

Reference Number	Address	Date of Development Standards Committee	Details of Breach/ Complaint	Summary of Action	Future Action/Update
08/00007	Strathmartine Hospital	08.01.2008	Deterioration in condition of listed building.	<p>Several fire damaged buildings at the site have been demolished for safety reasons. The ground floor openings to the listed building, exposed by the demolition of link buildings, have been built up with concrete blockwork. Council resolved to approve application 13/00268/EIAM (for the redevelopment of the hospital) at its meetings of 18 December 2014 and 12 February 2015. The application was subsequently called-in for determination by Scottish Ministers and on 17 September 2015 and they issued a notification of intention to approve the application subject to conclusion of a Planning Obligation (Report No 395/15 refers). As a result of a failure by the developer to enter into a Planning Obligation within timescales prescribed by the Scottish Government, Ministers have now issued planning permission in principle subject to conditions including a condition requiring a Planning Obligation to be entered into prior to the commencement of development. Notice was received that Ministers had issued planning permission on 25 April 2018.</p>	<p>Building Standards regularly visit the site to ensure the buildings remain boarded/ blocked up however the site continues to be targeted by vandals.</p> <p>The case remains open at this time until progress is made in respect of the redevelopment of the site.</p> <p>The Planning Service has contacted the developer's agent and requested that an update on progress be provided. The developer's agent has indicated that they remain in discussion with NHS Tayside.</p>
12/00230	Barry & Downs Caravan Park Barry Carnoustie	18.02.2014	Allegation that the site is not being used as 'holiday use' and that permanent residential accommodation of caravans may be taking place.	<p>A Planning Contravention Notice (PCN) was served on the owner of the site. The PCN Response Forms were returned on 30 May 2014.</p> <p>A Section 33A Notice was served on the owner of the site requiring the submission of a planning application for the use of the land</p>	<p>The site owner submitted a further application for a Certificate of Lawful Use (16/00428/CLU) that was refused on 28 August 2016.</p> <p>The applicant's agent lodged an appeal in respect of the Council's decision with the Directorate for</p>

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				<p>for the siting of caravans for residential purposes.</p> <p>The site operator submitted an application for a Certificate of Lawful Use to cover the site. The application was refused on 3 April 2015 and the site operator submitted an appeal against the decision to the Scottish Government, which was dismissed on 2 September 2015.</p> <p>The site operator submitted a legal challenge against the decision of the Scottish Ministers to the Court of Session. The legal challenge was dismissed and the Reporter's decision of 2 September 2015 stands.</p> <p>Planning application 15/00506/FULL for the use of land for siting of park homes as a principal or primary or sole residence was submitted in response to the S33A Notice. The application was refused under delegated powers on 18 July 2016</p>	<p>Planning and Environmental Appeals (DPEA).</p> <p>The Reporter's decision on the appeal was issued on 7 February 2017. The Reporter granted a Certificate of Lawfulness for part of the application site.</p> <p>The site operator has indicated that he may be in a position to demonstrate that the activities at the site are lawful on the basis it has operated in a particular manner for a continuous period of time. Officers have provided information in relation to the planning history of the site and have suggested that an application for a certificate of lawfulness of existing use should be submitted for those areas of the site where it is considered that lawfulness can be demonstrated.</p> <p>The operator's legal representatives have indicated that an application for a Certificate of Lawful Use is being prepared for submission in the near future.</p> <p>The legal representative indicated on 20 March 2019 that they were taking instruction from their client and would</p>

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					provide an update in due course.
16/00165	Land 125 Metres West of North Mains Croft Logie Kirriemuir	02.08.2016	The site has been cleared of vegetation and the ground levelled with a layer of rubble and crushed stone. 1 static and 1 touring caravan have been brought on to the site.	<p>An Enforcement Notice was served on the landowner on 19 August 2016.</p> <p>The site owner submitted an appeal against the Enforcement Notice to the DPEA and submitted an application for retrospective Planning Permission (ref: 16/00738/FULL).</p> <p>The Reporter's decision on the Enforcement Notice was published on 23 November 2016. The Reporter allowed the appeal and corrected the terms of the notice to show that the earthen bund should be "levelled" rather than "removed" and varied the periods for compliance with the Notice to allow time for the current planning application to be determined and any appeal thereon to be decided (to remove the caravans from the site on or before 3 August 2017 and to complete the remaining steps on or before 3 September 2017).</p>	Committee authorised the use of direct action to bring the site into compliance with the outstanding actions from the Enforcement Notice that is effective on the site at the meeting of 13 November 2018. The recovery of any expenses incurred from the site owner and/or other interested parties was also authorised. A further planning application has been submitted and this identifies that amongst other things, the personal circumstances of the occupant have changed. That application will be determined in due course but preparation for direct action will continue meantime.
17/00008	Former Hooks Hotel 3 Bank Street Kirriemuir DD8 4BE		There is demonstrable damage to the Category C Listed building caused by water ingress, defective roof membrane, missing / broken windows and inadequate ventilation.	<p>An Urgent Works Notice has been served on the owner notifying Angus Council's intention to instruct the following works no sooner than 13 February 2017:</p> <ol style="list-style-type: none"> <li>1. Insert a temporary rainwater disposal system and the front and rear of the building and repair and test drains.</li> </ol>	<p>Contractors have undertaken the required works at the site and costs will be recovered from the owner.</p> <p>An appeal against the serving of the Notice for Liability for Expenses (LBE0120-2001) for the site was lodged on 01 November 2017.</p>

