

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 11 December 2018 at 10.00 am.

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

Councillor NICOL, Vice-Convener, in the Chair.

1. APOLOGY FOR ABSENCE

An apology for absence was intimated on behalf of Councillor David Lumgair.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. BUILDING WARRANTS

The Committee noted that during the period 5 to 28 November 2018, a total of 56 Building Warrants, 1 Late Warrant, 3 Demolition Warrants and 17 Amendments to Warrant had been approved with an estimated cost of £2,835,447.

4. DELEGATED DECISIONS

The Committee noted that during the period 27 October to 24 November 2018, a total of 53 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 13 November 2018 was approved as a correct record and signed by the Convener.

PLANNING APPLICATIONS

6. 10 SEABRAE, CARNOUSTIE

There was submitted Report No 385/18 by the Service Leader – Planning and Communities, detailing application No. 18/00869/FULL by Mr & Mrs Hunter for the alteration and extension of an existing dwellinghouse at 10 Seabrae, Carnoustie. The application was recommended for conditional approval.

Slides were shown following which officers responded to members' questions in relation to impacts on the surrounding properties and road surface/road safety, and the impacts of overshadowing.

Thereafter, Mrs Whitfield, an objector and Mr Brunton, the applicants' agent addressed the meeting and answered members' questions.

COUNCILLOR NICOL, SECONDED BY COUNCILLOR MYLES, MOVED THAT THE APPLICATION BE APPROVED FOR THE REASON AND SUBJECT TO THE CONDITIONS, AS DETAILED IN REPORT NO 385/18.

Councillor Cheape, seconded by Councillor Fotheringham, moved as an amendment, that the application be refused as the proposal would have an unacceptable adverse impact on the surrounding area and amenity of existing occupiers of nearby properties, in particular the impact of overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing on numbers 3 and 6 Seabrae, Carnoustie and 31 to 35 Admiral Street, Carnoustie, and as the

proposal would also detrimentally affect the character of the surrounding area and was therefore contrary to Policies DS4 and TC4 of the Angus Local Development Plan.

On a vote being taken, the members voted:-

For the motion:-

Councillors Nicol, Braes, Duff, Durno, King, McLaren and Myles (7).

For the amendment:-

Councillors Brown, Cheape, Fotheringham and Sturrock (4).

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

7. FERN COTTAGE, KIRKTON OF AUCHTERHOUSE, DUNDEE

There was submitted Report No 386/18 by the Service Leader – Planning and Communities, detailing application No. 18/00812/FULL by Mr McNaughton & Ms Grant for the erection of a raised deck and associated steps at Fern Cottage, Kirkton of Auchterhouse, Dundee. The application was recommended for approval.

Slides were shown, following which Mr & Mrs Paterson, objectors and Mr Queripel, the applicants' agent, addressed the meeting and answered members' questions.

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

8. PROPOSAL OF APPLICATION NOTICE – LAND NORTH OF BINNS, INVERGOWRIE

There was submitted Report No 387/18 by the Service Leader – Planning and Communities, advising members of a Proposal of Application Notice No. 18/00930/PAN submitted in respect of a major development comprising the installation of a 49.99MW ground mounted solar energy generation system and associated infrastructure at Land North of Binns, Invergowrie. The Committee was invited to identify issues which they would like to see addressed in the planning application.

Slides were shown, following which the Committee agreed to note the key issues identified by officers at this stage, as set out in paragraph 5.4 of the Report, with the addition that the application should also contain further information on the north facing gradient included within the site as it was felt that the use of such land may not be appropriate for solar development, and that the application should seek to justify the requirement for the use of prime agricultural land.

9. SERVICE LEADER PLANNING AND COMMUNITIES: SCHEME OF DELEGATION

With reference to Article 18 of the minute of meeting of this Committee of 28 January 2014, there was submitted Report No 388/18 by the Service Leader – Planning and Communities advising members of a proposal for the formation of a Short Life Working Group to examine the Development Standards Scheme of Delegation and proposing terms of reference for that Group.

The Report indicated that the Council's Scheme of Delegation required to be reviewed at least every five years and it was felt appropriate that a Short Life Working Group be set up to consider any changes that might be necessary to improve the efficiency and effectiveness of the current Scheme of Delegation and development management in Angus.

The Committee agreed:-

- (i) to approve the formation of a Short Life Working Group to examine the current Scheme of Delegation and to consider whether any changes were required within the

context of the Planning etc (Scotland) Act 2006 to further improve the efficiency and effectiveness in determining planning applications etc. within the Council's area;

- (ii) that the Short Life Working Group would consist of officers and four members, namely Councillors Lumgair, Nicol, Braes and Duff, which would meet as and when required and would ensure that any proposed changes to the Scheme of Delegation adhered to the principles of the Planning etc (Scotland) Act 2006; and
- (iii) to instruct the Service Leader - Planning and Communities to report back, in the first instance, to this Committee on the conclusions of the Working Group and thereafter to the Council for approval of the Scheme of Delegation.

10. ENFORCEMENT UPDATE

There was submitted Report No 389/18 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 Service Leader – Planning and Communities, the Committee agreed to note the contents of the Report and in particular:-

- (i) to note that, with regard to Case No. 16/00165, Land 125M West of North Mains Croft, Logie, Kirriemuir, further information had been received from the landowner's agent indicating that the personal circumstances of the occupants of the site had changed and that a further planning application was likely to be submitted. Plans to implement direct action would be progressed however a further Report may require to be considered by this Committee;
- (ii) to note that, with regard to Case No 17/00026, Field 45M South East of 1 Mount Pleasant, Letham Mill, St Vigeans, Arbroath, further detail had been requested from the landowner's agent seeking up-to-date information on the nature and extent of flood risk in order that a view could be reached on whether the matter required to be notified to Scottish Ministers;
- (iii) to note that, with regard to Case No. 16/00276, Storage Shed, Muirloch, Liff, an updated noise management plan had been submitted and discussions were ongoing regarding the timing of the provision of an acoustic fence;
- (iv) to note that, with regard to Case No 18/00016, Field 440M East of Cross Roads Cottage, Balnuith, Tealing, planning application No. 18/00626/FULL for change of use of land to form 2 pitch caravan park (one principal chalet, two tourers and an amenity block on each pitch) to include formation of access road, hardstanding and earth bunds had been submitted and was currently being considered;
- (v) to note that, with regard to Case No. 18/00078, site at Carlogie, Carnoustie, the Enforcement Notice took effect on 14 November 2018, with a three month period for compliance;
- (vi) to note that, with regard to Case No 18/00114, 3A South Kinloch Street, Carnoustie, the Enforcement Notice took effect on 30 November 2018 and there was a six month time period for compliance; and
- (vii) to note that, with regard to Case No 17/00099, Plot 5 and the Pond, Over Ascreavie, Kingoldrum, compliance had been achieved with further landscaping to be provided by 24 March 2019.