

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 13 September 2016 at 10.00 am.

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

Councillor MURRAY, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor David Lumgair.

At this stage in the meeting the Convener paid tribute to Councillor Bob Spink who had recently resigned as a Councillor. The Convener, on behalf of the Committee, thanked Councillor Spink for all his hard work on the Development Standards Committee and wished him well for the future.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

Councillor Fairweather declared an interest in item 8, Report No 340/16, Case No 16/00014, as he had been contacted by Multi Packaging Solutions. He indicated that he had passed the enquiry to the appropriate officers but had offered no opinion and would therefore participate in any discussion and voting.

Councillor Devine declared an interest in item 7, Report No 339/16, as she was a friend of the home owner. She indicated that she would not participate in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Gaul declared an interest in item 10, Report No 342/16, as she was a Council appointee to the Cairngorms National Park Board. She indicated that she would participate in any discussion and voting.

Councillor McLaren declared an interest item 7, Report No 339/16, as the home owner was known to him. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the item.

3. BUILDING WARRANTS

The Committee noted that during the period 23 May to 2 September 2016, a total of 252 Building Warrants, 4 Demolition Warrants and 61 Amendments to Warrant had been approved with an estimated cost of £33,912,514.

4. DELEGATED DECISIONS

The Committee noted that during the period 21 May to 3 September 2016, a total of 235 planning applications had been approved and 11 refused under the Scheme of Delegation to officers.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 2 August 2016 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. FORMER RESERVOIR, BALMACHIE FARM, BALMACHIE, CARNOUSTIE

There was submitted Report No 338/16 by the Head of Planning and Place detailing application No 16/00342/FULM by Norman Jamieson Ltd for the infilling of a reservoir and catchment basin with inert waste including the operation of a mechanical washing plant and settlement lagoons for the purposes of recovering and recycling of aggregates at former

Reservoir, Balmachie Farm, Balmachie, Carnoustie. The application was recommended for conditional approval.

Slides were shown.

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

Having declared an interest at Article 2 above, Councillors Devine and McLaren left the meeting during consideration of the following item.

7. ENFORCEMENT ACTION – 1 BROOMWELL GARDENS, MONIKIE

With reference to Article 7 of the minute of meeting of this Committee of 16 February 2016, there was submitted Report No 339/16 by the Head of Planning and Place updating members on the condition of the site and the potential non-compliance with the Amenity Notice served under Section 179 of the Town and Country Planning (Scotland) Act previously served on the property at 1 Broomwell Gardens, Monikie.

Slides were shown and Mrs Gledhill, the owner of the property, addressed the meeting.

The Committee agreed to take no further action and withdraw the Amenity Notice.

8. ENFORCEMENT UPDATE

There was submitted Report No 340/16 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 close case No 02/00149, 1 Broomwell Gardens, Monikie, and remove it from the list of enforcement cases;
- (iii) to note that with regard to case No 12/00155, site due east of The Knowe, Kinnaber Road, Hillside, that suppliers to undertake enforcement action, removal and storage had been identified and Sheriff Officers appointed, and that action would be taken once the storage facility had been confirmed;
- (iv) to note that with regard to case No 12/00230, Barry & Downs Caravan Park, Carnoustie, that an appeal had been submitted;
- (v) to note that with regard to case No 16/00014, Multi Packaging Solutions, Arbroath, that the requirements of the Breach of Condition Notice had been complied with and that it was therefore proposed to close the case and remove it from the list of enforcement cases;
- (vi) to note that with regard to case No 16/00165, Land 125m West of North Mains Croft, Logie, Kirriemuir, that the Enforcement Notice would become effective on 21 September 2016 should an appeal not be submitted; and
- (vii) to note that with regard to case No 16/00202, Field 440m East of Cross Roads Cottage, Balnuith, Tealing, that a Temporary Stop Notice had been served on the owner/occupier of the site preventing the siting of additional caravans together with a Planning Contravention Notice, and that a further update would be provided to the next meeting of this Committee.

