

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 21 November 2017 at 10.00 am.

Present: Councillors DAVID LUMGAIR, GAVIN NICOL, KENNY BRAES, COLIN BROWN, DAVID CHEAPE, BILL DUFF, BRENDA DURNO, CRAIG FOTHERINGHAM, ALEX KING, IAN McLAREN, BOB MYLES and RON STURROCK.

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Richard Moore.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

Councillor Fotheringham declared an interest in Items 7, 8 and 9 as he had been contacted by various constituents, and as the landowner and an objector was known to him. He indicated that he had passed all correspondence to the appropriate officers and had made no comment on the issues raised. He would therefore participate in any discussion and voting on these items.

Councillor Sturrock declared an interest in Item 8, as the landowner and an objector was known to him. He indicated that he would participate in any discussion and voting on the item.

Councillor Cheape declared an interest in Item 6, application no 17/00592/FULL, as he had visited the site and met and listened to the concerns of local residents. He had indicated that he had made no comment on the application and would therefore participate in any discussion and voting on the item.

Councillor Nicol declared an interest in Item 8 as the landowner and a number of the objectors were known to him. He indicated that he would participate in any discussion and voting on the item.

Councillor Myles declared an interest in Item 8 as the landowner was known to him and as he had been approached by a number of the objectors. He indicated that he had made no comment on the issues raised and would therefore participate in any discussion and voting on the item.

Councillor Lumgair declared an interest in Item 8 as the landowner and an objector were known to him. He indicated that he would participate in any discussion and voting on the item.

Councillor Braes declared an interest in Item 8 as the landowner and an objector were known to him. He indicated that he would participate in any discussion and voting on the item.

Councillor Brown declared an interest in Item 8 as the landowner and an objector were known to him. He indicated that he would participate in any discussion and voting on the item.

3. BUILDING WARRANTS

The Committee noted that during the period 23 October to 10 November 2017, a total of 41 Building Warrants had been approved with an estimated cost of £13,096,441.

4. DELEGATED DECISIONS

The Committee noted that during the period 21 October to 11 November 2017, a total of 43 planning applications had been approved and 2 refused under the Scheme of Delegation to officers.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 31 October 2017 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. LAND OPPOSITE PATHHEAD COTTAGES, PANMURE, CARNOUSTIE

There was submitted Report No 405/17 by the Head of Housing, Regulatory and Protective Services detailing application No 17/00592/FULL by Mr Alistair Watt for the erection of a new three bed house incorporating the old joinery stone building and separate new build garage at land opposite Pathhead Cottages, Panmure, Carnoustie. The application was recommended for conditional approval.

Slides were shown, following which officers responded to members' questions in relation to the site and trees.

Thereafter Mr Tosh and Mrs Stewart, both objectors, and Mr Adam, the applicant's agent, all addressed the meeting.

COUNCILLOR LUMGAIR, SECONDED BY COUNCILLOR NICOL, MOVED THAT THE APPLICATION BE APPROVED FOR THE REASONS AND SUBJECT TO THE CONDITIONS AS DETAILED IN THE REPORT.

Councillor Cheape, seconded by Councillor Durno, moved as an amendment, that the application be refused as the proposal would have an adverse impact on the established woodland and was therefore contrary to Policy PV7 of the Angus Local Development Plan.

On a vote being taken, the members voted:-

For the motion:-

Councillors Lumgair, Nicol, Braes, Brown, Duff, Fotheringham, King, McLaren, Myles and Sturrock (10).

For the amendment:-

Councillors Cheape and Durno (2).

The motion was declared carried resulting in the application being approved subject to the conditions as detailed in Section 10 of the Report.

7. ENFORCEMENT UPDATE

There was submitted and noted Report No 406/17 by the Head of Housing, Regulatory and Protective Services advising members on the progress of enforcement cases which had been agreed previously by this Committee.

8. ENFORCEMENT ACTION – KEITHOCK, STRACATHRO

There was submitted Report No 407/17 by the Head of Housing, Regulatory and Protective Services advising members on the circumstances relative to a breach of planning control involving the formation of a game bird rearing facility on land at Keithock, Stracathro.

The Service Manager (Planning) provided an overview of the contents of the Report, following which Dr Greig, Mr Greaves, Mrs Andrews, on behalf of Mr Rickman, and Mr Dyer, all objectors/interested parties, and Mr Campbell Adamson, the landowner, all addressed the meeting and answered members' questions.

The Committee agreed:-

- (i) to authorise the service of a planning enforcement notice requiring the cessation of the use of the land for the rearing of game birds for sporting purposes and siting and storage of associated buildings, caravans, structures, ponds and its clearance of

other related equipment and materials, and returned to agricultural use, all by 31 March 2018; and

- (ii) to notify the recipients of the enforcement notice that the period for compliance would be extended until 30 September 2018 subject to the approval, implementation and ongoing compliance with measures to control odour, noise, pollution and vermin emanating from the site in the interest of the residential amenity and environment of the area.

9. ENFORCEMENT ACTION – GAGIE FILTERS, KELLAS

With reference to Article 11 of the minute of meeting of this Committee of 31 October 2017, there was submitted Report No 367/17 by the Head of Housing, Regulatory and Protective Services providing an update on the circumstances relative to the enforcement action in respect of the unauthorised use of land at Gagie Filter Beds, Kellas.

The Service Manager (Planning) provided an overview of the contents of the Report, following which slides were shown.

Thereafter, Mr Macrury, a neighbour/objector and Mr Mellor, the landowner, addressed the meeting and answered members' questions.

The Committee agreed to authorise the Planning Service, in conjunction with the Head of Legal and Democratic Services as necessary, to instigate further enforcement action (which may include but not be limited to Direct Action, service of a Fixed Penalty Notice or seeking prosecution) to secure the cessation of the use of the land for the storage of building materials, plant, machinery and equipment, sheds, storage containers, motor vehicles, trailers, boats and caravans and the removal of an unauthorised fence attached to the listed filter bed structure and reprofiling of one of the filter beds at Gagie Filters, Kellas.