

## ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar, on Tuesday 17 February 2015 at 10.00 am.

**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 SPINK.

Councillor MURRAY, Convener, in the Chair.

### 1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### 2. **DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT**

There were no declarations of interest or intimations of contact made.

### 3. **BUILDING WARRANTS**

The Committee noted that, during the period 19 January 2015 to 6 February 2015, 44 Building Warrants, 3 Demolition Warrants and 10 Amendments to Warrant were approved, with an estimated cost of £1,797,281.

### 4. **DELEGATED DECISIONS**

The Committee noted that, during the period 17 January 2015 to 7 February 2015, 45 planning applications were approved and 3 refused under the Scheme of Delegation to officers.

### 5. **MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 27 January 2015 was submitted, approved as a correct record and signed by the Convener.

### **PLANNING APPLICATIONS**

#### 6. **FIELD 1025 METRES SOUTH OF BELLAHILL FARM, MELGUND, BRECHIN**

There was submitted Report No 73/15 by the Head of Planning and Place, detailing Application No 13/00998/FULL, for the erection of a single wind turbine of 32.4 metres to hub height and 45.9 metres to blade tip, including temporary access track and ancillary infrastructure for Mr Andrew Hughes at a field 1025 metres south of Bellahill Farm, Melgund, Brechin. The application was recommended for conditional approval.

It was noted that the application was for a 225kW turbine, rather than the 500kW stated in paragraph 10.6 of the Report.

Slides were shown, after which officers responded to several questions from members.

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

COUNCILLOR BOWLES, SECONDED BY COUNCILLOR KING, MOVED AS AN AMENDMENT, THAT THE APPLICATION BE REFUSED ON THE GROUNDS THAT THE PROPOSED TURBINE, BY VIRTUE OF ITS HEIGHT AND SKYLINE LOCATION, WOULD HAVE AN UNACCEPTABLE LANDSCAPE AND VISUAL IMPACT AND ACCORDINGLY, THE SITING AND APPEARANCE OF THE TURBINE HAS NOT BEEN CHOSEN TO MINIMISE IMPACT ON AMENITY, CONTRARY TO POLICY ER34(A), (B), AND (F) AND POLICY ER35(C).

On a vote being taken, the members voted:-

For the motion:-

Councillors Murray, Duff, Lumgair and Spink (4).

For the amendment:-

Councillors Bowles, Brown, Devine, Fairweather, Fotheringham, Jeanette Gaul, King and McLaren (8).

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

## **7. SECTION 36 CONSULTATION – LAND AT MACRITCH HILL, GLEN ISLA**

There was submitted Report No 74/15 by the Head of Planning and Place, giving notification of an application for consent under the Electricity Act 1989 made by Eneco Wind UK to construct and operate 18 wind turbines each of up to 125 metres in height to blade tip on a site to the north and east of Backwater Reservoir, near Kirriemuir. The Council was a statutory consultee on this matter.

The Committee agreed:-

- (i) to note the submission to the Scottish Government of an application relating to the proposed Macritch Hill Wind Farm;
- (ii) to note that Angus Council was a statutory consultee in the process;
- (iii) to note the timescale for response by Angus Council, as set out in the Report; and
- (iv) to note that a further Report would be submitted to a future meeting of Angus Council and that the Report would form the basis of the Council's response to the consultation.

## **8. DEVELOPER CONTRIBUTION MONITORING**

There was submitted Report No 75/15 by the Head of Planning and Place, updating members on the 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; along with an update of contributions received to date.

The Committee agreed:-

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

## **9. PLANNING APPEAL DECISION – FIELD 400 METRES NORTH WEST OF MONTQUHIR FARM, CARMYLLIE**

With reference to Article 8 of the minute of meeting of this Committee of 7 October 2014, there was submitted Report No 76/15 by the Head of Planning and Place, presenting the findings of the Reporter appointed by the Scottish Ministers to determine the appeal against the refusal of Angus Council to grant planning permission, by Mrs Louise Gray, for the installation of a single wind turbine, measuring up to 77 metres to blade tip, and associated sub-station and transformer kiosk, hard standing area and access road on land 400 metres north west of Montquhir Farm, Carmyllie.

The Committee agreed to note that the appeal had been dismissed.

**10. ENFORCEMENT UPDATE**

There was submitted Report No 77/15 by the Head of Planning and Place, updating members on the progress of enforcement cases which had been agreed previously by the Committee.

Mr William Stewart, Lochlands Leisure Park (Reference No 13/00015), addressed the Committee.

Having heard the Service Manager – Planning, the Committee agreed to note the contents of the Report.