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				<ol style="list-style-type: none"> <li>2. Secure a temporary robust membrane to the roof until the roof is re-slatted.</li> <li>3. Secure all openings at the building currently open to the elements.</li> <li>4. Provide ventilation throughout the building to comply with the British Standard.</li> </ol>	<p>A report and recommendations from a DPEA Reporter were submitted to Scottish Ministers for consideration.</p> <p>A report and recommendations from a DPEA Reporter were submitted to Scottish Ministers for consideration. On 1 August 2018 the Scottish Ministers agreed with the Reporters conclusions and recommendation that the full amount claimed by Angus Council is recoverable.</p> <p>A letter has been sent to the site owner's solicitor requesting payment but no response had been received at the time of writing. An appropriate notice has been registered with the Land Registry. This will be triggered in the event that the site owner attempts to sell the property without paying the costs. This item will remain on the update until costs have been recovered.</p>
16/00276	Storage Shed Muirloch Liff	08.08.2017	Unauthorised operation of a biomass production facility at the site of a storage shed that is authorised for the storage of biomass.	<p>Planning application ref: 16/00987/FULL was approved by the Development Standards Committee on 24 April 2018 subject to conditions.</p> <p>The applicant submitted information to discharge conditions relating to the</p>	A revised Noise Management Plan (NMP) was submitted on 19 October 2018 and was subject of consultation with Environmental Health in order to determine its acceptability. The applicant's consultant was written to on 02 November regarding minor

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			Subsequent complaint received on 23 July 2018 alleging chipping operations have taken place outside of the approved hours	management of noise, artificial light and vehicles crossing the national grid pipeline.	<p>amendments that were required to the NMP following that consultation. The scheme to mitigate artificial light is acceptable. Confirmation has been sought from the applicant's consultant that the agreed scheme of mitigation has been implemented.</p> <p>The information regarding the pipeline crossing was sent to National Grid who has indicated that the proposal is acceptable.</p> <p>The temporary fencing has been moved in order to improve public access over the track and details of the proposed permanent fencing have been provided and are considered to be acceptable. An updated NMP has been submitted. The acoustic fence has now been erected. It is further indicated that a contractor has been nominated to undertake pipeline crossing works and that he is in the process of arranging National Grid supervision for the work to form the pipeline crossing.</p>
13/00195	Land at Gagie Filters Kellas	03.10.2017	Unauthorised works have been undertaken to the filter beds which are listed and the site is being used for the	Listed Building and Planning Enforcement Notices were served on 30 January 2017 requiring the reinstatement of the filter beds and the removal of the various items from the site.	An update was provided to Committee on 07 August 2018 by means of a separate report (Report No 226/18) and Committee approved the use of direct action as necessary in order to bring the

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			storage of various items without planning permission	<p>An appeal against each Notice was dismissed by the DPEA with the date for compliance being three months from that date 19 September 2017. The appeal decisions were the subject of previous reports to Committee, ref 254/17 and 255/17.</p> <p>The owner did not undertake the required works within the specified timescales. A fixed penalty notice was issued but no payment was made.</p>	<p>site into compliance with the terms of the Enforcement Notice.</p> <p>The owner has now undertaken works to level the sand bund over Filter Bed 3 and has been progressively removing unauthorised items from the site.</p> <p>Direct action will not be pursued whilst there is evidence of satisfactory progress. A monitoring site visit undertaken on 01 March 2019 confirmed that satisfactory progress has been made to bring the site to a satisfactory condition. The site owner indicated on 28 January 2019 that he is in the process of making a planning application to attempt to regularise the presence of the remaining sheds on the site. No application has been submitted to date. A further reminder has been sent to the site owner. Should no application be forthcoming, the decision not to proceed with direct action will be revisited.</p>
18/00016	Field 440M East of Cross Roads Cottage Balnuith Tealing	13.02.2018	Observation received regarding the alteration to ground levels and the laying of crushed aggregates at the site	A Temporary Stop Notice was posted at the site on 29 January 2018 requiring the cessation of the importation of crushed aggregates and alteration of ground levels within the site. The Notice expired on 28 February 2018.	<p>An attempt was made to serve an Enforcement Notice by sending it to the site owner's last known address but the Notice was returned unopened.</p> <p>Planning application ref. 18/00626/FULL</p>

