

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 22 November 2016 at 10.00 am.

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

Also in

Attendance: Councillor BOB MYLES.

Councillor MURRAY, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Jeanette Gaul.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

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

3. BUILDING WARRANTS

The Committee noted that during the period 24 October to 11 November 2016, a total of 47 Building Warrants and 8 Amendments to Warrant had been approved with an estimated cost of £2,535,126.

4. DELEGATED DECISIONS

The Committee noted that during the period 22 October to 12 November 2016, a total of 49 planning applications had been approved under the Scheme of Delegation to officers.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 1 November 2016 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. THRUMS YARD, CORTACHY ROAD, KIRRIEMUIR

There was submitted Report No 421/16 by the Head of Planning and Place detailing application No 16/00776/FULL for the installation of a 22m high lattice tower; 3 No antennas and 3m head frame; 3 No remote radio units; 2 No 300mm dish; 2 No cabinets; 2.1m high chain link fence with 3-stranded barbed wire; and ancillary development at Thrums Yard, Cortachy Road, Kirriemuir. The application was recommended for conditional approval.

Slides were shown following which officers responded to questions from Councillors Fairweather and Duff regarding the removal of trees adjacent to the application site and enhancements to the current telecom services.

Thereafter Mrs Wotherspoon, an objector and Mr Street, the applicant's agent, addressed the meeting and answered members' questions in relation to signal coverage and alternative siting of the tower.

Councillor Murray, seconded by Councillor Duff, moved that the application be approved for the reason and subject to the condition detailed in Section 10 of the Report.

COUNCILLOR FAIRWEATHER, SECONDED BY COUNCILLOR FOTHERINGHAM, MOVED AS AN AMENDMENT, THAT THE APPLICATION BE REFUSED AS THE PROPOSED TELECOMS TOWER WOULD HAVE AN UNACCEPTABLE IMPACT ON THE VISUAL AMENITY, CHARACTER AND APPEARANCE OF THE SURROUNDING AREA AND WAS THEREFORE CONTRARY TO POLICY TC13 OF THE ANGUS LOCAL DEVELOPMENT PLAN.

On a vote being taken, the members voted:-

For the motion:-

Councillors Murray, Duff and King (3).

For the amendment:-

Councillors Brown, Devine, Fairweather, Fotheringham, Houston, Lumgair and McLaren (7).

The amendment was declared carried resulting in the application being refused for the reasons detailed above.

7. ENFORCEMENT UPDATE

There was submitted Report No 422/16 by the Head of Planning and Place advising members on the progress of enforcement cases which had been agreed previously by this Committee.

Councillor Myles, a local member, addressed the meeting in relation to Case No 14/00176, Kohe Noor, St David Street, Brechin.

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, Kirriemuir, the Reporter had undertaken a site visit in relation to the appeal against the Enforcement Notice and a decision was awaited;
- (iii) to note that with regard to Case No 16/00202, field 440m east of Cross Roads Cottage, Balnuith, Tealing, a Planning Contravention Notice had been served on 2 November 2016;
- (iv) to note that with regard to Case No 16/00092, field north of the Bothy, Gannochy, Edzell, an Enforcement Notice had been served on 7 November 2016; and
- (v) to note that with regard to Case No 14/00176, Kohe Noor, St David Street, Brechin, a response from the Procurator Fiscal was awaited in relation to the non-compliance with the Listed Building Enforcement Notices.

8. DEVELOPER CONTRIBUTION MONITORING

With reference to Article 9 of the minute of meeting this Committee of 29 March 2016, there was submitted Report No 423/16 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 1997 and 2016, together 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 1997 and 2016 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.