

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 24 April 2018 at 10.00 am.

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

Councillor LUMGAIR, Convener, in the Chair.

1. APOLOGY FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Craig Fotheringham.

2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

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

3. DELEGATED DECISIONS

The Committee noted that during the period 24 February to 14 April 2018, a total of 97 planning applications had been approved and 2 refused under the Scheme of Delegation to officers.

4. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 6 March 2018 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

Prior to consideration of Items 5, 6, 7 and 8, the Convener advised that he intended to have a joint presentation covering all four reports, including any related requests to address the Committee..

The Clerk intimated that with regard to the combined presentation on Item 9, there had been tabled (1) an additional proposed planning condition relating to a crossing point of a gas pipeline on the application site; (2) two letters received on 2 and 15 March 2018 respectively in support of the application, which had been inadvertently omitted from the original distribution; and (3) that, in addition, the Convener had agreed to the tabling of an information leaflet submitted by Mr Colin Hunter on behalf of the Sidlaw Path Network.

5. SPECIFIED MATTERS APPLICATION - FIELD 300M EAST OF CARLOGIE HOTEL, CARLOGIE, CARNOUSTIE

There was submitted Report No 138/18 by the Service Leader – Planning and Communities, detailing application No. 17/00661/MSCM for Angus Estates Ltd, seeking approval of Matters Specified in Conditions relevant to the matters contained in Condition 1(a) – (g) and Condition 2 of Planning Permission in Principle Appeal PPA-120-2033, and providing for the formation of an employment area comprising Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage and Distribution) Use and realignment of Carlogie Road at Field 300m East of Carlogie Hotel, Carlogie, Carnoustie. The application was recommended for conditional approval.

Slides were shown following which officers responded to members' questions in relation to the starting date for construction works in the event of approval; roads matters; business use classifications of the proposed units, potential take up of the units, potential employment levels and related matters.

Thereafter, Mr Martin Hannah, the applicant's agent, addressed the meeting and answered members' questions in relation to business use classification, potential employment levels, potential take up of the units and the roads layout.

Having heard the Development Standards Manager, the Committee agreed that the application be approved for the reason and subject to the conditions given in Section 10 of the Report.

6. FIELD WEST OF CARLOGIE ROAD, CARNOUSTIE

There was submitted Report No 139/18 by the Service Leader – Planning and Communities, detailing application No. 17/00685/FULL for Angus Estates Limited for Drainage Infrastructure Operations Comprising Underground Pipework and Formation of a Detention Basin and Outfall including Foul Water Connection to Public Network and Construction of Section of Road associated with Planning Permission in Principle Appeal PPA-110-2033 Resulting in 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, Carnoustie. The application was recommended for conditional approval.

Slides having been shown previously, the Committee agreed that the application be approved for the reason and subject to the conditions given in Section 10 of the Report.

7. FIELD 570M EAST OF CARLOGIE HOTEL, CARNOUSTIE

There was submitted Report No 140/18 by the Service Leader – Planning and Communities, detailing application No 17/00686/FULL for Angus Estates Limited for Drainage Infrastructure Operations Comprising Underground Pipework and Formation of a Detention Basin and Outfall including Foul Water Connection to Public Network and Construction of Section of Road associated with Planning Permission in Principle Appeal PPA-120-2033 Resulting in 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 at Field 570m East of Carlogie Hotel, Carnoustie. The application was recommended for conditional approval.

Slides having been shown previously, the Committee agreed that the application be approved for the reason and subject to the conditions given in Section 10 of the Report.

8. FIELD 500M NORTH WEST OF PANBRIDE SCHOOL, CARNOUSTIE

There was submitted Report No 141/18 by the Service Leader – Planning and Communities, detailing application No 17/00687/FULL for Angus Estates Limited for Drainage Infrastructure Operations Comprising Underground Pipework and Formation of a Detention Basin and Outfall including Foul Water Connection to Public Network associated with Planning Permission in Principle Appeal PPA-120-2033 Resulting in 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 at Field 500m North West of Panbride School, Carnoustie. The application was recommended for approval.

Slides having been shown previously, the Committee agreed that the application be approved for the reason in Section 10 of the Report.

9. STORAGE SHED, MUIRLOCH, LIFF

There was submitted Report No 142/18 by the Service Leader – Planning and Communities, detailing application No 16/00987/FULL for Forest Energy Scotland Limited for change of use of land and alteration and extension of building to form a biomass production and storage facility; erection of a drying fan enclosure; installation of a weighbridge; and associated works at Storage Shed, Muirloch, Liff. The application was recommended for conditional approval.

