

## **ANGUS COUNCIL**

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held remotely on Tuesday 18 May 2021 at 10.00am.

**Present:** Councillors GAVIN NICOL, KENNY BRAES, COLIN BROWN BEM, DAVID CHEAPE, BILL DUFF, BRENDA DURNO, CRAIG FOTHERINGHAM, IAN McLAREN, RICHARD MOORE and RON STURROCK.

Councillor NICOL, Vice-Convener, in the Chair.

### **1. APOLOGIES FOR ABSENCE**

An apology for absence was intimated on behalf of Councillor David Lumgair.

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

Councillor Braes declared an interest in item 7, application No. 20/00828/FULL, as he had attended various meetings and briefings in relation to the demolition of Inglis Court and had received correspondence from the applicant and a number of objectors in relation to the matter. He indicated that he had not expressed any view and that he would therefore participate in any discussion and voting on the item.

Councillor Moore declared an interest in item 12, Report No 154/21, as the matter had been referred to by members of the public during recent election campaigning in the area. He indicated that he would participate in any discussion and voting on the item.

Councillor Nicol declared an interest in item 7, application No. 20/00828/FULL, as there was public opposition to the proposal and a desire to see the existing building retained and reused, a view which he shared. He indicated that as he had expressed an opinion on the matter, he would not participate in any discussion and voting and would leave the meeting during consideration of the item.

### **3. REQUEST FOR A DEPUTATION**

The Vice-Convener intimated that a request for a deputation had been received from Mr Mark Guild in relation to Item 12 – Planning Obligation Appeal Decision: Land South of Gardyne Street, Friockheim (Report No 154/21).

The Committee agreed to receive the deputation from Mr Guild in relation to Item 12 below and that the deputation be taken prior to consideration of the item.

### **4. BUILDING WARRANTS**

The Committee noted that during the period 12 April to 7 May 2021, a total of 50 Building Warrants, 1 Late Warrant, 5 Demolition Warrants and 5 Amendments to Warrant had been approved with an estimated cost of £2,214,750.

### **5. DELEGATED DECISIONS**

The Committee noted that during the period 10 April to 7 May 2021, a total of 74 planning applications had been approved with none refused under the Scheme of Delegation to officers.

### **6. MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 20 April 2021 was submitted and approved as a correct record.

## **PLANNING APPLICATIONS**

*Having declared an interest at Article 2 above, Councillor Nicol left the meeting prior to 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 Richard Moore as Chair of the meeting for Item 7 only.*

*Councillor Moore took the Chair.*

### **7. INGLIS COURT, LINDSAY PLACE, EDZELL**

There was submitted Report No 149/21 by the Service Leader – Planning and Communities detailing application No. 20/00828/FULL by Angus Council for the demolition of sheltered housing, erection of 21 affordable homes and ancillary works at Inglis Court, Lindsay Place, Edzell. The application was recommended for approval subject to conditions.

Slides were shown following which officers responded to members' questions in relation to the demolition plan and the use of recycled materials, and communal and private garden space.

*Councillor King entered the meeting at this point (10.30am) and indicated that due to technical difficulties he had been unable to enter the meeting until this time. He confirmed that he would not take part in the item currently under consideration as he had not been party to the officer presentation.*

Thereafter, Mr Guild, on behalf of Working with You in Angus who had objected to the application, and Mr Farquharson, a representative of Angus Council, addressed the meeting and answered members' questions in relation to the public survey, conversion of the existing building, energy efficiency and market demand for the Inglis Court properties.

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

*Councillor Nicol was re-admitted to the meeting and re-took the Chair.*

### **8. ELM COTTAGE, TARFSIDE, GLEN ESK, BRECHIN**

There was submitted Report 150/21 by the Service Leader – Planning and Communities detailing application No. 20/00868/FULL by Mr Jack Souttar for the demolition of shed, erection of house in garden ground and ancillary works at Elm Cottage, Tarfside, Glen Esk, Brechin. The application was recommended for approval subject to conditions.

Slides were shown following which officers responded to members' questions in relation to the soakaway, loss of trees and compensatory planting.

