

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 1 AUGUST 2024

**1 BROCHIE COTTAGES, MONIKIE –
RESPONSE TO WRITTEN PROCEDURE NOTICE**

REPORT BY THE DIRECTOR OF LEGAL, GOVERNANCE AND CHANGE

1. ABSTRACT

The Committee is asked to consider the responses in respect of the Written Procedure Notice issued following a meeting of this Committee on 10 May 2024.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

This Report contributes to the following local outcomes contained within the Angus Council Plan 2023-2028:

- Caring for our people
- Caring for our place

3. RECOMMENDATIONS

It is recommended that the Committee: -

- (i) note the Written Procedure Notice issued on 14 May 2024 as instructed by this Committee (Appendix 1);
- (ii) review the case submitted by the planning authority as contained within Report No 23/24 (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 23/24 (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.

4. CURRENT POSITION

The Development Management Review Committee at their meeting on 19 February 2024 determined to uphold a non-determination appeal of planning application No. 23/00400/PPPL and grant planning permission for the erection of a dwellinghouse at 1 Brochie Cottages, Monikie, subject to conditions.

The Committee considered Report 148/24 at a meeting held on 10 May 2024, seeking Committee clarification of the decision taken on 19 February 2024 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;

- (ii) a statement on the Angus Local Development Plan (2016) (including appropriate Supplementary Guidance) in respect of the proposed development;
- (iii) the above statements to include comments on any material consideration relevant to the proposed development, as necessary; and
- (iv) a copy of the information required should be submitted to the Director of Legal and Democratic Services within 14 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.

5. FINANCIAL IMPLICATIONS

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

6. RISK MANAGEMENT

There are no issues arising from the recommendations of this Report.

7. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising from the recommendations of this report.

8. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

An Equality Impact Assessment is not required.

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