9. STRATEGIC LANDSCAPE CAPACITY ASSESSMENT FOR WIND ENERGY IN ANGUS - UPDATE

With reference to Article 12 of the minute of meeting of this Committee of 25 November 2013, there was submitted Report No 341/16 by the Head of Planning and Place updating members on the Strategic Landscape Capacity Assessment for Wind Energy in Angus which would become a material consideration in considering and determining planning applications.

The Report indicated that since the publication of the Landscape Capacity Assessment in 2013, there had been a significant number of further wind turbine developments approved within Angus. In order that the Landscape Capacity Assessment remained a useful material consideration in the consideration of planning applications as well as providing a baseline for the forthcoming supplementary guidance, the mapping of consented development wind energy landscape types had been updated.

The Committee agreed:-

- (i) to note the updating of figures 6.2 and 6.4 within the Strategic Landscape Capacity Assessment for Wind Energy in Angus, as appended to the Report;
- (ii) to note that the updated figures 6.2 and 6.4 of the Strategic Landscape Capacity Assessment for Wind Energy in Angus would be published on the Council's web site;
- (iii) to note that the Strategic Landscape Capacity Assessment for Wind Energy in Angus (updated) would be recognised as a material consideration in the determination of planning applications for wind energy proposals; and
- (iv) to note that the policy implications would be considered at an appropriate Committee in due course.

10. STRATEGIC LANDSCAPE CAPACITY ASSESSMENT FOR SOLAR ENERGY IN ANGUS

There was submitted Report No 342/16 by the Head of Planning and Place advising members of the Strategic Landscape Capacity Assessment for Solar Energy in Angus which would become a material consideration in considering and determining planning applications

The Report indicated that Angus Council had approved a number of commercial solar photovoltaic developments and the Strategic Landscape Capacity Assessment for Solar Energy in Angus had therefore been produced in-house by landscape planning staff within the Planning Service.

The Strategic Landscape Capacity Assessment for Solar Energy in Angus was a technical Report providing information on landscape capacity for solar photovoltaic energy development and the potential cumulative impact of proposals in the context of consented developments. It was intended that the Strategic Landscape Capacity Assessment for Solar Energy in Angus would be recognised as a material consideration in the determination of planning applications for solar energy proposals and would inform the production of the Supplementary Guidance on Renewable Energy and Low Carbon Energy Development.

The Committee agreed:-

- (i) to note that the Strategic Landscape Capacity Assessment For Solar Energy in Angus would be published on the Council's web site;
- (ii) to note that the Strategic Landscape Capacity Assessment for Solar Energy in Angus would be recognised as a material consideration in the determination of planning applications for solar energy proposals; and
- (iii) to note that the policy implications would be considered at an appropriate Committee in due course.

11. ANGUS LOCAL DEVELOPMENT PLAN HOUSEHOLDER DEVELOPMENT PLANNING ADVICE NOTE

With reference to Article 6 of the minute of special meeting of Angus Council of 26 April 2016, there was submitted Report No 343/16 by the Head of Planning and Place advising members of the consultation response on the Draft Householder Development Planning Advice Note which set out general advice and best practice in support of Policy TC4 Householder/ Domestic Development of the Angus Local Development Plan.

A total of 33 representations had been received during the six week consultation period, four of which had been received from external parties and 20 from internal stakeholders.

Officers had subsequently reviewed the representations, produced a summary of the comments received and modified the Householder Development Planning Advice Note where applicable.

The Committee agreed:-

- (i) to note the summary of comments received in relation to the Draft Householder Development Planning Advice Note and to agree the Council's response to the comments as detailed in Appendix 1 to the Report;
- (ii) to approve the Householder Development Planning Advice Note, as detailed in Appendix 2 to the Report; and
- (iii) to note that the Householder Development Planning Advice Note would be recognised as a material consideration which may be utilised during the determination process of planning applications for householder/domestic development proposals.