

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **DEVELOPMENT MANAGEMENT REVIEW COMMITTEE** held in the Town and County Hall, Forfar on Monday 27 November 2023 at 10.30am.

Present: Councillors BILL DUFF, GAVIN NICOL, KENNY BRAES, HEATHER DORAN, BRENDA DURNO and DAVID FAIRWEATHER.

Councillor DUFF, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST/STATEMENTS OF TRANSPARENCY

Councillor Durno declared an interest in Item 6, Report No 334/23, as the applicant was a constituent and she had engaged with her in relation to the application. She indicated that she would not take part in discussion or voting and would leave the meeting during consideration of the item.

3. 4 MARKET STREET, BRECHIN

With reference to Article 4 of the minute of meeting of this Committee of 27 September 2023, there was submitted Report No 330/23 by the Director of Legal, Governance and Change setting out proposed conditions for planning application No. 23/00199/FULL, following on from the decision of the Development Management Review Committee, at its meeting on 27 September 2023, to grant planning permission for change of use to form flatted dwelling, application No 23/00199/FULL, at 4 Market Street, Brechin subject to conditions being considered and agreed at a future meeting.

The Planning Adviser provided a further overview of the application for review during which members noted that the Planning Authority (Development Standards) and the Environmental Health Service had been consulted to determine if any other conditions may be relevant to the proposal. Confirmation had been received that no other conditions could be applied to the proposal and the proposed conditions were detailed in Appendix 1 to the Report.

COUNCILLOR DUFF, SECONDED BY COUNCILLOR FAIRWEATHER, MOVED THAT THE APPLICATION FOR REVIEW BE DISMISSED AND PLANNING PERMISSION REFUSED FOR THE REASONS DETAILED IN THE REPORT OF HANDLING.

Councillor Durno, seconded by Councillor Braes, moved as an amendment, that the appeal be upheld and planning permission granted as the proposal would result in the reuse of a vacant building and would contribute to local living and therefore complied with Policies 9 and 15 of NPF4, subject to conditions as detailed in Appendix 1 to Report No 330/23.

On a vote being taken, the members voted:-

For the motion:-

Councillors Duff, Nicol, Doran and Fairweather (4).

For the amendment:-

Councillors Braes and Durno (2).

The application for review was dismissed and planning permission refused as detailed above.

4. CARLUNGIE FARM, CARLUNGIE, CARNOUSTIE - RESPONSE TO WRITTEN NOTICE PROCEDURE

With reference to Article 6 of the minute of meeting of this Committee of 27 September 2023, there was submitted Report No 332/23 by the Director of Legal, Governance and Change presenting the responses by the planning authority and the applicant in respect of a Written

Procedure Notice issued following the Committee's consideration of the Notice of Review and Report No 270/23, in respect of the removal of Condition 3 of planning permission ref 22/00463/PPPL, for erection of 4 dwellinghouses at Carlungie Farm, Carlungie, Carnoustie.

The Planning Adviser provided a further overview of the application for review.

At this stage (10.50am), the Committee agreed to adjourn the meeting and to seek legal advice. The meeting resumed at 10.52am.

Having considered the submissions, the Committee agreed to dismiss the application for review seeking deletion of Condition 3 due to the requirements of Section 59(1)(b) of the Town and Country Planning (Scotland) Act 1997 (as amended).

5. 13 TAYSIDE STREET, CARNOUSTIE

There was submitted Report No 333/23 by the Director of Legal, Governance & Change detailing an application for a review of the decision taken by the planning authority in respect of the refusal of planning permission for retrospective log burning stove and flue on summerhouse, application No 23/00171/FULL, at 13 Tayside Street, Carnoustie.

The Planning Adviser provided an overview of the application for review following which the Committee agreed that an unaccompanied site visit be held in due course and that the Committee reconvene following the site visit to discuss the application further.

Having declared an interest at Article 2 above, Councillor Durno left the meeting prior to consideration of the following item.

6. SCHOOLHOUSE, CHAPLETON, ARBROATH

There was submitted Report No 334/23 by the Director of Legal, Governance & Change, detailing an application for review of the decision taken by the planning authority in respect of an appeal of Conditions 2 & 3 of planning permission ref 23/00166/FULL for change of use of land for erection of shed for a gift shop/takeaway and ancillary works (retrospective), at Schoolhouse, Chapelton, Arbroath.

The Planning Adviser provided an overview of the application for review following which the Committee agreed that an unaccompanied site visit be held in due course and that the Committee reconvene following the site visit to discuss the application further.