

ANGUS COUNCIL

MINUTE of MEETING of the **DEVELOPMENT MANAGEMENT REVIEW COMMITTEE** held remotely on Tuesday 20 December 2022 at 11.15 am.

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

Councillor DUFF, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Heather Doran.

2. DECLARATIONS OF INTEREST/STATEMENT OF TRANSPARENCY

At this stage in the meeting, Councillor Durno intimated that she would not participate in Item 3 as she had not been present at the site visit relating to the application.

3. 2B PRINCES STREET, MONIFIETH

With reference to Article 5 of the minute of meeting of this Committee of 21 November 2022, there was re-submitted Report No 371/22 by the Director of Legal and Democratic Services detailing an application for a review seeking the removal of Condition 1 of planning permission ref 22/00122/FULL - relating to the conversion of existing store to dwellinghouse with alterations at 2B Princes Street, Monifieth.

The Committee noted that an unaccompanied site visit had taken place earlier that day. Thereafter, the Planning Adviser provided an overview of the application for review.

At this point in the meeting (11.30 am) the Committee resolved to adjourn for 10 minutes to allow the opportunity for members to seek legal advice. The meeting resumed at 11.42 am at which point the Convener proposed a further 15 minute adjournment to allow members to consider the legal advice given.

The meeting resumed at 12 noon.

Councillor Nicol, seconded by Councillor Fairweather, moved that this Committee upholds the appeal and removes Condition 1 of planning permission ref. 22/00122/FULL - relating to the conversion of existing store to dwellinghouse with alterations at 2B Princes Street, Monifieth.

COUNCILLOR BRAES, SECONDED BY COUNCILLOR DUFF, MOVED, AS AN AMENDMENT, THAT THIS COMMITTEE REQUIRES FURTHER INFORMATION BY MEANS OF WRITTEN SUBMISSIONS AND REQUESTS THE APPLICANT TO PROVIDE FURTHER REPRESENTATIONS OR INFORMATION IN RESPECT OF THE FOLLOWING:-

- (I) A VIABILITY STATEMENT FOR THE PROPOSAL TO INCLUDE A FULL DEVELOPMENT APPRAISAL WHICH SHOWS HOW DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING HAVE BEEN TAKEN INTO ACCOUNT, DETAILED BREAKDOWNS OF ALL COSTS ASSOCIATED WITH THE DEVELOPMENT (PRODUCED BY RICS), REPORTS DETAILING THE EXTENT AND FINANCIAL IMPLICATIONS, AND DETAILS OF THE MARKET VALUATION OF THE PROPERTY TO INCLUDE PROJECTED TIMESCALES. ALL INFORMATION SUBMITTED MUST BE PREPARED BY APPROPRIATELY QUALIFIED PROFESSIONALS; AND
- (II) A COPY OF THE INFORMATION REQUIRED SHOULD BE SUBMITTED TO THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES BY TUESDAY 31 JANUARY 2023, WITH A COPY TO BE PROVIDED TO THE PLANNING AUTHORITY AND THE DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT AS PROVIDED FOR BY THE WRITTEN PROCEDURE NOTICE.

On a vote being taken, the members voted:-

For the motion:-

Councillors Nicol and Fairweather (2).

For the amendment:-

Councillors Braes and Duff (2).

(Councillor Durno not having taken part in the item as detailed above.)

There being an equality of votes, the Convener exercised his casting vote in favour of the amendment, resulting in the request for further written information as detailed above.

4. PANMURE HOTEL, TAY STREET, MONIFIETH

There was submitted Report No 426/22 detailing an application for a review of the decision taken by the planning authority in respect of the refusal of planning permission for erection of two dwellinghouses and associated works, application No 20/00888/FULL, at Panmure Hotel, Tay Street, Monifieth.

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 considered the papers submitted by the appointed person and by the applicant, the Committee agreed that the decision to refuse the application was in accordance with the Council's Local Development Plan policy. The Service Leader's (Planning and Sustainable Growth) decision, and reasons for refusal as detailed in the Report of Handling, were endorsed and accordingly the review dismissed.