

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT CONTROL COMMITTEE** held in the Town and County Hall, Forfar on Thursday 5 December 2002 at 6.00pm.

Present: Councillors STEWART McGLYNN, KITTY RITCHIE, FRANK ELLIS, JOHN HENDERSON, ALEX KING, The Hon R J LESLIE MELVILLE, DAVID LUMGAIR, BRIAN MILNE, PETER MURPHY, BILL ROBERTON, DAVID SELFRIDGE and RICHARD SPEIRS.

Apology: An apology for absence was intimated on behalf of Councillor SANDY WEST.
Councillor McGLYNN, Convener, in the Chair.

1. BUILDING WARRANTS

The Committee noted that in the period 4 - 22 November 2002, a total of 1 Demolition Warrant, 18 Amendments to Warrants and 81 Building Warrants had been approved with an estimated cost of £2,927,350.

2. PLANNING APPLICATIONS

(a) Delegated Approvals

There was submitted [Report No 1442/02](#) by the Director of Planning and Transport detailing the applications granted by him in accordance with the Scheme of Delegation appended to Standing Orders.

The Committee agreed to note the applications, detailed in the Appendix to the Report, granted under delegated powers during the period 7-27 November 2002.

(b) Mill House, 3 Smiddy Brae, Fowlis

There was submitted [Report No 1443/02](#) by the Director of Planning and Transport detailing Application Nos 02/01049/FUL and 02/01080/LBC by Tay Developments Limited for the erection of two dwellinghouses at Mill House, 3 Smiddy Brae, Fowlis. The applications were recommended for refusal.

Slides were shown.

The Committee agreed that the applications be refused for the reasons detailed in the Report.

(c) Land at Netherton, by Brechin

There was submitted [Report No 1444/02](#) by the Director of Planning and Transport detailing Application No 02/00926/OUT by Harry Barclay and Brian Stewart for the erection of three houses on land at Netherton, by Brechin. The application was recommended for refusal.

Slides were shown and Mrs Burness, the applicants' agent, addressed the meeting.

The Committee agreed that the application be deferred to allow further discussions.

(d) Newbigging Steadings, Glen Clova, Kirriemuir

There was submitted [Report No 1445/02](#) by the Director of Planning and Transport detailing Application No 02/01120/OUT by Clova Farms Limited for the erection of a dwellinghouse at Newbigging Steadings, Glen Clova, Kirriemuir.

The Committee noted that the applicant had withdrawn the application.

(e) Land at Lethnot Road/Slateford Road, Edzell, Brechin

There was submitted [Report No 1446/02](#) by the Director of Planning and Transport detailing Application No 02/01063/FUL by DLB (Scotland) Limited for the erection of 41 houses on land at Lethnot Road/Slateford Road, Edzell. The application was recommended for approval.

The Committee agreed that the application be approved as detailed in the Report.

(f) Plot 16, Roberts Street, Forfar

There was submitted [Report No 1447/02](#) by the Director of Planning and Transport detailing Application No 02/01156/FUL by Mr and Mrs Millar for the erection of a house at Plot 16, Roberts Street, Forfar. The application was recommended for approval.

The Committee agreed that the application be approved as detailed in the Report.

(g) Land at Lundies Cottage, Airlie, Kirriemuir

There was submitted [Report No 1448/02](#) by the Director of Planning and Transport detailing Application No 02/01033/FUL by Mr and Mrs Johnstone for the erection of a dwellinghouse on land at Lundies Cottage, Airlie. The application was recommended for approval.

The Committee agreed that the application be deferred to allow further discussion with the Director of Roads.

Councillor Robertson declared an interest in the following application and left the meeting during the item.

(h) 21 Guthrie Street, Letham

There was submitted [Report No 1449/02](#) by the Director of Planning and Transport detailing Application No 02/01071/FUL by Mr and Mrs Perry for the erection of a dwellinghouse at 21 Guthrie Street, Letham. The application was recommended for approval.

Slides were shown.

The Committee agreed that the application be approved as detailed in the Report.

(i) 101-103 High Street, Carnoustie

There was submitted [Report No 1450/02](#) by the Director of Planning and Transport detailing Application No 02/01129/FUL by the Christian Fellowship for the extension to a Church at 101-103 High Street, Carnoustie. The application was recommended for approval.

The Committee agreed that the application be approved as detailed in the Report subject to the following condition:

1. That a ventilation and extraction system be installed and operated to the satisfaction of the Director of Planning and Transport.

Reason:

In order that the amenity of nearby occupied premises shall be adequately safeguarded.

(j) Former Corn Exchange, Market Street, Arbroath

There was submitted [Report No 1451/02](#) by the Director of Planning and Transport detailing Application Nos 02/00905/FUL and 02/00906/FUL by Mrs Karen Marr for alterations to form licensed premises at the former Corn Exchange, Market Place, Arbroath. The application was recommended for approval.

Slides were shown.

The Committee agreed that the application be approved as detailed in the Report subject to the following amendment to condition 2 and additional conditions:-

Amend Condition 2:

Between "...to achieve this" and "all to the satisfaction ...", insert "Also, which will ensure that the relevant octave band frequencies associated with these dB(A) figures are all achieved,"

Additional Condition:.

5. That to the satisfaction of the Director of Planning and Transport all ventilation shall exit via the roof and appropriate silencers shall be incorporated into the design.

