

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT STANDARDS COMMITTEE** held remotely on Tuesday 14 February 2023 at 10.00am.

Present: Councillors DAVID CHEAPE, BRENDA DURNO, CHRIS BEATTIE, KENNY BRAES, LINDA CLARK, HEATHER DORAN, BILL DUFF, DAVID FAIRWEATHER, IAIN GALL, IAN McLAREN, LLOYD MELVILLE, GAVIN NICOL and TOMMY STEWART.

Councillor CHEAPE, Convener, in the Chair.

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1. APOLOGIES FOR ABSENCE

There were no apologies intimated.

2. DECLARATIONS OF INTEREST/STATEMENTS OF TRANSPARENCY

Councillor Beattie made a statement of transparency in relation to Item No 6 in that he was a board member of the Cairngorms National Park Authority which would be affected by National Planning Framework 4. He also made a statement of transparency in relation to Item Nos 10 and 11 as he worked for a local MSP that had been contacted in relation to the proposals but he had not been involved with the correspondence or actions.

Councillor Braes made a statement of transparency in relation to Item Nos 7 and 11 in that the applicants were known to him.

Councillor Durno made a statement of transparency in relation to Item No 6 in that one of the objectors was known to her and had contacted her in relation to the meeting.

Councillor Duff made a statement of transparency in relation to Item No 11 in that he had previously met with the applicant and attended an information event in relation to the proposals.

Councillor Stewart made a statement of transparency in relation to Item No 11 in that he had attended a meeting in relation to the proposals.

3. BUILDING WARRANTS

The Committee noted that during the period 3 December 2022 to 4 February 2023, a total of 93 Building Warrants, 2 Demolition Warrants and 37 Amendment to Warrants had been approved with an estimated cost of £6,216,912.

4. DELEGATED DECISIONS

The Committee noted that during the period 3 December 2022 to 4 February 2023, a total of 108 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 13 December 2022 was approved as a correct record and signed by the Convener.

6. NATIONAL PLANNING FRAMEWORK 4 – POLICY UPDATE

There was submitted Report No 26/23 by the Service Leader – Planning and Sustainable Growth advising members that National Planning Framework 4 (NPF4) had been approved by the Scottish Parliament on 11 January 2023 and would be published on 13 February 2023.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 (as amended), NPF4 and the national planning policies it contained would form part of the statutory development plan from date of publication.

NPF4 would form part of the statutory development plan framework and would have enhanced status in the determination of all planning applications, planning decision appeals, and planning decision reviews. In accordance with the 1997 Act, planning decisions must be made in accordance with the development plan unless material considerations indicated otherwise. NPF4 would have wide-ranging implications for delivery of the planning function in Angus however the Report focused specifically on development management and decision making on development proposals.

Councillor Duff sought confirmation from officers that NPF4 was relevant to all cases under consideration by the Development Management Review Committee. Officers provided that confirmation and further advised that supplementary reports on NPF4 policy implications would be provided on all cases at the request of the Development Management Review Committee.

Thereafter, the Committee agreed:-

- (i) to note that, following approval by parliament and formal publication, NPF4 would form part of the statutory development plan;
- (ii) to note that the statutory development plan for Angus would comprise NPF4, the Angus Local Development Plan 2016, and, for that part within the Cairngorms National Park, the Cairngorms National Park Local Development Plan 2021; and
- (iii) to note that the implications for the council's development planning functions would be set out as soon as practicable once the new development planning regulations and associated guidance were published.

At this stage in the meeting, Councillor Fairweather declared an interest in Item 7, Report No 27/23 as he had been contacted by one of the objectors and had a number of conversations in relation to the application. He indicated that he would not take part in any discussion or voting and would leave the meeting during consideration of the item.

PLANNING APPLICATIONS

Having declared an interest as detailed above, Councillor Fairweather left the meeting during consideration of the following item.

7. FIELD 530M WEST OF NORTH MAINS OF CONONSYTH FARM, CONONSYTH, ARBROATH

There was submitted Report No 27/23 by the Service Leader – Planning and Sustainable Growth detailing application No. 21/00337/FULM by Cononsyth Farms Limited for the erection of two 32,000 capacity free-range hen sheds and associated infrastructure including feed silos, egg packing facility, vehicular access, access tracks, drainage and landscaping at a Field 530m West of North Mains of Cononsyth Farm, Cononsyth, Arbroath. The application was recommended for approval subject to conditions.

Slides were shown following which officers responded to members' questions in relation to the proposed conditions and monitoring of the site by SEPA, and the proposed road alterations.

Thereafter, Mr Bell, Mrs Whitehead, Mr Liddell, Mr Stewart, Mrs Jolly, Mr Rushforth, Mrs Malcolm, Mr Grant, Mr Skilton, Mrs McMillan and Mrs Burness, all objectors addressed the meeting. Mr Dowell and Mr Anderson, the applicant and applicant's agent, also addressed the meeting and 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.

Councillor Fairweather re-joined the meeting at this stage (12.08pm).

8. LAND 376M EAST OF NETHER CRAIG CARAVAN PARK, ALYTH

There was submitted Report No 28/23 by the Service Leader – Planning and Sustainable Growth detailing application No. 22/00287/FULL by Nether Craig Holiday Park Ltd for an extension to Nether Craig Holiday Park for an additional 79 caravan pitches and other ancillary works on land east of Nether Craig Caravan Park, Alyth. The application was recommended for approval subject to conditions.

Slides were shown following which 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 500M EAST OF STONEYGROVES, LIFF

There was submitted Report No 29/23 by the Service Leader – Planning and Sustainable Growth advising members of a proposal of application notice No. 22/00815/PAN submitted in respect of a major development comprising the erection of a 24MW solar farm with associated infrastructure at Land 500M East Of Stoneygroves, Liff. The Committee was invited to identify issues which it would like to see addressed in the planning application that would subsequently be submitted.

Slides were shown and officers undertook to provide Committee members with information on solar development in Angus.

Thereafter, the Committee agreed to note the key issues identified by the officers as set out in paragraph 4.4 of the Report.

10. PROPOSAL OF APPLICATION NOTICE: LAND AT COTTON OF LOWNIE, FORFAR

There was submitted Report No 30/23 by the Service Leader – Planning and Sustainable Growth advising members of a proposal of application notice No. 23/00011/PAN submitted in respect of a major development comprising solar farm, associated infrastructure, access, underground cable, biodiversity improvements, landscaping and battery within restored quarry on land at Cotton of Lownie, Kingsmuir, Forfar. The Committee was invited to identify issues which it would like to see addressed in the planning application that would subsequently be submitted.

Slides were shown following which the Committee agreed to note the key issues identified by the officers as set out in paragraph 4.4 of the Report.

11. PROPOSAL OF APPLICATION NOTICE: LAND AT BALWYLLO, DUN, MONTROSE

There was submitted Report No 31/23 by the Service Leader – Planning and Sustainable Growth advising members of a proposal of application notice No. 23/00014/PAN submitted in respect of a major development comprising creation of an energy storage facility, associated highway access, boundary treatments and landscaping on land at Balwyllo Farm, Dun, Montrose. The Committee was invited to identify issues which it would like to see addressed in the planning application that would subsequently be submitted.

Slides were shown following which the Committee agreed to note the key issues identified by the officers as set out in paragraph 4.4 of the Report.