

# ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Thursday 5 January 2017 at 2.00 pm.

**Present:** Councillors ROB MURRAY, BILL DUFF, BILL BOWLES, COLIN BROWN, LYNNE DEVINE, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, JEANETTE GAUL, ALEX KING, DAVID LUMGAIR, IAN MCLAREN and BOB MYLES.

Councillor MURRAY, Convener, in the Chair.

*Prior to the commencement of the business, the Convener welcomed Councillor Myles and Mr Murray Agnew, Senior Planning Officer to their first meeting of the Development Standards Committee.*

## 1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Jim Houston.

## 2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

Councillor Duff declared an interest in Item 11, Report No 16/17 as he had attended meetings with the developer as a local member. He had offered no opinion and would therefore participate in any discussion and voting.

Councillor Lumgair declared an interest in Items 6 and 7, application Nos 16/00046/FULL and 16/00047/LBC as he was an Elder of Letham and Dunnichen Church. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the items.

## 3. BUILDING WARRANTS

The Committee noted that during the period 14 November to 16 December 2016, a total of 60 Building Warrants, 2 Demolition Warrants and 17 Amendments to Warrant had been approved with an estimated cost of £5,482,533.

## 4. DELEGATED DECISIONS

The Committee noted that during the period 12 November to 17 December 2016, a total of 57 planning applications had been approved and 1 refused under the Scheme of Delegation to officers.

## 5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 22 November 2016 was approved as a correct record and signed by the Convener.

## PLANNING APPLICATIONS

*Having declared an interest at Article 2 above, Councillor Lumgair left the meeting during consideration of the following two items.*

## 6. DUNNICHEN PARISH CHURCH, DUNNICHEN, FORFAR

There was submitted Report No 11/17 by the Head of Planning and Place detailing application No 16/00046/FULL by Mr Garrigan for change of use and alterations to former church to form dwellinghouse and change of use of vacant ground to residential garden ground at Dunnichen Parish Church, Dunnichen, Forfar. The application was recommended for conditional approval.

Slides were shown and Mr Atkinson, on behalf of Dunnichen Heritage Society, objectors, addressed the meeting.

The Committee agreed that the application be approved for the reason and subject to the conditions as detailed in Section 10 of the Report.

**7. DUNNICHEN PARISH CHURCH, DUNNICHEN, FORFAR**

There was submitted Report No 12/17 by the Head of Planning and Place detailing application No 16/00047/LBC by Mr Garrigan for internal alterations to building to form a dwellinghouse (retrospective in part) at Dunnichen Parish Church, Dunnichen, Forfar. The application was recommended for conditional approval.

Slides having been shown at Article 6 above, the Committee agreed that the application be approved for the reason and subject to the conditions as detailed in Section 10 of the Report.

**8. LAND ADJACENT TO TAY VIEW CAR PARK, MONIFIETH**

There was submitted Report No 13/17 by the Head of Planning and Place detailing application No 16/00791/FULL by Dundee and Angus Radio Controlled Car Klub for the formation of a radio controlled vehicle track, erection of ancillary structures and associated development at land adjacent to Tay View Car Park, Monifieth. The application was recommended for conditional approval.

Slides were shown.

The Committee agreed that the application be approved for the reason and subject to the conditions as detailed in Section 10 of the Report.

**9. ENFORCEMENT UPDATE**

There was submitted Report No 14/17 by the Head of Planning and Place advising members on the progress of enforcement cases which had been agreed previously by this Committee.

Having heard from the Service Manager (Planning), the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note that, with regard to Case No 16/00165, Land 125m West of North Mains Croft, Logie, Kiriremuir, that the Reporter's decision published on 23 November 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); and
- (iii) to note that, with regard to Case No 16/00092, Field North of The Bothy, Gannochy, Edzell, that an appeal against the Enforcement Notice had been submitted to the Directorate for Planning and Environmental Appeals.

**10. PROPOSAL OF APPLICATION NOTICE – FIELD 500M SOUTH WEST OF REDCASTLE FARM, NEWBARN, INVERKEILOR**

There was submitted Report No 15/17 by the Head of Planning and Place advising members of a proposal of application notice No 16/00890/PAN submitted in respect of the erection of polytunnels at field 500m south west of Redcastle Farm, Newbarn, Inverkeilor. The Committee was invited to identify issues which they would like to see addressed in the planning application.

The Committee agreed to note the key issues identified by officers at this stage as set out in paragraph 5.6 of the Report.

**11. DEVELOPMENT BRIEF UPDATE: LAND AT SUNNYSIDE HOSPITAL, HILLSIDE**

With reference to Article 8 of the minute of meeting of the Planning and Transport Policy Committee of 17 October 2002, there was submitted Report No 16/17 by the Head of Planning and Place presenting an updated development brief to guide the regeneration of buildings and land at Sunnyside Hospital Estate, Hillside, by Montrose and recommending

approval of the brief as a material consideration in the determination of planning applications for the site.

The Report indicated that Angus Council had approved a development brief to guide the regeneration of the Sunnyside Hospital Estate in October 2002 and although the key objectives, proposed land uses and overarching development and design principles outlined in the original brief continued to be relevant, there had been a number of factual changes in circumstances since its preparation in 2002. These included changes to planning policy and guidance along with changes to the listed status of the buildings on the site. The original development brief therefore required to be amended to reflect the factual changes and to provide updated guidance for the development of the site.

The Committee agreed:-

- (i) to approve the Sunnyside Hospital development brief update, as detailed in Appendix 1 to the Report; and
- (ii) to note that the development brief update would be recognised as a material consideration in the determination of planning applications for the site.

## **12. PLANNING APPEAL DECISION: FIELD 70M NORTH WEST OF GREENLAW, BARRY**

With reference to Article 6 of the minute of meeting of this Committee of 31 May 2016, there was submitted Report No 17/17 by the Head of Planning and Place presenting the findings of the Reporter appointed by Scottish Ministers to determine the appeal against the refusal of Angus Council to grant planning permission for the erection of 46 houses and associated open space, parking and infrastructure at field 70m north west of Greenlaw, Barry.

The Committee noted that the appeal had been dismissed and planning permission refused.