

# ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 18 June 2019 at 10.00 am.

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

Councillor LUMGAIR, Convener, in the Chair.

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Colin Brown, Craig Fotheringham and Bob Myles.

## 2. DECLARATIONS OF INTEREST

Councillor Durno declared an interest in item 8, application No 19/00255/FULL, as her niece had objected to the application. She indicated that she would not participate in any discussion and voting and would leave the meeting during consideration of the item.

Councillor McLaren declared an interest in items 7 and 11, application Nos 19/00091/FULM, & 19/00329/FULL respectively, as he had been contacted by constituents in relation to both applications. He indicated that he had expressed no view or opinion and that he would take part in any discussion and voting on the items.

Councillor Moore declared an interest in item 7, application No 19/00091/FULM, as a family member of the applicant was a neighbour of his. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Lumgair declared in interest in item 6, application No 19/00083/FULM, as his family farming business was a customer of the applicant. 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 6 May to 7 June 2019, a total of 84 Building Warrants, 1 Late Warrant, 1 Demolition Warrant and 19 Amendments to Warrant had been approved with an estimated cost of £7,833,002.

## 4. DELEGATED DECISIONS

The Committee noted that during the period 4 May to 8 June 2019, a total of 76 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 14 May 2019 was approved as a correct record and signed by the Convener.

## PLANNING APPLICATIONS

*Having declared an interest at Article 2 above, the Convener left the meeting during consideration of the following item. Councillor Nicol, Vice-Convener took the Chair.*

## 6. HATTON MILL QUARRY, KINNELL, FRIOCKHEIM

There was submitted Report No 203/19 by the Service Leader – Planning and Communities detailing application No. 19/00083/FULM by D Geddes (Contractors) Ltd for the extension of Hatton Mill Quarry for the extraction of sand and gravel including the restoration of the land at

Hatton Mill Quarry, Kinnell, Friockheim. The application was recommended for conditional approval.

Slides were shown following which Mr Booth, the applicant's agent, answered members' questions.

The Committee agreed that the application be approved for the reason and subject to the conditions as detailed in Section 10 of the Report.

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

## **7. GROUND AT PITREUCHIE FARM, FORFAR**

There was submitted Report No 204/19 by the Service Leader – Planning and Communities detailing application No. 19/00091/FULM by Laird Aggregates Ltd for the extension of Auchterforfar Quarry for the extraction of sand and gravel including the restoration of the land on land at Pitreuchie Farm, Forfar. The application was recommended for conditional approval.

Slides were shown following which officers responded to members' questions in relation to the use of the existing haul roads, bunds and screening at Pitreuchie Place.

Thereafter, Mr Hall, an objector, addressed the meeting and answered members' questions. Mr Hall also addressed the meeting on behalf of Ms Gilles, an objector. Mr Booth, the applicant's agent, also addressed the meeting and answered members' questions.

The Committee agreed to approve the application for the reason and subject to the conditions as detailed in Section 10 of the Report.

*In accordance with the provisions of Standing Order 16(11)(ii), Councillor Durno requested that her dissent be recorded from the foregoing decision.*

*At this stage in the meeting, the time being 11.07 am, the Committee agreed to a five minute adjournment. The meeting reconvened at 11.12 am.*

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

## **8. PLAYPARK, BLOOMFIELD ROAD, ARBROATH**

There was submitted Report No 205/19 by the Service Leader – Planning and Communities detailing application No. 19/00255/FULL by Angus Council for 14 new affordable homes including landscaping, drainage, roads parking and a new playpark on land adjacent to Bloomfield Place and Muirton Road, Arbroath. The application was recommended for conditional approval.

Slides were shown and Mrs Philip and Mrs Sharp, both objectors, addressed the meeting. Mrs Johnson, a representative of Angus Council, also answered members' questions.

The Committee agreed to approve the application for the reason and subject to the conditions as detailed in Section 10 of the Report.

*In accordance with the provisions of Standing Order 16(11)(ii), Councillor Moore requested that his dissent be recorded from the foregoing decision.*

## **9. THE WALLED GARDEN, TEALING HOUSE, TEALING**

There was submitted Report No 206/19 by the Service Leader – Planning and Communities detailing application No. 18/00689/FULL by Western Developments SPV 1 Ltd for the erection of 6 No. dwellinghouses (re-application) at The Walled Garden, Tealing House, Tealing. The application was recommended for conditional approval.

