

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 23 MAY 2023

**LAND 40M NORTH OF LUMMINGTON STEADING HOUSE, BRATHINCH, BRECHIN –
RESPONSE TO WRITTEN PROCEDURE NOTICE**

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider the responses in respect of the Written Procedure Notice issued following the Committee's consideration of the Notice of Review at a meeting held on 9 March 2023.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) note the Written Procedure Notice issued on 17 March 2023 as instructed by this Committee (Appendix 1);
- (iii) review the case submitted by the planning authority as contained within Report No 84/23 (previously circulated) and the response to the Written Procedure Notice (Appendix 2);
- (iii) review the case submitted by the applicant as contained within Report No 84/23 (previously circulated) and the further submission made by the applicant to the Written Procedure Notice Response (Appendix 3); and
- (iv) proceed to determine the Notice of Review.

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

This report contributes to the following outcomes contained within the Angus Council Plan:

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

3. CURRENT POSITION

The Development Management Review Committee (DMRC), at its meeting on 9 March 2023, considered an application for a Review in respect of the refusal of planning permission for erection of a dwellinghouse, application No 22/00376/FULL, at Land 40m North of Lummington Steading House, Brathinch, Brechin and determined that they required further written information. The Committee agreed that the planning authority be requested 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; and
- (ii) a copy of the information required should be submitted to the Director of Legal and Democratic Services within 28 days of the date of the Notice, with a copy to be provided to the applicant as provided for by the Written Procedure Notice.

A copy of the Written Procedure Notice together with the planning authority response and the response from the applicant is attached at Appendices 1, 2 & 3.

The Committee is now invited to determine the Notice of Review unless it requires further procedure.

4. FINANCIAL IMPLICATIONS

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

5. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is not required.

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 1 - Written Procedure Notice

Appendix 2 - Planning Authority Response to the Written Procedure Notice

Appendix 3 - Applicant Response to Written Procedure Notice Response