

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **DEVELOPMENT MANAGEMENT REVIEW COMMITTEE** held in the Town and County Hall, Forfar on Friday 10 May 2024 at 11.30am.

Present: Councillors BILL DUFF, KENNY BRAES, HEATHER DORAN and BRENDA DURNO.

Councillor DUFF Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Gavin Nicol.

2. DECLARATIONS OF INTEREST/STATEMENTS OF TRANSPARENCY

There were no declarations of interest or statement of transparency made.

3. BALBEUCHLEY HOUSE, BALBEUCHLEY, KIRKTON OF AUCHTERHOUSE

With reference to Article 5 of the minute of meeting of this Committee of 27 September 2023, there was submitted Report No 147/24 by the Director of Legal, Governance & Change advising Committee of an anomaly in the drafting of the Decision Notice following its meeting on 27 September 2023, where consideration was given to conditions attached to planning permission ref: 22/00787/FULL for the erection of staff accommodation for seasonal workers and associated works.

The Report provided advice on how that anomaly could be remedied to ensure that the subsequent decision was robust and that any conditions attached complied with relevant guidance.

The Planning Adviser provided an overview of the Report.

Members were advised that a letter dated 7 May 2024 had been received from the agent following the statutory publication of the agenda and reports.

The Committee agreed that the letter provided was 'new information' in terms of Section 43B of the Town and Country Planning (Scotland) Act 1997. It was their view that the information may be relevant to the further consideration of the Notice of Review and that the letter be circulated. At (11.36am) the Committee agreed to adjourn for 5 minutes to allow members and officers to consider the contents of the correspondence received.

The meeting resumed at 11.41am.

Having heard from all members, the Committee partially upheld the review in respect of the removal of Condition 2 and agreed that Condition 3 be amended as outlined in Section 5.1 of the Report:- **Condition 3:** That when the need for the development hereby approved to accommodate season workers employed by Nissen Christmas Trees Ltd ceases, the use of land hereby permitted shall be discontinued and all buildings, plant, machinery or materials associated with that use shall be removed, unless otherwise approved by a grant of planning permission.

4. 1 BROCHIE COTTAGES, MONIKIE

With reference to Article 4 of the minute of meeting of this Committee of 19 February 2024, there was submitted Report No 148/24 by the Director of Legal, Governance & Change seeking Committee clarification of its decision at the meeting on the 19 February 2024 to uphold a non-determination appeal and grant planning permission for the Erection of a Dwellinghouse at 1 Brochie Cottages, Monikie.

The Planning Adviser provided an overview of the Report.

Having heard from all members, and following consideration of the advice provided by the Planning Adviser and the Legal Adviser, the Committee agreed that further procedure was

required by way of written submissions and requested the planning authority to provide further representations or information in respect of the following:-

- (i) a statement on National Planning Framework 4 in respect of the proposed development;
- (ii) a statement on the Angus Local Development Plan (2016) (including appropriate Supplementary Guidance);
- (iii) the above statements to include comments on any material considerations relevant to the proposed development as necessary; and
- (iv) a copy of the information required should be submitted to the Director of Legal, Governance and Change within 14 days of the date of the Written Procedure Notice, with a copy to be provided to the applicant as provided for by the Written Procedure Notice.