Slides were shown and Mrs Whyte, an objector, and Mr Middleton, the applicant's agent, addressed the meeting and answered members' questions.

The Committee agreed to approve the application for the reason and subject to the conditions as detailed in Section 10 of the Report.

#### **10. LAND ADJACENT TO MUNDAMALLA, COUPAR ANGUS ROAD, NEWTYLE**

There was submitted Report No 206/19 by the Service Leader – Planning and Communities detailing application No. 18/00900/FULL by Ogilvie Homes for proposed development of 22 dwellinghouses, including affordable housing, and associated infrastructure (re-application) at Land Adjacent to Mundamalla, Coupar Angus Road, Newtyle. The application was recommended for conditional approval.

Slides were shown and Mr Hindmarsh, an objector, addressed the meeting.

The Committee agreed to approve the application for the reason and subject to the conditions as detailed in Section 10 of the Report, subject to the following additional/amended conditions:-

'2. No development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:

(j) precise details of any works required to relocate gas infrastructure within the site including evidence of Scottish Gas Network approval for any required works. Thereafter any works required shall be completed prior to the commencement of development or other such timescale as may be approved by Scottish Gas Network.

Reason: In order to ensure that impacts on gas infrastructure are appropriately mitigated.'

'3. No development in connection with the planning permission hereby approved shall take place until the following has been provided:

(a) a footway on the north side of Coupar Angus Road between B954 Dundee Road and the south-east corner of the site. The footway shall be formed and constructed in accordance with the standards of Angus Council.'

#### **11. FORMER FORFAR ACADEMY SITE, TAYLOR STREET, FORFAR**

There was submitted Report No 208/19 by the Service Leader – Planning and Communities detailing application No. 19/00329/FULL by Angus Council for the erection of a nursery including the formation of car parking, drainage infrastructure, landscaping, enclosures and other associated works at the former Forfar Academy Site, Taylor Street, Forfar. The application was recommended for conditional approval.

Slides were shown and Mr Noble, a representative of Angus Council answered members' questions.

The Committee agreed to approve the application for the reason and subject to the conditions as detailed in Section 10 of the Report.

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

There was submitted Report No 209/19 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. 08/00007, Strathmartine Hospital, in light of ongoing issues and having heard Councillor King express concerns following the

further substantial fire at the site and the lack of progress, the planning service intended to meet with the relevant parties to explore further options for securing redevelopment of the site;

- (ii) to note that, with regard to case No. 18/00078, Site at Carlogie, Carnoustie, the case would be closed; and
- (iii) to note that, with regard to case No. 18/00072, Former NOSWA Sewage Pumping Station Yard, Craig O'Loch Road, Forfar, discussions were ongoing with the Parks Service regarding remedial action.

**13. THE ANGUS COUNCIL (LAND AT 2 DUNDEE ROAD AND ADJACENT TO 7 BLAIRS ROAD, LETHAM) TREE PRESERVATION ORDER 2019 NO.1**

There was submitted Report No 210/19 by the Service Leader – Planning and Communities advising that in terms of Section 160 of the Town and Country Planning (Scotland) Act 1997, the provisional Tree Preservation Order 2019 No. 1 had come into effect on 18 February 2019. The Report sought confirmation of the Order as detailed in the Report.

The Committee agreed to confirm The Angus Council (Land at 2 Dundee Road and Adjacent to 7 Blairs Road, Letham) Tree Preservation Order 2019 No. 1.

**14. PLANNING APPEAL DECISION: LAND SOUTH-EAST OF PITSKELLY ROAD, CARNOUSTIE**

There was submitted Report No 211/19 by the Service Leader – Planning and Communities presenting the findings of the Reporter appointed by Scottish Ministers to determine the appeal against the decision to refuse planning permission in principle for a residential development incorporating formation of access roads, landscaping, associated infrastructure and cemetery extension at Land South-East of Pitskelly Road, Carnoustie.

The Committee noted that the appeal had been dismissed and planning permission in principle refused.