildings at the site have been demolished for safety reasons. The ground floor openings to the listed building, exposed by the demolition of link buildings, have been built up with concrete blockwork. Council resolved to approve application 13/00268/EIAM (for the redevelopment of the hospital) at its meetings of 18 December 2014 and 12 February 2015. The application was subsequently called-in for determination by Scottish Ministers and on 17 September 2015 and they issued a notification of intention to approve the application subject to conclusion of a Planning Obligation (Report No 395/15 refers). As a result of a failure by the developer to enter into a Planning Obligation within timescales prescribed by the Scottish Government, Ministers have now issued planning permission in principle subject to conditions including a condition requiring a Planning Obligation to be entered into prior to the commencement of development. Notice was received that Ministers had issued planning permission on 25 April 2018.	<p>Building Standards regularly visit the site to ensure the buildings remain boarded/ blocked up however the site continues to be targeted by vandals.</p> <p>The case remains open at this time until progress is made in respect of the redevelopment of the site.</p> <p>The Planning Service has contacted the developer's agent and requested that an update on progress be provided. The developer's agent has indicated that they remain in discussion with NHS Tayside. It is understood that these discussions are in regard of the terms of the land deal between the current and former owners.</p>
12/00230	Barry & Downs Caravan Park Barry Carnoustie	18.02.2014	Allegation that the site is not being used as 'holiday use' and that permanent residential accommodation of caravans may be taking place.	<p>A Planning Contravention Notice (PCN) was served on the owner of the site. The PCN Response Forms were returned on 30 May 2014.</p> <p>A Section 33A Notice was served on the owner of the site requiring the submission of a planning application for the use of the land</p>	<p>The site owner submitted a further application for a Certificate of Lawful Use (16/00428/CLU) that was refused on 28 August 2016.</p> <p>The applicant's agent lodged an appeal in respect of the Council's decision with the Directorate for</p>

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				<p>for the siting of caravans for residential purposes.</p> <p>The site operator submitted an application for a Certificate of Lawful Use to cover the site. The application was refused on 3 April 2015 and the site operator submitted an appeal against the decision to the Scottish Government, which was dismissed on 2 September 2015.</p> <p>The site operator submitted a legal challenge against the decision of the Scottish Ministers to the Court of Session. The legal challenge was dismissed and the Reporter's decision of 2 September 2015 stands.</p> <p>Planning application 15/00506/FULL for the use of land for siting of park homes as a principal or primary or sole residence was submitted in response to the S33A Notice. The application was refused under delegated powers on 18 July 2016</p>	<p>Planning and Environmental Appeals (DPEA).</p> <p>The Reporter's decision on the appeal was issued on 7 February 2017. The Reporter granted a Certificate of Lawfulness for part of the application site.</p> <p>The site operator has indicated that he may be in a position to demonstrate that the activities at the site are lawful on the basis it has operated in a particular manner for a continuous period of time. Officers have provided information in relation to the planning history of the site and have suggested that an application for a certificate of lawfulness of existing use should be submitted for those areas of the site where it is considered that lawfulness can be demonstrated.</p> <p>The operator's legal representatives have indicated that an application for a Certificate of Lawful Use is being prepared for submission in the near future and on 20 March 2019 it was indicated that they were taking instruction from their client and would provide an update in due course.</p>

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16/00165	Land 125 Metres West of North Mains Croft Logie Kirriemuir	02.08.2016	The site has been cleared of vegetation and the ground levelled with a layer of rubble and crushed stone. 1 static and 1 touring caravan have been brought on to the site.	<p>An Enforcement Notice was served on the landowner on 19 August 2016.</p> <p>The site owner submitted an appeal against the Enforcement Notice to the DPEA and submitted an application for retrospective Planning Permission (ref: 16/00738/FULL).</p> <p>The Reporter's decision on the Enforcement Notice was published on 23 November 2016. The Reporter allowed the appeal and corrected the terms of the notice to show that the earthen bund should be "levelled" rather than "removed" and varied the periods for compliance with the Notice to allow time for the current planning application to be determined and any appeal thereon to be decided (to remove the caravans from the site on or before 3 August 2017 and to complete the remaining steps on or before 3 September 2017).</p>	<p>Committee authorised the use of direct action to bring the site into compliance with the outstanding actions from the Enforcement Notice that is effective on the site at the meeting of 13 November 2018. The recovery of any expenses incurred from the site owner and/or other interested parties was also authorised. A further planning application was submitted and this identified that amongst other things, the personal circumstances of the occupant have changed. That application will be determined in due course but preparation for direct action will continue meantime.</p> <p>Application 19/00023/FULL was refused on 30.04.2019 and is subject of a right of appeal up to 30.07.2019. No direct action will take place until the period for appeal has expired and /or, if any appeal is lodged; that appeal has been determined.</p>
17/00008	Former Hooks Hotel 3 Bank Street Kirriemuir DD8 4BE		There is demonstrable damage to the Category C Listed building caused by water ingress, defective roof membrane, missing / broken windows and inadequate ventilation.	<p>An Urgent Works Notice has been served on the owner notifying Angus Council's intention to instruct the following works no sooner than 13 February 2017:</p> <ol style="list-style-type: none"> <li>1. Insert a temporary rainwater disposal system and the front and rear of the</li> </ol>	<p>Contractors have undertaken the required works at the site and costs will be recovered from the owner.</p> <p>An appeal against the serving of the Notice for Liability for Expenses (LBE0120-2001) for the site was lodged on 01 November 2017.</p>