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

### **9. PROPOSAL OF APPLICATION NOTICE: LAND AT CRUDIE FARM, ARBIRLOT ROAD WEST, ARBROATH**

There was submitted Report No 151/21 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 21/00258/PAN submitted in respect of a major development comprising a residential development of 146 no. units (25% affordable) incorporating formation of vehicular access, access roads, open space, landscaping, SUDS and associated infrastructure at Land at Crudie Farm, Arbirlot Road West, Arbroath. The Committee was invited to identify issues which it would like to see addressed in the planning application.

The Committee agreed to note the key issues identified by the officers as set out in paragraph 4.5 of the Report.

**10. PROPOSAL OF APPLICATION NOTICE: LAND EAST OF LUNANHEAD GRID SUBSTATION, OLD BRECHIN ROAD, FORFAR**

There was submitted Report No 152/21 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 21/00260/PAN submitted in respect of a major development comprising the formation of an energy storage facility consisting of battery storage containers, meter building, boundary enclosures, security cameras, landscaping and new vehicular access on Land East of Lunanhead Grid Substation, Old Brechin Road, Forfar. The Committee was invited to identify issues which it would like to see addressed in the planning application.

The Committee agreed to note the key issues identified by the officers as set out in paragraph 4.6 of the Report, but also requested additional information in relation to how the development would assist in tackling climate emergency/carbon reduction targets.

**11. PROPOSAL OF APPLICATION NOTICE: ENERGY STORAGE UNIT 1, OLD BRECHIN ROAD, FORFAR**

There was submitted Report No 153/21 by the Service Leader – Planning and Communities advising members of a proposal of application notice No. 21/00293/PAN submitted in respect of a major development comprising the formation of an energy storage facility consisting of containerised battery storage modules, associated transformers and switch gear, landscaping and new vehicular access at Energy Storage Unit 1, Old Brechin Road, Forfar. The Committee was invited to identify issues which it would like to see addressed in the planning application.

The Committee agreed to note the key issues identified by the officers as set out in paragraph 4.6 of the Report, but also requested additional information in relation to how the development would assist in tackling climate emergency/carbon reduction targets.

**Deputation**

With reference to Article 3 above, the Committee received a deputation from Mr Mark Guild in relation to Item 12 detailed below. Mr Guild indicated that he wished to take the opportunity to speak in relation to the appeal by Guild Homes to Scottish Government to achieve a reduction in the level of commuted sums paid to Angus Council for the development at Gardyne Street, Frioekheim.

Mr Guild indicated that he sought to clarify that the issue was in relation to the level of affordable contribution charges, and not the duty to deliver affordable housing in Angus. He explained that there had been no demand for affordable housing in Frioekheim and sought clarification as to how the level of commuted sums had been calculated which he felt were not equitable. He requested that this Committee should require Angus Council officers to provide full details of the breakdown of the commuted sum calculation and the instruction to the district valuer in order for Guild Homes to fully understand how the commuted sum figure had been reached. He also requested officers to note the local inequalities for commuted sums and sought to enter into negotiation to find a mutually acceptable solution and to bring the matter to a close.

Following the deputation, and noting that there were no questions by members, the Vice-Convenor thanked Mr Guild.

**12. PLANNING OBLIGATION APPEAL DECISION: LAND SOUTH OF GARDYNE STREET, FRIOCKHEIM**

There was submitted Report No 154/21 by the Service Leader – Planning and Communities presenting the findings of the Reporter appointed by Scottish Ministers to determine the appeal by Guild Homes (Tayside) Ltd against the decision of Angus Council to refuse modification of a planning obligation relating to payment of commuted sums towards

affordable housing provision in respect of a development on land south of Gardyne Street, Friockheim.

The Committee noted that the appeal had been dismissed and the planning obligation continued to have effect without modification.

**13. ENFORCEMENT APPEAL DECISION: SLATEFORD COTTAGE, SLATEFORD ROAD, EDZELL**

There was submitted Report No 155/21 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 on Slateford Cottage, Slateford Road, Edzell requiring the permanent cessation of the vehicle and machinery repair, servicing and associated sales business from the property.

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