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				An Enforcement Notice served under enforcement case ref: 16/00202/UNDV remains effective on the land. The notice prevents the storage of caravans at the site.	for Change of Use of Land to Form Two 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 was submitted in an attempt to regularise the situation but the application has been withdrawn. The applicant's agent indicated on 29 January 2019 that a new planning application would be submitted following the preparation of technical reports relating to drainage and traffic impact.  The Enforcement Notice will now be reserved.
17/00099	Plot Five and The Pond Over Ascreavie Kingoldrum	24.04.2018	Observation received regarding the alterations to ground levels and the area of land at the Pond being infilled, and that the house at Plot Five was not being built in accordance with the approved planning permission reference: 08/01539/FUL.	Two Enforcement Notices were served on the landowners and developers on 20 March 2018. The Notices were subject of appeal but were upheld subject to minor variation. The Notices require the land owners and developers to undertake the following steps:- <b>Plot Five:</b> 1. Remove the 1.8 – 2.0 metre high wooden close boarded fence that has been erected to the west of the house approved under the terms of planning permission reference 08/01539/FUL, within one (1) month of the date of this Notice	Interested parties have been contacted with regard to the timescales set out by the Reporter for compliance with the notices. The situation will continue to be monitored to ensure that compliance is achieved. Compliance has been achieved with actions required to be undertaken to date as follows:-  <b>Plot Five</b> 1. Has been complied with. 2. Has been complied with.

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				<p>becoming effective.            2. Form the curtilage of the house approved under the terms of planning permission reference 08/01539/FUL in accordance with the approved site plan/location plan by A B Roger &amp; Young dated Dec 2008, within six (6) months of the date of this Notice becoming effective.</p> <p><b>The Pond:</b>            Remove the recently deposited soil, rubble, building and construction materials, landfill and other detritus deposited onto the area of land at The Pond, and reinstate the area of land to its grassed condition prior to the recent deposition, within two (2) months of the date of this Notice becoming effective.</p>	<p><b>The Pond</b>            Has been complied with.</p> <p>All of the requisite actions have been completed and the case will be closed.</p>
18/00072	Former NOSWA Sewage Pumping Station Yard, Craig O'Loch Road, Forfar	07.08.2018	Importation of soil, rubble, hard core, building materials and other detritus etc., compaction of these materials and altering of ground levels at a vacant yard without the benefit of planning permission.	<p>A Temporary Stop Notice (TSN) was served on 15 May 2018 requiring that the importation of materials into the site cease with immediate effect.</p> <p>An Enforcement Notice was served by Sherriff Officers. The notice took effect on 14 December 2018 and required that all non-inert material be removed from the site and that all remaining inert material be capped with a membrane and topsoil by 14 January 2019.</p>	The Planning Service has been in discussion with the Parks and Burial Grounds Service regarding nature and extent of the works required to remediate the site. Once the extent of works and the cost of the works have been established, an update will be provided.



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18/00078	Site at Carlogie, Carnoustie	13.11.2018	Agricultural land is being used to site storage containers without planning permission.	An Enforcement Notice was served on interested parties on 15 October 2018. The notice requires the removal of the containers and associated hardstanding and the reinstatement of the land to a greenfield condition and the ceasing of the use of the land as a storage facility.	The Enforcement Notice took effect on 14 November 2018 and requires the removal of the containers and the associated hardstanding and the restoration of the site by 14 February 2019.  The containers have been removed in compliance with the Notice.
18/00114	3A South Kinloch Street, Carnoustie	13.11.2018	Extension under construction is not being built in accordance with that granted planning permission Ref 16/00678/FULL. No alternative planning permission has been sought or granted and consequently the development does not benefit from planning permission.	An Enforcement Notice was served on the property owners on 30 October 2018. The notice requires that either any unauthorised development that does not accord with the provisions of planning permission ref: 16/00678/FULL is removed and any works to be retained is reconfigured to bring them into compliance with the planning permission; or that all unauthorised works are removed in their entirety and the dwelling is reinstated to its pre-development condition	The Enforcement Notice took effect on 30 November 2018. There is a six month time period for compliance. The Developer's Agent has been in contact with the Planning Service and has agreed an acceptable alternative proposal that will be subject of a new planning application. The applicant's agent indicated on 21 January 2019 that he has been instructed to progress with the preparation and submission of a new planning application. A planning application for an amended proposal was submitted and subsequently approved. The case will be closed.