

# ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 3 March 2020 at 10.00am.

**Present:** Councillors DAVID LUMGAIR, KENNY BRAES, COLIN BROWN BEM, DAVID CHEAPE, BILL DUFF, BRENDA DURNO, CRAIG FOTHERINGHAM, ALEX KING, IAN MCLAREN, RICHARD MOORE and BOB MYLES.

Councillor LUMGAIR, Convener, in the Chair.

## 1. APOLOGIES FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Gavin Nicol.

## 2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT

Councillor Lumgair declared a financial interest in item 6, Report No 93/20, as he had shares in Breedon Northern Ltd. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Durno declared an interest in item 9, Report No 96/20, as a potential developer with an interest in the site was a neighbour of hers. She indicated that she had not discussed the item with them and that she would therefore take part in any discussion and voting on the item.

## 3. BUILDING WARRANTS

The Committee noted that during the period 27 January to 21 February 2020, a total of 82 Building Warrants, 1 Late Warrant and 22 Amendments to Warrant had been approved with an estimated cost of £3,398,755.

## 4. DELEGATED DECISIONS

The Committee noted that during the period 25 January to 22 February 2020, a total of 58 planning applications had been approved and 2 refused under the Scheme of Delegation to Officers.

## 5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 4 February 2020 was approved as a correct record and signed by the Convener.

## PLANNING APPLICATIONS

*Having declared a financial interest at Article 2 above, Councillor Lumgair left the meeting during consideration of the following item.*

*In the absence of both the Convener and Vice-Convener, and in accordance with the provisions of Standing Order 7(i), the Committee agreed to appoint Councillor Bob Myles as Chair of the meeting for the following item only.*

## 6. CUNMONT QUARRY, NEWBIGGING, MONIFIETH

There was submitted Report No 93/20 by the Service Leader – Planning and Communities detailing an application by Breedon Northern Ltd for periodic review of mineral planning permission No. 17/00902/EIAM. The application sought a review of conditions relevant to the operation of a hard rock quarry at Cunmont Quarry, Newbigging, Monifieth. It was recommended that the proposed amended conditions be approved.

Slides were shown following which officers responded to members' questions in relation to water drainage.

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

*At this stage in the meeting, Councillor Lumgair re-took the Chair.*

#### **7. 9 ROWAN COURT, CHRISTIE'S LANE, MONTROSE**

There was submitted Report No 94/20 by the Service Leader – Planning and Communities detailing application No. 19/00609/FULL by Angus Council for the change of use of a tenancy support office to a three bed dwellinghouse at 9 Rowan Court, Christie's Lane, Montrose. 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.

#### **8. ENFORCEMENT UPDATE**

There was submitted Report No 95/20 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, despite the Council's policy on advertising in a rural area, advertisements continued to be erected without the necessary consent and members had raised this as a matter of concern. Officers had therefore initiated a programme of action in relation to unauthorised signs with priority being given, in the first instance, to those displayed on the A90 and A92 dual carriageways. A number of the signs had been removed voluntarily however it was likely that formal enforcement action may be required, with additional cases being added to the update Report;
- (ii) to note that, with regard to case No. 08/00007, Strathmartine Hospital, a planning application seeking to amend conditions had been submitted; and
- (iii) to note that, with regard to case No. 19/00057, Land between Queen Street and Newton Road, Carnoustie, two Breach of Condition Notices had been served on the developer requiring the submission of a scheme of hard and soft landscaping, with the landscaping scheme to be implemented by 30 September 2020.

#### **9. THE ANGUS COUNCIL (LAND AT 21 CAIRNIEHILL GARDENS, ARBROATH) TREE PRESERVATION ORDER 2019 NO. 2**

There was submitted Report No 96/20 by the Service Leader – Planning and Communities advising members that in terms of Section 160 of the Town & County Planning (Scotland) Act 1997, The Angus Council (Land at 21 Cairniehill Gardens, Arbroath) Tree Preservation Order 2019 No. 2 had come into effect on 20 December 2019. The Report sought confirmation of the Order as detailed in the Report.

Slides were shown following which officers responded to members' questions in relation to land drainage and condition of the trees.

Thereafter, Mr Keillor, the landowner, addressed the meeting.

**COUNCILLOR LUMGAIR, SECONDED BY COUNCILLOR KING, MOVED THAT THE ANGUS COUNCIL (LAND AT 21 CAIRNIEHILL GARDENS, ARBROATH) TREE PRESERVATION ORDER 2019 NO. 2 BE CONFIRMED.**

Councillor Myles, seconded by Councillor Brown, moved as an amendment, that The Angus Council (Land at 21 Cairniehill Gardens, Arbroath) Tree Preservation Order 2019 No. 2 not be confirmed.

On a vote being taken, the members voted:-

For the motion:-

Councillors Lumgair, Braes, Duff, Durno, King and Moore (6).

For the amendment:-

Councillors Brown, Cheape, Fotheringham, McLaren and Myles (5).

The motion was declared carried resulting in The Angus Council (Land at 21 Cairniehill Gardens, Arbroath) Tree Preservation Order 2019 No. 2 being confirmed.

**10. PROPOSAL OF APPLICATION NOTICE – FIELD NORTH OF DURIEHILL FARM COTTAGE, EDZELL**

There was submitted Report No 97/20 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 20/00096/PAN submitted in respect of a major development comprising a residential development, incorporating formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure at a Field North of Duriehill Farm Cottage, Edzell. The Committee was invited to identify issues which they would like to see addressed in the planning application.

The Committee agreed to note the key issues identified by the officers at this stage, as set out in paragraph 4.5 of the Report, but raised concerns in relation to the proximity of the development site to the waste water treatment plant and the potential impacts on the amenity of occupants of proposed houses; suitability of the local road network to accommodate additional vehicular traffic associated with development and the potential need for road widening; consideration of phasing to ensure that new development was not undertaken in a manner that would adversely impact on the social well-being of Edzell; and future management and maintenance of the buffer zone between the site and the waste water treatment plant.

**11. NEW PRE-APPLICATION PLANNING ADVICE PROCEDURES**

With reference to Article 3(vi) of the minute of meeting of Angus Council of 21 February 2019, there was submitted Report No 98/20 by the Service Leader – Planning and Communities updating members on the introduction of charges for the provision of pre-application planning advice.

An online facility had been created to allow the submission of enquiries relating to whether operations required planning permission, and would also allow the submission of pre-application planning enquiries. The revised arrangements were consistent with the aim of delivering services digitally and with the move towards electronic submission of planning applications through the government's e-planning system. The new process would be communicated to all planning agents that regularly interacted with the Council and would be publicised on the Council's website.

The Committee agreed to note that a new online pre-application planning advice service would be introduced with effect from 1 April 2020 in accordance with the charging schedule as detailed in Schedule 4a to Report No 56/19, and as updated at Appendix 1 to the Report.