Slides were shown, following which officers responded to members' questions in relation to monitoring of conditions and location of biomass boilers on the site.

Thereafter, the Committee was addressed by Mr Colin Hunter on behalf of Gillian Zealand, Sidlaw Path Network; Mrs Suzanne McAulay; Mr Ken Churcher; Mrs Clink; Mr Nick Birch; and Mr Stuart Phillips, Muirhead, Birkhill and Liff Community Council, all objectors to the application; and Mr Phillip Mulholland, applicant. Mr Hunter, Mr Phillips and Mr Mulholland also answered members' questions.

Thereafter, having heard the Development Standards Manager clarify the situation regarding adequacy of the fire protection system and fencing arrangements, the Committee agreed that the application be approved for the reason and subject to the conditions given in Section 10 of the Report, and to the additional condition tabled, "that within 2 months of the date of this planning permission, a detailed scheme for the management of vehicle crossing of the national grid pipeline shall be submitted to and approved in writing by the planning authority in consultation with National Grid. The scheme shall include the provision of a vehicular crossing slab to serve the site and the weighbridge. Thereafter the approved scheme shall be implemented within 2 months of the date that the scheme is approved.

"Reason: in order to ensure that suitable vehicle crossing arrangements are installed."

10. ENFORCEMENT UPDATE

There was submitted Report No 143/18 by the Service Leader – Planning and Communities, advising members on the progress of Enforcement Cases which had been agreed previously by this Committee.

Having heard from the Development Standards Manager, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note that, with regard to Case No 08/00007, Strathmartine Hospital, and the continued deterioration in condition of the listed building, that the planning obligation had not yet been concluded within the periods allowed by Scottish Ministers. The Scottish Government had written to Angus Council on 20 March 2018 advising that it was now their intention to conclude the matter by issuing planning permission, in principle, subject to a suspensive planning condition restricting development from taking place until a planning obligation had been entered into to secure financial contributions relating to affordable housing provision and education estate improvements. The Council had agreed a draft condition with the applicant's representative which was submitted to the Scottish Government on 10 April 2018. The issue of planning permission by the Scottish Government was currently awaited. In the meantime, Building Standards staff continued to visit the site regularly to ensure the buildings remained boarded up/blocked up as the site continued to be targeted by vandals.
- (iii) to note that, with regard to Case No 13/00195, land at Gaigie Filters, Kellas, a further site visit had been undertaken on 29 March 2018 when no further progress in relation to the clearance beyond that observed on 12 February 2018 was evident. It was now intended to serve a Fixed Penalty Notice on the site owner with direct action a possible outcome if the requirements of the notice remained unmet.
- (iv) to note that, with regard to Case No 16/00282, land between store and Beattie Brae, Brechin, a site visit had confirmed that full compliance had now been achieved.
- (v) to note that, with regard to Case No 17/00035, Thornbank Cottage, 30 Redford Road, Padanaram, while some positive progress had been made, the Planning Service continued to liaise with the occupier to ensure that compliance would be achieved within an acceptable timescale.
- (vi) to note that, with regard to Case No 17/00027, two areas of land at Keithock, Brechin, extensive clearing works had been undertaken on both areas of land to comply with required steps of the Enforcement Notice although poor weather conditions in March had delayed progress. An appeal against the terms of the Enforcement Notice had

been withdrawn. The landowner had confirmed that all bird rearing operations at the site had ceased.

- (vii) to note that, with regard to Case No 18/00016, field 440m east of Crossroads Cottage, Balnuith, Tealing, the Planning Service was currently preparing an Enforcement Notice in respect of the breach, due to be served at the end of this week.
- (viii) to note that, with regard to Case No 18/00025, field north of 10 Hillhead Road, Monikie, following the issue of a further Enforcement Notice which became effective on 19 March 2018, plant and machinery had been removed from the site but the hard standing remained. The Planning Service would now issue a Fixed Penalty Notice.

11. PLANNING ADVICE NOTES

There was submitted Report No 144/18 by the Service Leader – Planning and Communities, advising members of the preparation of five planning advice notes which had been updated in line with current national, regional and local planning policies.

The Committee agreed:-

- (i) to approve the following five updated Planning Advice Notes and to note the change in the numbering of the documents:
 - Appendix 1 - Advertising in the Rural Area 1/2018;
 - Appendix 2 - Hot Food Takeaways 2/2018;
 - Appendix 3 - Planning and Contaminated Land 3/2018;
 - Appendix 4 - Residential Care Homes 4/2018; and
 - Appendix 5 - Telecommunications Developments 5/2018; and
- (ii) to note that the Planning Advice Notes constituted a material planning consideration which might be utilised during the determination process of a planning application.