

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 7 October 2014 at 10.00 am.

Present: Councillors ROB MURRAY, BILL DUFF, BILL BOWLES, COLIN BROWN, LYNNE DEVINE, DAVID FAIRWEATHER, CRAIG FOTHERINGHAM, ALEX KING, DAVID LUMGAIR and IAN McLAREN.

Councillor MURRAY, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Mairi Evans, Jeanette Gaul and Bob Spink.

2. DECLARATION OF INTEREST/INTIMATION OF CONTACT

Councillor Bill Duff declared a non-financial interest in Report No 411/14 (Article 6), as he was a member of Montrose Tennis Club. He intimated that he would leave the meeting during consideration of this item.

3. BUILDING WARRANTS

The Committee noted that, during the period 8 September 2014 to 26 September 2014, a total of 39 Building Warrants, 1 Demolition Warrant and 8 Amendments to Warrant had been approved with an estimated cost of £1,703,932.

4. DELEGATED DECISIONS

The Committee noted that, during the period 6 September 2014 to 27 September 2014, a total of 68 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 16 September 2014](#) was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

Councillor Duff, having declared an interest in this item at Article 2 above, left the meeting.

6. TENNIS COURTS AND PAVILION, WARRACK TERRACE, MONTROSE

There was submitted [Report No 411/14](#) by the Head of Planning and Place, detailing application No 14/00711/FULL, for the proposed formation of two mini tennis courts for youth development for Montrose Tennis Club, at Montrose Tennis Courts and Pavilion, Warrack Terrace, Montrose. The application was recommended for approval.

Slides were shown and Mr Christopher Hardy, an objector, addressed the meeting.

The Committee agreed that the application be approved, for the reason given in section 10 of the Report.

Councillor Duff re-entered the meeting.

7. FIELD 500 METRES SOUTH WEST OF COTTERTOWN, KILRY

With reference to Article 10 of the minute of meeting of this Committee of 5 August 2014, there was submitted [Report No 429/14](#) by the Head of Planning and Place detailing application No 14/00461/FULL for ancillary works for an approved wind turbine (crane pad, hardstanding, sub-station building and temporary use of an existing borrow pit) in the field

500 metres south-west of Cottertown, Kilry. The application was recommended for conditional approval.

Slides were shown and Dr Chapman-Campbell, Ms Helen Douglas, Ms Sally Atkinson and Dr Deryck Lovegrove, objectors, and Mrs Diane Ramsay, applicant, and Mr Gary Dimeck, agent, addressed the meeting.

COUNCILLOR MURRAY, SECONDED BY COUNCILLOR DUFF, MOVED THAT THE APPLICATION BE APPROVED FOR THE REASONS AND SUBJECT TO THE CONDITIONS GIVEN IN SECTION 10 OF THE REPORT.

Councillor Fairweather, seconded by Councillor Bowles, moved as an amendment, that the application be refused on the grounds of being contrary to Policies ER4 (Wider Natural Heritage and Bio-Diversity) and ER5 (Conservation of Landscape Character).

On a vote being taken, the members voted:-

For the motion:

Councillors Murray, Duff, Brown, Devine, King, Lumgair and McLaren (7).

For the amendment:

Councillors Bowles, Fairweather and Fotheringham (3).

The motion was declared carried, resulting in the application being approved, as detailed above.

8. FIELD 400 METRES NORTH WEST OF MONTQUHIR FARM, CARMYLLIE

There was submitted [Report No 430/14](#) by the Head of Planning and Place detailing application No 14/00012/FULL for the erection of a wind turbine of 50 metres to hub height and 77 metres to blade tip and ancillary development, for Mrs Louise Gray at field 400 metres north-west of Montquhir Farm, Carmyllie. The application was recommended for conditional approval.

Slides were shown, and Mr James Bigham, Mr James Lindsay and Rev Stewart Lamont, objectors, and Mr Ian McLean, agent and Mrs Louise Gray, applicant, addressed the meeting and answered members' questions.

Councillor Murray, seconded by Councillor Duff, moved that the application be approved for the reasons and subject to the conditions given in section 10 of the Report.

COUNCILLOR BOWLES, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED AS AN AMENDMENT, THAT THE APPLICATION BE REFUSED AS BEING (1) THE SITE SELECTED WOULD NOT BE CAPABLE OF ABSORBING THE PROPOSED DEVELOPMENT TO ENSURE THAT IT FITS IN WITH THE LANDSCAPE AND, AS SUCH, WAS CONTRARY TO POLICY ER5 OF THE LOCAL PLAN REVIEW (2009); AND (2) THE DEVELOPMENT WOULD HAVE AN UNACCEPTABLE IMPACT ON THE SETTING OF LISTED BUILDINGS INCLUDING CARMYLLIE PARISH CHURCH AND MANSE AND, AS SUCH, WAS CONTRARY TO POLICY ER16 OF THE ANGUS LOCAL PLAN REVIEW (2009).

On a vote being taken, the members voted:-

For the motion:

Councillors Murray, Duff, Brown and King (4).

For the amendment:

Councillors Bowles, Devine, Fairweather, Fotheringham and McLaren (5).

No vote:

Councillor Lumgair (1).

The amendment was declared carried, resulting in the application being refused, as detailed above.

9. LAND AT KINGSTON PLACE, KINGSMUIR, FORFAR

There was submitted [Report No 431/14](#) by the Head of Planning and Place detailing application No 14/00139/FULL for change of use, demolition of industrial buildings and erection of 23 dwellings, roads and ancillary works, being a re-application, on land at Kingston Place, Kingsmuir, for Allied Irish Bank. The application was recommended for conditional approval.

Slides were shown.

The Committee agreed that the application be approved for the reasons given, and subject to the conditions listed, in section 10 of the Report.

10. ENFORCEMENT UPDATE

There was submitted [Report No 432/14](#) by the Head of Planning and Place, on the progress of enforcement cases which had been agreed previously by the Committee.

Mr Peter Anderson addressed the meeting in relation to case number 12/00050 – Joinery Workshop and Yard, Douglstown, by Forfar.

The Committee agreed to note the following:-

- (i) case number 02/00149 (1 Broomwell Gardens, Monikie) the property had been sold at auction and the purchaser would be asked to clarify his intentions. The outcome would be reported to a future meeting of this Committee;
- (ii) case number 12/00050 (Joinery Workshop and Yard, Douglstown) a full Report on the situation at the site would be submitted to the next meeting of this Committee, and an apology issued to local residents for the delay on the part of the Planning Authority in resolving the various issues at this site; and
- (iii) otherwise to note the Report.