

**LETHAM MILL, ST VIGEANS – Application No 17/00860/FULL – DMRC-2-18**

**AGENT COMMENTS**

**Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013**

**Application for Review – Non-Determination of Planning Permission for the levelling of land (re-application) at Field 45m South East of 1 Mount Pleasant, Letham Mill, St Vigeans – Mrs P Smith**

**Application No 17/00860/FULL - DMRC-2-18**

I refer to the email sent on 11 April 2018 with the Procedure Notice Response attached and wish to make the following comments.

**Site Description – Agreed**

**Proposal – Agreed**

**Planning History –** Application Ref: 17/00161/FULL was withdrawn due to objections from both SEPA and Angus Council Roads Department relating to flooding. This was to allow time for a report to be prepared. The report was instructed giving no reason for an Enforcement Notice to be served. Serving the notice made the DPEA application necessary.

**Applicant's Case**

**Planning Statement – Noted**

**Structural Engineer Statement –** Addresses the points raised by SEPA and Angus Council Roads Department which had resulted in Application Ref: 17/00161/FULL being withdrawn

**UK Design Flood Estimation – Noted and agreed**

**Submitted Supplementary Notes – Noted and agreed**

**Consultations**

**Angus Council – Countryside Access – No objection**

**Angus Council – Flood Prevention – No objection**

**SEPA – No objection**

**Community Council – No response at time of report preparation**

**Angus Council – Roads** – Sight lines of at least 2.4 x 43 metres on each side of the access and forward visibility sightline of 70 metres can be achieved depending on the position of the access. This would be suitable for vehicular access, but this is not required in this instance as the land is to be used for a horse paddock and requires only pedestrian access. It should be noted that no mention of the sight line issues were raised at the time of the original application

**Scottish Water** – No response at the time of report preparation

### **Representations**

- The land lies at a lower level than neighbouring residential properties and would cause no impact on flooding
- Once completed the environment would be as previous
- Once completed wildlife would be as previous
- No earth bund is to be formed as part of the proposals

### **Development Plan Policies**

#### **Angus Local Development Plan**

Policies DS1, DS4, PV3, PV6, PV7, PV12, PV17 & PV 20 – All considered in the proposals

**TAYplan Strategic Development Plan** – noted

### **Assessment**

The proposals are to raise ground level of a paddock which is subject to flooding and re-instate with top soil. This will result in the land being brought back to usable ground with no detrimental impact on the agricultural use, environment, wildlife or visual impact

Delivery of material to site would be using a 16 ton lorry and all deliveries over a 2 day period. Traffic control to satisfy Angus Council Roads Department will be put in place during this period.

### **Conditions**

If the Development Management Review Committee (DMRC) is minded to grant planning permission the applicant has no objections to the conditions suggested by Angus Council Planning Department being applied.

**Appendix 1 – Noted**

**Appendix 2 – Noted**

**Appendix 3 - Noted**