

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 18 JUNE 2019

FIELD 50M SOUTH OF STRATHVIEW, EAST KEILLOR, COUPAR ANGUS - CONDITIONS

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

This Report sets out proposed conditions for planning application No 18/00867/FULL following on from the decision of the Development Management Review Committee, at its meeting on 5 June 2019, to grant planning permission for erection of dwellinghouse, formation of a shared access and associated operations at Field 50m South of Strathview, East Keillor, Coupar Angus.

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 5 June 2019 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 erection of dwellinghouse, formation of a shared access and associated operations, application No 18/00867/FULL, at Field 50m South of Strathview, East Keillor, Coupar Angus (Report 155/19 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 Leader (Planning & Communities), 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. 18/00867/FULL

PLANNING PERMISSION FOR THE ERECTION OF DWELLINGHOUSE, FORMATION OF A SHARED ACCESS AND ASSOCIATED OPERATIONS AT FIELD 50M SOUTH OF STRATHVIEW, EAST KEILLOR, COUPAR ANGUS - CONDITIONS

PLANNING APPLICATION NO 18/00867/FULL

Conditions:

1. No development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) A detailed levels survey of the site. The detailed survey drawings shall show finished ground and floor levels of the proposed development relative to existing ground levels; neighbouring land/properties and a fixed ordnance datum point. Thereafter the development shall be completed in accordance with the approved levels prior to the occupation of the dwellinghouse.
 - (b) Precise details of all external wall finishes. The roof materials shown on the plans are not approved and the roof of the dwellinghouse and garage shall be finished in natural slate. Thereafter the dwellinghouse and garage shall be completed in accordance with the approved external materials prior to the occupation of the dwellinghouse.
 - (c) A scheme for all hard and soft landscaping of the site including details of all boundary treatments. This scheme shall include an indication of all existing trees within and adjacent to the site, details of those to be retained and cleared, together with the measures for their protection in the course of development (erection of protective fencing in accordance with BS 5837: 2012) . The approved boundary enclosures shall be formed prior to occupation of the dwellinghouse. All planting indicated in the approved scheme shall be carried out in the first planting season following occupation of the house or the completion of the development, whichever occurs first, or at earlier stages and any plants or trees which within a period of five years from the commencement of the use die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: In order that the planning authority may control the specified details in the interests of amenity and to ensure the development is undertaken and maintained in accordance with the approved details.