

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 18 DECEMBER 2017

**KIRRIEMUIR THISTLE FOOTBALL & SOCIAL CLUB, WESTVIEW PARK, KIRRIEMUIR -
CONDITIONS**

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

This Report sets out proposed conditions for planning application No 17/00517/FULL following on from the decision of the Development Management Review Committee, at its meeting on 21 November 2017, to grant planning permission for the installation of a 15.0m lattice mast with 3no. antennae, 2no. 300mm dishes and ancillary equipment cabinets at Kirriemuir Thistle Football & Social Club, Westview Park, 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 LOCAL OUTCOMES IMPROVEMENT PLAN

This Report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan 2017-2030:

- Safe, secure, vibrant and sustainable communities
- An enhanced, protected and enjoyed natural and built environment

3. CURRENT POSITION

At its meeting on 21 November 2017, the Development Management Review Committee considered an application for a review of the decision taken by the planning authority in respect of the refusal of planning permission for the installation of a 15.0m lattice mast with 3no. antennae, 2no. 300mm dishes and ancillary equipment cabinets, application No 17/00517/FULL, at Kirriemuir Thistle Football & Social Club, Westview Park, Kirriemuir (Report 420/17 to the Development Management Review Committee refers).

Following consideration of the case, the decision of the Review Committee was to uphold the appeal and grant planning permission 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. 17/00517/FULL

**INSTALLATION OF A 15.0M LATTICE MAST WITH 3NO. ANTENNAE, 2NO. 300MM DISHES AND
ANCILLARY EQUIPMENT CABINETS AT KIRRIEMUIR THISTLE FOOTBALL & SOCIAL
CLUB, WESTVIEW PARK, KIRRIEMUIR - CONDITIONS**

PLANNING APPLICATION NO: 17/00517/FULL

Conditions:

1. Within 3 months of the cessation of the use of the equipment hereby approved, all structures (including the mast and equipment cabinets) shall be removed.

Reason: In order that the equipment is removed when it is no longer required. In the interests of visual amenity.