

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 19 APRIL 2022**

**COASTGUARD STATION, 35 ADMIRAL STREET, CARNOUSTIE - CONDITIONS**

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

**ABSTRACT:**

This Report sets out proposed conditions for planning application No. 21/00590/FULL following on from the decision of the Development Management Review Committee, at its meeting on 5 April 2022, to grant planning permission for change of use and extension of the former HM Coastguard Service Building to a Domestic Dwellinghouse at Coastguard Station, 35 Admiral Street, Carnoustie.

**1. RECOMMENDATIONS**

It is recommended that the Committee consider and approve the proposed conditions as set out in the Appendix to this Report.

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

**3. CURRENT POSITION**

At its meeting on 28 March 2022, the Development Management Review Committee considered an application for a review in relation to the non-determination of application No 21/00590/FULL for change of use and extension of the former HM Coastguard Service Building to a Domestic Dwellinghouse at Coastguard Station, 35 Admiral Street, Carnoustie (Report 122/22 to the Development Management Review Committee refers). The Committee agreed to hold a site visit and to reconvene after the site visit to consider the application further.

On 30 March 2022, the Committee visited the site and reconvened on 5 April 2022 to discuss the application further. Following consideration of the case, the decision of the Review Committee was to grant planning permission subject to conditions. Having consulted with the Service Leader – Planning and Sustainable Growth, it is recommended that the Committee consider and 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 to approve the conditions for application No 21/00590/FULL, 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 relation to this appeal, 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. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is not required.

**7. 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 21/00590/FULL**

**PLANNING PERMISSION FOR CHANGE OF USE AND EXTENSION OF THE FORMER HM  
COASTGUARD SERVICE BUILDING TO A DOMESTIC DWELLINGHOUSE AT COASTGUARD  
STATION, 35 ADMIRAL STREET, CARNOUSTIE - CONDITIONS**

**PLANNING APPLICATION NO 21/00590/FULL**

Conditions:

The following planning condition may be attached to regulate / clarify matters associated with the development:

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 scheme for all hard and soft landscaping of the site including details of all boundary treatments. The approved boundary enclosures shall be formed prior to the dwellinghouse being brought into use. All planting indicated in the approved scheme shall be carried out in the first planting season following the development being brought into use or completion of the development, whichever occurs first, or at earlier stages. 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.
  - (b) Details of the specific colour of external roof and wall finishes. Thereafter the approved external finishes shall be applied to the dwellinghouse prior to its occupation.

Reason: In order that the planning authority may control the specified details in the interests of amenity.

2. Prior to the commencement of development, a scheme for blocking up the existing vehicular entrance from the south of the site to the cycle track shall be submitted to and approved in writing by the planning authority. Thereafter the approved scheme shall be implemented prior to the dwellinghouse being occupied. Notwithstanding the provisions of any Development Order no further vehicular access shall be formed or vehicular access taken from the cycle track to the south of the site unless otherwise first approved through the grant of planning permission on application to the Planning Authority.

Reason: To ensure that the development is undertaken in accordance with the vehicular access details shown on the approved plans, to ensure that usable amenity space is retained; and in the interests of minimising vehicular traffic on the existing cycle track.