

## ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 26 January 2016 at 10.00 am.

**Present:** Councillors ROB MURRAY, BILL DUFF, BILL BOWLES, COLIN BROWN, LYNNE DEVINE, MAIRI EVANS, CRAIG FOTHERINGHAM, JEANETTE GAUL, 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 David Fairweather and Bob Spink.

### 2. DECLARATIONS OF INTEREST

- Councillor Gaul declared an interest in item 10, Report No 36/16, as she had been involved in discussions regarding the statue and its siting within the town. She indicated that she would not participate in discussions and voting and would leave the meeting during consideration of the item.
- Councillor Evans declared an interest in item 6, Report No 33/16, as she had been contacted by an objector to the application. She indicated that she had not expressed any view or opinion and that she would take part in any discussion and voting.
- Councillor Duff declared an interest in item 9, Report No 35/16, as a member of Montrose Tennis Club. 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 21 December 2015 to 15 January 2016, a total of 39 Building Warrants, 1 Demolition Warrant and 14 Amendments to Warrant had been approved with an estimated cost of £11,730,560.

### 4. DELEGATED DECISIONS

The Committee noted that during the period 12 December 2015 to 16 January 2016, a total of 65 planning applications had been approved and 6 refused under the Scheme of Delegation to officers.

### 5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 5 January 2016 was approved as a correct record and signed by the Convener.

### PLANNING APPLICATIONS

### 6. SITE OF FORMER BUILDERS YARD, PARK ROAD, BRECHIN

There was submitted Report No 33/16 by the Head of Planning and Place detailing application No 15/00423/FULL for planning permission under Section 42 for the variation of condition 1 on permission 09/00622/FUL to extend the time limit restriction to allow a further three years for the erection of eight dwellinghouses at site of Former Builders Yard, Park Road, Brechin. The application was recommended for conditional approval.

Slides were shown and Dr Pegg, an objector and Mr Elphinstone, the applicant, addressed the meeting.

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

Councillor Evans, seconded by Councillor Bowles, moved as an amendment that the application under Section 42 for the variation of condition 1 on permission 09/00622/FUL be approved to extend the time limit restriction for a further one year only.

On a vote being taken, the members voted:-

For the motion:

Councillors Murray, Duff, Brown, Devine, Gaul, King, Lulgair and McLaren (8).

For the amendment:

Councillor Bowles, Evans and Fotheringham (3).

The motion was declared carried resulting in the application being approved, as described in the Report.

## **7. 11 BANK STREET, KIRRIEMUIR**

There was submitted Report No 34/16 by the Head of Planning and Place detailing application No 14/00371/FULL for external repairs to building frontage at 11 Bank Street, Kirriemuir. 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, subject to the following amended condition 1:-

1. That, prior to the undertaking of any of the works hereby approved, the following shall be submitted for the prior written approval of the planning authority:
  - (a) detailed specifications of the intended lime render for all repairs;
  - (b) measures to protect the architectural detailing of the building;
  - (c) locations on the building for the intended sample panels;
  - (d) timescales for undertaking the proposed works, which shall be completed no more than 8 months from the date of this planning permission.

Thereafter, the repairs shall be carried out in accordance with the approved specifications (including sample panels) and in accordance with the agreed timescales.

*Reason: In order to ensure the building frontage is repaired in a satisfactory and timely manner, in the interests of enhancing the character and appearance of the listed building.*

## **8. 11 BANK STREET, KIRRIEMUIR**

There was submitted Report No 44/16 by the Head of Planning and Place detailing application No 14/00370/LBC for external repairs to building frontage at 11 Bank Street, Kirriemuir. The application was recommended for conditional approval.

Slides having previously been 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, subject to the following amended condition 1:-

1. That, prior to the undertaking of any of the works hereby approved, the following shall be submitted for the prior written approval of the planning authority:

- (a) detailed specifications of the intended lime render for all repairs;
- (b) measures to protect the architectural detailing of the building;
- (c) locations on the building for the intended sample panels;
- (d) timescales for undertaking the proposed works, which shall be completed no more than 8 months from the date of this planning permission.

Thereafter, the repairs shall be carried out in accordance with the approved specifications (including sample panels) and in accordance with the agreed timescales.

*Reason: In order to ensure the building frontage is repaired in a satisfactory and timely manner, in the interests of enhancing the character and appearance of the listed building.*

#### **9. TENNIS COURTS AND PAVILION, WARRACK TERRACE, MONTROSE**

There was submitted Report No 35/16 by the Head of Planning and Place detailing application No 15/01118/FULL by Montrose Tennis Club for the proposed change of fencing detail and erection of four floodlighting columns at Montrose Tennis Courts and Pavilion, Warrack Terrace, Montrose. The application was recommended for conditional approval.

Having heard from the Convener, the Committee agreed to defer consideration of the application to a future meeting.

*Having declared an interest at Article 2 above, Councillor Gaul left the meeting during consideration of the following item.*

#### **10. CAR PARK, BELLIES BRAE, KIRRIEMUIR**

There was submitted Report No 36/16 by the Head of Planning and Place detailing application No 15/01064/FULL for the erection of a statue to Bon Scott and an associated public garden at Car Park, Bellies Brae, Kirriemuir. The application was recommended for approval.

Slides were shown and Mr Galloway, on behalf of DD8 Music, addressed the meeting.

The Committee agreed that the application be approved for the reason detailed in Section 10 of the Report.

#### **11. DEVELOPER CONTRIBUTION MONITORING**

With reference to Article 8 of the minute of meeting of this Committee of 15 September 2015, there was submitted Report No 37/16 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 1999 and 2015 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 1999 and 2015 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.

#### **12. ENFORCEMENT UPDATE**

There was submitted Report No 38/16 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 in relation to The Knowe, Kinnaber Road, Hillside and the Joinery Workshop and Yard, Douglstown, the Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) that the relevant officers explore the possibility of reporting Case No 12/00155 back to the Procurator Fiscal in light of the introduction of further caravans on site.