Reason:

5. In order that the amenity of the nearby occupied premises shall be adequately safeguarded.

(k) 20 Glamis Road, Arbroath

There was submitted [Report No 1452/02](#) by the Director of Planning and Transport detailing Application No 02/01162/FUL by Mr and Mrs Stewart for the erection of a garden pergola at 20 Glamis Road, Arbroath. The application was recommended for approval.

The Committee agreed that the application be approved as detailed in the Report.

(l) Land at Back Dykes, Glamis

There was submitted [Report No 1453/02](#) by the Director of Planning and Transport detailing Application No 02/01014/FUL by James F Stephen for the erection of an architects' studio on land at Back Dykes, Glamis. The application was recommended for approval.

Slides were shown.

The Committee agreed that the application be approved as detailed in the Report.

(m) 99-101 High Street, Arbroath

There was submitted [Report No 1455/02](#) by the Director of Planning and Transport detailing Application No 02/00873/FUL and 02/00874/LBC by the Belhaven Company Limited for the change of use from vacant shop unit to form public house including external alternations at 99-101 High Street, Arbroath. The application was recommended for approval.

Slides were shown and Mr Coutts, the agent for a number of objectors, and Mr Baxter, agent for the applicant, addressed the meeting.

COUNCILLOR McGLYNN, SECONDED BY COUNCILLOR RITCHIE, MOVED THAT THE APPLICATION BE APPROVED AS DETAILED IN THE REPORT.

Councillor Speirs, seconded by Councillor Henderson, moved as an amendment that the application be refused as it was contrary to elements of TCR17, TCR 1 and TCR 2.

On a vote being taken, the members voted:-

For the motion:

Councillors McGlynn, Ritchie, Ellis, King, Lumgair, Milne, Murphy, Robertson and Selfridge (9).

For the amendment:-

Councillors Henderson, Leslie-Melville and Speirs (3).

The motion was declared carried resulting in the application being approved as detailed in the Report.

(n) 16 Woodend Drive, Kirriemuir

There was submitted [Report No 1471/02](#) by the Director of Planning and Transport detailing Application No 02/01095/FUL by Mr and Mrs A D Crowe for the removal of a condition from planning permission 01/96/1504 at 16 Woodend Drive, Kirriemuir. The application was recommended for approval.

Slides were shown.

The Committee agreed that the application be approved as detailed in the Report.

3. PLANNING APPEAL DECISIONS

(a) Templeton Farm, Dronley

With reference to Article 2(a) of the minute of meeting of this Committee of 10 January 2002, there was submitted [Report No 1456/02](#) by the Director of Planning and Transport detailing the findings of the Reporter appointed by the Scottish Ministers to determine the appeal against the condition imposed by Angus Council on a consent granted for the change of use of an agricultural building to holiday accommodation at Templeton Farm, Dronley, by Dundee.

The Committee noted that the Scottish Ministers had dismissed the appeal.

(b) Wester Restenneth, Forfar

With reference to Article 3(k) of the minute of meeting of this Committee of 20 June 2002, there was submitted [Report No 1457/02](#) by the Director of Planning and Transport detailing the findings of the Reporter appointed by the Scottish Ministers to determine the appeal against the late determination of Angus Council to grant consent for a residential development at Wester Restenneth, Forfar.

The Committee noted that the Scottish Ministers had dismissed the appeal.

(c) 3 Lethnot Gardens, Forfar

With reference to Article 4(k) of the minute of meeting of this Committee of 18 April 2002, there was submitted [Report No 1458/02](#) by the Director of Planning and Transport detailing the findings of the Reporter appointed by the Scottish Ministers to determine the appeal against the refusal of Angus Council to grant consent for alterations to 3 Lethnot Gardens, Forfar.

The Committee noted that the Scottish Ministers had upheld the appeal.

4. 2003/2004 REVENUE BUDGET

With reference to Article 3 of the minute of meeting of the Planning and Transport Policy Committee of 28 November 2002, there was submitted [Report No 1396/02](#) by the Director of Finance advising the Committee of the latest position with regard to the preparation of the Planning and Transport department 2003/2004 revenue budget and associated issues. Appended to the Report was a summary of the departmental provisional base budget for 2003/04 as submitted to, and subsequently reviewed by, the Director of Finance.

The Committee agreed:-

- (i) to note the contents of the Report for its interest at this stage in the budget process; and
- (ii) to note that more detailed Reports with specific recommendations would be submitted later in the revenue budget cycle.

5. 2002/2006 FINANCIAL PLAN AND 2003/04 CAPITAL BUDGET

With reference to Article 4 of the minute of meeting of the Planning and Transport Policy Committee of 28 November 2002, there was submitted [Report No 1397/02](#) by the Director of Finance which detailed the latest position with regard to the preparation of the 2002/2006 Financial Plan (incorporating the 2003/04 capital budget) for the Planning and Transport Department. Appended to the Report were the departmental Financial Plan submissions for 2002/2006 as returned to the Director of Finance and subsequently reviewed by the Capital Budget Sub-Group.

The Committee agreed:-

- (i) to note the contents of the Report for its interest at this stage in the Financial Plan process; and
- (ii) to note that more detailed Reports with specific recommendations would be submitted later in the Financial Plan cycle.