

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 16 September 2014 at 10.00 am.

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

Also

In Attendance: Councillor RONNIE PROCTOR MBE.

Councillor MURRAY, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATION OF INTEREST/INTIMATION OF CONTACT

Councillor Jeanette Gaul declared a non-financial interest in item 6 (Report No 381/14), as she had received e-mails in connection with the application, to which she had not responded. She indicated that she would take part in any discussion and voting on this item.

3. BUILDING WARRANTS

The Committee noted that during the period 18 August 2014 to 5 September 2014, a total of 55 Building Warrants, 2 Demolition Warrants and 11 Amendments to Warrant had been approved with an estimated cost of £3,188,481.

4. DELEGATED DECISIONS

The Committee noted that during the period 16 August 2014 to 6 September 2014, a total of 32 planning applications had been approved, and 3 refused, under the Scheme of Delegation to officers.

5. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 26 August 2014](#) was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. LAND AT MARY COUNTESS WAY, GLAMIS

With reference to Article 3(j) of the minute of meeting of the Development Control Committee of 19 June 2003, there was submitted [Report No 381/14](#) by the Head of Planning and Place, detailing application No 14/00345/FULL, for the erection of 21 dwellinghouses and garages/car ports, being a revised application to amend part of planning permission reference 03/00204/FUL to replace 12 dwellinghouses with 21 dwellinghouses, for FJE Homes on land at Mary Countess Way, Glamis. The application was recommended for conditional approval.

Slides were shown and Mr William Dougan, an objector and Mr Esposito, the applicant, addressed the Committee.

The Committee agreed that the application be approved, subject to the conditions and planning obligation detailed in section 10 of the Report.

7. LAND 605 METRES NORTH WEST OF THE WELTON, KINGOLDRUM

There was submitted [Report No 382/14](#) by the Head of Planning and Place detailing planning application No 14/00276/FULL for a wind turbine development comprising two 225kw wind turbines of 47.05 metres to blade tip and associated infrastructure on land 605 metres north west of The Welton, Kingoldrum. The application was recommended for conditional approval.

Slides were shown and Miss Sheila Beckett, Dr David Johnston, Mr Geoff Hobson (Vice Chairman of Kirriemuir Landward West Community Council), Mr Dane Henderson, and Mr David Grant, all objectors, and Mr Rob Collin, the applicant's agent, addressed the Committee.

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

COUNCILLOR BOWLES, SECONDED BY COUNCILLOR JEANETTE GAUL, MOVED AS AN AMENDMENT, THAT THE APPLICATION BE REFUSED ON THE GROUNDS OF ADVERSE EFFECT ON VISUAL AMENITY, AND FOR THE FOLLOWING REASONS:-

- (I) THE DEVELOPMENT WOULD RESULT IN UNACCEPTABLE ADVERSE LANDSCAPE IMPACTS HAVING REGARD TO LANDSCAPE CHARACTER AND SETTING WITHIN THE IMMEDIATE AND WIDER LANDSCAPE AND, AS SUCH, IS CONTRARY TO POLICY 6 OF TAYplan AND POLICIES ER5 AND ER34 (CRITERION (b) OF THE ANGUS LOCAL PLAN REVIEW (2009); AND
- (II) THE DEVELOPMENT WOULD HAVE AN UNACCEPTABLE VISUAL IMPACT ON THE OCCUPANTS OF RESIDENTIAL PROPERTIES AND THE WIDER LANDSCAPE, AND, AS SUCH, IS CONTRARY TO POLICY 6 OF TAYplan AND POLICIES S1 CRITERION (b), S6 CRITERION (b), ER34 CRITERION (a) AND POLICY ER35 CRITERION (c) OF THE ANGUS LOCAL PLAN REVIEW (2009).

On a vote being taken, the members voted:-

For the motion:

Councillors Murray, Duff and King (3).

For the amendment:

Councillors Bowles, Brown, Devine, Evans, Fairweather, Fotheringham, Gaul, Lumgair, McLaren and Spink (10).

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

8. ENFORCEMENT UPDATE

There was submitted and noted [Report No 383/14](#) by the Head of Planning and Place, updating progress on enforcement cases which had been agreed previously by the Development Standards Committee.

9. DEVELOPER CONTRIBUTION MONITORING

With reference to Article 15 of the minute of meeting of this Committee of 7 January 2014, there was submitted [Report No 384/14](#) by the Head of Planning and Place, providing an update of monitoring undertaken by the Planning Obligations Monitoring Group, and providing an indication of potential income from developer contributions in respect of planning applications submitted between 2003 and 2014.

The Committee agreed:-

- (i) to note the potential income from financial contributions in respect of planning applications received between 1 January 2003 and 22 August 2014 where there had been a resolution to grant planning permission or where planning permission had been granted; and
- (ii) to note that further reports updating the position in relation to receipt of financial contributions would be provided on a quarterly basis.

10. PLANNING APPEAL DECISION: FIELD 300 METRES EAST OF CARLOGIE HOTEL, CARLOGIE, CARNOUSTIE

With reference to Article 5 of the minute of meeting of this Committee of 13 May 2014, there was submitted [Report No 385/14](#) by the Head of Planning and Place, presenting the findings of the Reporter appointed by Scottish Ministers to determine a deemed refusal appeal in relation to a planning application for the formation of an employment area comprising Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage and Distribution) Uses and Realignment of Carlogie Road, for Angus Estates (Carnoustie) LLP.

The Committee agreed:-

- (i) to note that the appeal had been allowed by the Reporter and planning permission in principle granted, subject to conditions and the advisory role set out in Appendix 1 to the Report; and
- (ii) to have regard to the Reporter's findings insofar as they were material to the determination of other planning applications.

11. PLANNING APPEAL DECISION: FIELD BETWEEN MUIRDRUM AND A92, MUIRDRUM, CARNOUSTIE

With reference to Article 9 of the minute of meeting of this Committee of 11 March 2014, there was submitted [Report No 386/14](#) by the Head of Planning and Place, presenting the findings of the Reporter appointed by Scottish Ministers to determine the appeal against the refusal by Angus Council to grant planning permission in principle for the erection of affordable housing at the field between Muirdrum and the A92, Muirdrum, Carnoustie, for A J Fitchet.

The Committee agreed:-

- (i) to note that the Reporter had dismissed the appeal and refused planning permission; and
- (ii) to have regard to the Reporter's findings insofar as they were material to the determination of other planning applications.