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				<p>building and repair and test drains.</p> <ol style="list-style-type: none"> <li>2. Secure a temporary robust membrane to the roof until the roof is re-slatted.</li> <li>3. Secure all openings at the building currently open to the elements.</li> <li>4. Provide ventilation throughout the building to comply with the British Standard.</li> </ol>	<p>A report and recommendations from a DPEA Reporter were submitted to Scottish Ministers for consideration.</p> <p>A report and recommendations from a DPEA Reporter were submitted to Scottish Ministers for consideration. On 1 August 2018 the Scottish Ministers agreed with the Reporters conclusions and recommendation that the full amount claimed by Angus Council is recoverable.</p> <p>A letter has been sent to the site owner's solicitor requesting payment but no response had been received at the time of writing. An appropriate notice has been registered with the Land Registry. This will be triggered in the event that the site owner attempts to sell the property without paying the costs. This item will remain on the update until costs have been recovered.</p>
16/00276	Storage Shed Muirloch Liff	08.08.2017	Unauthorised operation of a biomass production facility at the site of a storage shed that is authorised for the storage of	<p>Planning application ref: 16/00987/FULL was approved by the Development Standards Committee on 24 April 2018 subject to conditions.</p> <p>The applicant submitted information to</p>	A revised Noise Management Plan (NMP) was submitted on 19 October 2018 and was subject of consultation with Environmental Health in order to determine its acceptability. The applicant's consultant was written to on

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			<p>biomass. Subsequent complaint received on 23 July 2018 alleging chipping operations have taken place outside of the approved hours</p>	<p>discharge conditions relating to the management of noise, artificial light and vehicles crossing the national grid pipeline.</p>	<p>02 November regarding minor amendments that were required to the NMP following that consultation. The scheme to mitigate artificial light is acceptable. Confirmation has been sought from the applicant's consultant that the agreed scheme of mitigation has been implemented.</p> <p>The information regarding the pipeline crossing was sent to National Grid who has indicated that the proposal is acceptable.</p> <p>The temporary fencing has been moved in order to improve public access over the track and details of the proposed permanent fencing have been provided and are considered to be acceptable. An updated NMP has been submitted. The acoustic fence has now been erected. It is further indicated that a contractor has been nominated to undertake pipeline crossing works and that he is in the process of arranging National Grid supervision for the work to form the pipeline crossing.</p>
13/00195	Land at Gagie Filters Kellas	03.10.2017	Unauthorised works have been undertaken to the filter beds which are listed and the site is	Listed Building and Planning Enforcement Notices were served on 30 January 2017 requiring the reinstatement of the filter beds and the removal of the various items from the	An update was provided to Committee on 07 August 2018 by means of a separate report (Report No 226/18) and Committee approved the use of direct

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			being used for the storage of various items without planning permission	<p>site.</p> <p>An appeal against each Notice was dismissed by the DPEA with the date for compliance being three months from that date 19 September 2017. The appeal decisions were the subject of previous reports to Committee, ref 254/17 and 255/17.</p> <p>The owner did not undertake the required works within the specified timescales. A fixed penalty notice was issued but no payment was made.</p>	<p>action as necessary in order to bring the site into compliance with the terms of the Enforcement Notice.</p> <p>The owner has now undertaken works to level the sand bund over Filter Bed 3 and has been progressively removing unauthorised items from the site.</p> <p>Direct action has not been pursued whilst there is evidence of satisfactory progress. A monitoring site visit undertaken on 01 March 2019 confirmed that satisfactory progress has been made to bring the site to a satisfactory condition. The site owner indicated on 28 January 2019 that he was in the process of making a planning application to attempt to regularise the presence of the remaining sheds on the site. A planning application has been submitted however further information has been requested from the applicant to allow the proposal to be considered.</p>
18/00016	Field 440M East of Cross Roads Cottage Balnuith Tealing	13.02.2018	Observation received regarding the alteration to ground levels and the laying of crushed aggregates at the site	A Temporary Stop Notice was posted at the site on 29 January 2018 requiring the cessation of the importation of crushed aggregates and alteration of ground levels within the site. The Notice expired on 28 February 2018.	<p>An attempt was made to serve an Enforcement Notice by sending it to the site owner's last known address but the Notice was returned unopened.</p> <p>Planning application ref. 18/00626/FULL</p>

