

# ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 10 December 2019 at 10.00am.

**Present:** Councillors DAVID LUMGAIR, GAVIN NICOL, KENNY BRAES, DAVID CHEAPE, BRENDA DURNO, CRAIG FOTHERINGHAM, ALEX KING, IAN MCLAREN AND RICHARD MOORE.

Councillor LUMGAIR, Convener, in the Chair.

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Colin Brown BEM, Bill Duff and Bob Myles.

## 2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

Councillors Lumgair, Nicol, Braes, Durno, Fotheringham, King, McLaren and Moore all declared an interest in items 6 and 7, application Nos 19/00813/FULL and 19/00814/LBC as the applicant was a fellow Councillor. All indicated that they would take part in any discussion and voting on the items.

Councillor Cheape declared an interest in items 6 and 7, application Nos 19/00813/FULL and 19/00814/LBC as he was a close friend of the applicant who had a financial interest in the application. He indicated that he would not participate in any discussion and voting and would leave the meeting during consideration of the items.

## 3. BUILDING WARRANTS

The Committee noted that during the period 4 to 29 November 2019, a total of 46 Building Warrants and 15 Amendments to Warrant had been approved with an estimated cost of £2,232,150.

## 4. DELEGATED DECISIONS

The Committee noted that during the period 2 to 30 November 2019, a total of 50 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 12 November 2019 was approved as a correct record and signed by the Convener.

## PLANNING APPLICATIONS

*Having declared an interest at Article 2 above, Councillor Cheape left the meeting during consideration of items 6 and 7 below.*

## 6. STABLEMANS COTTAGE, PANBRIDE HOUSE, PANBRIDE, CARNOUSTIE

There was submitted Report No 411/19 by the Service Leader – Planning and Communities detailing application No. 19/00813/FULL by Mr Boyd & Mr Sothern for alterations to an existing cottage at Stablemans Cottage, Panbride House, Panbride, Carnoustie. The application was recommended for approval.

Slides were shown.

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

## **7. STABLEMANS COTTAGE, PANBRIDE HOUSE, PANBRIDE, CARNOUSTIE**

There was submitted Report No 412/19 by the Service Leader – Planning and Communities detailing application No. 19/00814/LBC by Mr Boyd & Mr Sothern for alterations to an existing Cottage at Stablemans Cottage, Panbride House, Panbride, Carnoustie. The application was recommended for conditional approval.

Slides having previously been shown at Article 6 above, the Committee agreed that the application be approved for the reason and subject to the condition as detailed in Section 10 of the Report.

## **8. ENFORCEMENT UPDATE**

There was submitted Report No 413/19 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 19/00033, Field South of Tinkers Avenue, Oathlaw, Forfar, the substantive breach of planning control had been resolved and the case would be closed;
- (ii) to note that, with regard to case No 18/00098, Former Ashludie Hospital, Monifieth, an appeal against the decision to refuse planning permission for the construction of a fence had been submitted to the Planning and Environmental Appeals Division on 13 November 2019 and that further enforcement action would not be pursued until the appeal had been determined;
- (iii) to note that, with regard to case No 17/00036, 56 Broomwell Gardens, Monikie, the flue had been removed as required by the Enforcement Notice and the case would be closed;
- (iv) to note that, with regard to case No 18/00081, Priory View, Old Brechin Road, Lunanhead, an Enforcement Notice had been served requiring the removal of a storage container however, planning permission had subsequently been granted for the sighting of the storage container on an alternative area of land and the terms of that permission now required the container to be repositioned by 19 February 2020; and
- (v) to note that, with regard to case No 17/00090, The Steadings, Reswallie Mains, Forfar, there had been a breach of the terms of an Enforcement Notice and the landowner would be contacted and reminded of its terms, invited to undertake steps to secure compliance and, if the matter was not resolved voluntarily, a further report would be submitted to a future meeting of this Committee for consideration.

## **9. PLANNING APPEAL DECISION – UNITS 4A-9, CRAIG O’LOCH ROAD, FORFAR**

There was submitted Report No 414/19 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 for the use of lock ups for Class 5 (General Industrial) and Class 6 (Storage and Distribution) purposes at Units 4A-9, Craig O’Loch Road, Forfar.

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

## **10. ENFORCEMENT APPEAL DECISION – UNITS 4A-9, CRAIG O’LOCH ROAD, FORFAR**

There was submitted Report No 415/19 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 issue an Enforcement Notice requiring the cessation of use of the land and buildings for uses within Use Class 5, including all vehicle repair and maintenance activity anywhere on the site at Unit 4A-9, Craig O’Loch Road, Forfar.

The Committee noted that the Reporter had upheld the appeal and varied the terms of the Enforcement Notice to allow a period of six months for cessation of the use.