

## **ANGUS COUNCIL**

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Tuesday 15 December 2020 at 10.00am.

**Present:** Councillors DAVID LUMGAIR, GAVIN NICOL, 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**

There were no apologies intimated.

### **2. DECLARATIONS OF INTEREST/INTIMATIONS OF CONTACT**

Councillor Moore declared an interest in item 10, Report No 323/20, as he had received a number of representations from residents and objectors to the proposal. He indicated that whilst he had acknowledged the correspondence, he had not made any comment and that he would therefore participate in any discussion and voting on the item.

Councillors McLaren and Moore each declared an interest in item 7, application No. 20/00252/FULL, as they were both members of the Scottish Wildlife Trust who had objected to the application. Both indicated that they had no knowledge of the objection and that they would therefore take part in any discussion and voting on the item.

Councillor Cheape declared an interest in item 6, application No. 20/00587/FULM, as one of the directors of the company was a member of the Monikie and Newbigging Community Council, meetings of which Councillor Cheape attended regularly, and also as he was acquainted with the family of Defined Stone Ltd. He indicated that he would participate in any discussion and voting on the item.

Councillor King intimated that in relation to item 10, Report No 323/20, he had received a number of communications from residents in the area of Cononsyth. He indicated that he had not read the correspondence and that he would therefore take part in any discussion and voting.

### **3. BUILDING WARRANTS**

The Committee noted that during the period 10 October to 3 December 2020, a total of 89 Building Warrants, 1 Late Warrant, 4 Demolition Warrants and 28 Amendments to Warrant had been approved with an estimated cost of £14,393,547.

### **4. DELEGATED DECISIONS**

The Committee noted that during the period 10 October to 4 December 2020, a total of 82 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 27 October 2020 was submitted and approved as a correct record.

## **PLANNING APPLICATIONS**

### **6. PITAIRLIE QUARRY, MONIKIE**

There was submitted Report No 307/20 by the Service Leader – Planning and Communities detailing application No. 20/00587/FULM by Denfind Stone Ltd for the proposed extension of Pitairlie Quarry, extraction of hard rock including the restoration of the land and restoration of the existing Pitairlie Quarry at Pitairlie Quarry, Monikie. The application was recommended for conditional approval.

Slides were shown following which officers responded to members' questions in relation to the types of materials, restoration works, recreation of agricultural land, bunds and phasing works, noise levels and hours of operation, start and end dates for each of the phases, flooding and potential increase in traffic movement.

Thereafter, Mr Stout, an interested party, Mr Booth, the applicant's agent and Mr Binnie, the applicant, addressed the meeting and answered members' questions regarding dust, noise and the proposed conditions.

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

### **7. BELLWOOD TREE NURSERY, BRIGTON OF RUTHVEN, RUTHVEN**

There was submitted Report No 320/20 by the Service Leader – Planning and Communities detailing application No. 20/00252/FULL by Morris Leslie Ltd for the change of use of a former tree nursery to form a site for a holiday caravan park for 41 caravans, including construction of pitches and associated infrastructure on land at Bellwood Tree Nursery, Brigton of Ruthven, Ruthven. The application was recommended for conditional approval.

Slides were shown following which officers responded to members' questions in relation to refuse collections, use of the site and whether it was for tourists or residential use, proposals for occupancy of the caravans, passing places and their formation, noise and activity including traffic activity in and around the site, and visual appearance of the caravans.

Thereafter, Councillor MacMillan Douglas, a local member, Mrs Hamilton, Mrs Anderson, Mr Clayhills-Henderson, Mr Lyburn and Mr Brough, all objectors, addressed the meeting and answered members' questions in relation to proximity to the River Isla, access to neighbouring fields, the road network and passing places.

*At this stage (12.21pm) Councillor Fotheringham left the meeting.*

Mr Queripel, the applicant's agent, also addressed the meeting and answered members' questions in relation to site management and staffing proposals, access route and visibility, enforcement and residency and sustainable travel.

*At this point in the meeting, (the time being 12.55 pm) the Committee agreed, in accordance with the provisions of Standing Order 21(8), that the meeting continue to the conclusion of Item 7, and thereafter to adjourn the meeting and resume immediately following conclusion of the Special meeting of Angus Council.*

**COUNCILLOR KING, SECONDED BY COUNCILLOR DUFF, MOVED THAT THE APPLICATION BE APPROVED FOR THE REASON AND SUBJECT TO THE CONDITIONS AS DETAILED IN SECTION 10 OF THE REPORT.**

Councillor Nicol, seconded by Councillor Lumgair, moved as an amendment, that the application be refused as the proposal would give rise to unacceptable impacts on the amenity, natural and built environment, road safety and amenity and the protection of wildlife and was therefore contrary to policies DS3, DS4, PV4 and PV5 of the Angus Local Development Plan.

On a vote being taken, the members voted:-

For the motion:-

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

For the amendment:-

Councillors Lumgair, Nicol, Brown, Cheape and McLaren (5).

The motion was declared carried resulting in the application being approved for the reason and subject to the conditions as detailed in the Report.

*At this stage in the meeting (1.04pm) and having agreed previously, the meeting was adjourned until the conclusion of the Special meeting of Angus Council.*

*The meeting resumed at 2.54pm.*

*Councillor Fotheringham re-joined the meeting at this point.*

**8. ENFORCEMENT APPEAL DECISION: LAND OPPOSITE GEDHALL, MAIN STREET, BARRY**

There was submitted Report No 321/20 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 amongst other things the removal of scrap material, cessation of the use of the land for the storage of vehicles and materials, and restoration and maintenance of the land in a neat and tidy condition on land opposite Gedhall, Main Street, Barry.

The Committee noted that the appeal had been dismissed and the terms of the enforcement notice upheld.

**9. PROPOSAL OF APPLICATION NOTICE: LAND WEST OF EASTER MEATHIE FARM BUNGALOW, LOUR, FORFAR**

With reference to Article 7 of the minute of meeting of this Committee of 15 September 2020, there was submitted Report No 322/20 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 20/00809/PAN submitted in respect of a major development comprising the erection of two 32,000 capacity free-range hen sheds and associated infrastructure at Land West of Easter Meathie Farm Bungalow, Lour, Forfar. The Committee was invited to identify issues which it would like to see addressed in the planning application.

The Report indicated that a previous proposal of application notice for a similar development had been considered by this Committee however the development site had subsequently been increased in size and now included outdoor space for the hens which required the submission of a new proposal of application notice.

Slides were shown.

Thereafter, the Committee agreed to confirm the key issues identified by the officers and the Committee previously, as set out in paragraphs 4.4 and 4.5 of the Report.

**10. PROPOSAL OF APPLICATION NOTICE: LAND IMMEDIATELY WEST OF NORTH MAINS OF CONONSYTH FARM, CONONSYTH, ARBROATH**

With reference to Article 7 of the minute of meeting of this Committee of 27 October 2020, there was submitted Report No 323/20 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 20/00811/PAN submitted in respect of a major development comprising the erection of two 32,000 capacity free-range hen sheds and associated infrastructure at Field immediately west of North Mains of Cononsyth Farm,

Cononsyth, Arbroath. The Committee was invited to identify issues which it would like to see addressed in the planning application.

The Report indicated that a previous proposal of application notice for a similar development at the general location had been considered by this Committee however the development site had subsequently been increased in size and now included additional land that formed the outdoor space for the hens and the location of the proposed hen sheds had been relocated, which required the submission of a new proposal of application notice.

Slides were shown.

Thereafter, the Committee agreed to confirm the key issues identified by the officers and the Committee previously, as set out in paragraphs 4.4 and 4.5 of the Report.