

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **DEVELOPMENT MANAGEMENT REVIEW COMMITTEE** held in the Town and County Hall, Forfar on Monday 19 February 2024 at 1.45 pm.

Present: Councillors BILL DUFF, KENNY BRAES, HEATHER DORAN and BRENDA DURNO.
Councillor DUFF, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Fairweather and Nicol.

2. DECLARATIONS OF INTEREST/STATEMENTS OF TRANSPARENCY

Councillor Braes made a statement of transparency in relation to Item 4, (Report No 24/23), as he was a Director of Angus Alive.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 25 January 2024 was approved as a correct record and signed by the Convener.

4. 1 BROCHIE COTTAGES, MONIKIE

With reference to Article 6 of the minute of meeting of this Committee of 25 January 2024, there was re-submitted Report No 23/24 by the Director of Legal, Governance & Change, detailing an application for review in relation to the non-determination of application No. 23/00400/PPPL for the erection of dwellinghouse at 1 Brochie Cottages, Monikie.

The Committee noted that an unaccompanied site visit had taken place prior to this meeting.

Thereafter, the Planning Adviser provided an overview of the application for review following which the Committee confirmed that they had sufficient information to consider the review at this meeting and that no further procedure was required.

Having heard from all members, the Committee indicated that they were minded to uphold the application for review and grant planning permission subject to conditions as it was their view that the proposal complied with the relevant policies of National Planning Framework 4 and the Local Development Plan as it supported rural development, sustainable housing in the rural area and would round-off an existing building group and therefore met with Policy TC2 of the Angus Local Development Plan 2016.

At this stage in the meeting, the Committee considered the following suggested conditions by the Service Leader – Planning & Sustainable Growth which would be attached to the grant of planning permission for application No 23/00400/PPPL:-

Conditions:-

- 1 The development hereby approved must be begun not later than the expiration of 5 years beginning with the date on which the permission is granted.
- 2 That application for approval of matters specified in condition must be made before -
 - i. the expiration of three years from the date of grant of planning permission in principle;
 - ii. the expiration of six months from the date on which an earlier application for such approval was refused, or
 - iii. the expiration of six months from the date on which an appeal against such refusal was dismissed,

whichever is the latest. Only one application for approval under (ii) or (iii) may be made after the expiration of the three year period mentioned in (i).

- 3 Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority. No work shall begin until the written approval of the authority has been given and the development shall be carried out in accordance with that approval. The matters are;
- a) The siting of the building(s);
 - b) The design and external appearance of the building(s);
 - c) The layout of the site including access, car parking and turning space. The car parking within the plot curtilage shall be in accordance with the National Roads Development Guide (SCOTS);
 - d) A scheme of hard and soft landscaping including the means of site enclosure. For the avoidance of doubt the submitted scheme shall include details of protection measures for existing trees within and adjacent to the site during construction works and measures to enhance biodiversity within the site in accordance with the NatureScot Developing with Nature Guidance. All landscaping shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date as may be agreed in writing with the Planning Authority (but shall be no later than within 12 months of the occupation of the dwellings hereby approved). Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted;
 - e) Precise details of the means of drainage for the development. For the avoidance of doubt surface water shall be directed to a sustainable drainage system;
 - f) The existing and proposed ground levels and finished floor levels relative to a fixed ordnance datum and ground and floor levels of neighbouring properties.

The foregoing conditions are imposed by the Council for the following reasons:-

- 1 In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.
- 2 In order to clarify the time period within which an application or applications for approval of the matters specified in condition must be made.
- 3 To ensure that the matters referred to are given detailed consideration.

Having considered the conditions, the Committee agreed that the application for review be upheld and planning permission granted for the reasons and subject to the conditions as detailed above.