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				<p>An Enforcement Notice served under enforcement case ref: 16/00202/UNDV remains effective on the land. The notice prevents the storage of caravans at the site.</p>	<p>for Change of Use of Land to Form Two Pitch Caravan Park (One Principal Chalet, Two Tourers and an Amenity Block on Each Pitch) to include Formation of Access Road, Hardstanding and Earth Bunds was submitted in an attempt to regularise the situation but the application has been withdrawn. The applicant's agent indicated on 29 January 2019 that a new planning application would be submitted following the preparation of technical reports relating to drainage and traffic impact.</p> <p>A revised Enforcement Notice that more accurately reflects the situation on site has now been served on the owner.</p>
18/00072	Former NOSWA Sewage Pumping Station Yard, Craig O'Loch Road, Forfar	07.08.2018	Importation of soil, rubble, hard core, building materials and other detritus etc., compaction of these materials and altering of ground levels at a vacant yard without the benefit of planning permission.	<p>A Temporary Stop Notice (TSN) was served on 15 May 2018 requiring that the importation of materials into the site cease with immediate effect.</p> <p>An Enforcement Notice was served by Sherriff Officers. The notice took effect on 14 December 2018 and required that all non-inert material be removed from the site and that all remaining inert material be capped with a membrane and topsoil by 14 January 2019.</p>	<p>The Planning Service has been in discussion with the Parks and Burial Grounds Service regarding nature and extent of the works required to remediate the site. Once the extent of works and the cost of the works have been established, an update will be provided.</p> <p>An Amenity Notice is to be served on the owner to run in conjunction with the Enforcement Notice requiring the repair</p>

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					or removal of the boundary fence and removal of loose waste material as a pre-cursor to the direct action being taken.
18/00078	Site at Carlogie, Carnoustie	13.11.2018	Agricultural land is being used to site storage containers without planning permission.	An Enforcement Notice was served on interested parties on 15 October 2018. The notice requires the removal of the containers and associated hardstanding and the reinstatement of the land to a greenfield condition and the ceasing of the use of the land as a storage facility.	<p>The Enforcement Notice took effect on 14 November 2018 and requires the removal of the containers and the associated hardstanding and the restoration of the site by 14 February 2019.</p> <p>The containers have been removed in compliance with the Notice however associated hardstanding areas remain on site. The land owner has been written to on 07 May 2019 to remind them of the requirement to remove the hardstanding areas and to restore the site. A period of three weeks has been given to bring the site into compliance with the notice.</p>
19/00033	Field South of Tinkers Ave Oathlaw Forfar	14.05.2019	A game bird rearing facility has been formed on the land without planning permission.	Report 106/19 was presented to Committee on 09 April 2019 outlining the circumstances of the case. The report highlighted that a planning application was submitted for the erection of a poultry shed on the land. In March 2019 observations were received that works were being undertaken on the land and investigations established that a game bird rearing facility was being formed on the land. The use of the land for the rearing of	A planning enforcement notice was served on the owner on 15 April 2019 requiring them to remove from the land the buildings, caravan/s, structures and pens and other related equipment and materials associated with the rearing of the game birds for sporting purposes and return the land to an agricultural or fallow condition. The notice takes effect on 14 May 2019 unless an appeal is

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				<p>game birds requires planning permission for which none has been granted. The owner indicated that birds are due to be delivered in May 2019 and cessation without an alternative site for relocation would have a significant impact on the business. The owner indicated their intention to submit a planning application for a game bird rearing facility on the land. However the owner continued to develop the site and it was considered expedient to serve a planning enforcement notice.</p>	<p>submitted beforehand and all actions specified in the notice are to be completed by 16 June 2019. To date no appeal against the notice has been submitted and no planning application for a game bird rearing facility has been submitted.</p>