

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 8 AUGUST 2017**

**LAND 125M WEST OF NORTH MAINS CROFT, LOGIE, KIRRIEMUIR - CONDITIONS**

**REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT:**

This Report sets out proposed conditions for planning application No 16/00738/FULL following on from the decision of the Development Management Review Committee, at its meeting on 3 July 2017, to grant planning permission for change of use of vacant land to allow siting of a chalet and two touring caravans, erection of amenity block and boundary wall, formation of car parking, alteration of ground levels and associated infrastructure at Land 125m West of North Mains Croft, Logie, Kirriemuir.

**1. RECOMMENDATIONS**

It is recommended that the Committee approves the proposed conditions, as set out in the Appendix to this Report.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN**

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

**3. CURRENT POSITION**

At its meeting on 3 July 2017, the Development Management Review Committee considered an application for Review of the decision taken by the Planning Authority in respect of the refusal of planning permission for change of use of vacant land to allow siting of a chalet and two touring caravans, erection of amenity block and boundary wall, formation of car parking, alteration of ground levels and associated infrastructure, application No 16/00738/FULL, at Land 125m West of North Mains Croft, Logie, Kirriemuir (Report 231/17 to the Development Management Review Committee refers).

Following a site visit and consideration of the case, the decision of the Review Committee was to uphold the Review subject to conditions. Having consulted with the Service Manager (Planning), it is recommended that the Committee approve the conditions as detailed in the Appendix to this Report.

**4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from the recommendations in the Report.

**5. HUMAN RIGHTS IMPLICATIONS**

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

## **6. CONSULTATION**

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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List of Appendices:

Appendix – Proposed Conditions in respect of planning application No. 16/00738/FULL

LAND 125M WEST OF NORTH MAINS CROFT, LOGIE, KIRRIEMUIR – CONDITIONS

PLANNING APPLICATION NO 16/00738/FULL

**Conditions:**

1. That within 3 months of the date of this permission full details, including technical approval by Scottish Water, of the proposed foul drainage arrangements shall be submitted to and approved in writing by the Planning Authority. This shall include the route of the proposed foul drainage connection. The approved scheme shall thereafter be carried out within 6 months of the date of this permission.

*Reason: In order to allow the Planning Authority to consider the foul drainage arrangements and ensure suitable connections are made in a timely manner.*

2. That within 3 months of the date of this permission full details of the proposed surface water drainage arrangements shall be submitted to and approved in writing by the Planning Authority. The approved scheme shall thereafter be carried out within 6 months of the date of this permission.

*Reason: In order to allow the Planning Authority to consider the surface water drainage arrangements and ensure suitable provision is made in a timely manner.*

3. That the number of caravans on the site shall not exceed one static caravan and two touring caravans.

*Reason: In order that the Planning Authority may regulate the number of caravans on the site, in the interests of the amenity of the area.*

4. That within 9 months of the date of this permission the amenity block, as per drawings named and numbered Floor Plan & Elevations no.16-15/093-046 and Proposed Plot Layout no.03, shall be completed.

*Reason: In order to ensure the development is in accordance with the approved proposal and in order to ensure the site is fit for human habitation.*