

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 16 AUGUST 2021

**DECISION OF SCOTTISH MINISTERS - LAND ADJACENT TO HAWTHORN COTTAGE, BALDOVAN,
STRATHMARTINE DD3 0PD**

REPORT BY DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

The purpose of this report is to present the determination of the Scottish Ministers in respect of application for full planning permission by Mr Kenneth Grant for the erection of a new dwellinghouse at land adjacent to Hawthorn Cottage, Baldovan, Strathmartine (19/00909/FULL).

1. RECOMMENDATION

It is recommended that the Committee notes the refusal by the Scottish Ministers of the application for full planning permission by Mr Kenneth Grant for the erection of a new dwellinghouse at land adjacent to Hawthorn Cottage, Baldovan, Strathmartine (19/00909/FULL).

2. REPORT

- 2.1 At its meeting on 4 November 2020, 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 new dwellinghouse, at land adjacent to Hawthorn Cottage, Baldovan, Strathmartine (20/00167/FULL) (Report 265/20 refers). The Committee agreed to hold a site visit and to reconvene after the site visit to discuss the application further.
- 2.2 On 24 November 2020, the Committee visited the site and met to discuss the application further. Following consideration of the case, the decision of the Review Committee was to uphold the appeal and grant planning permission subject to conditions.
- 2.3 At its meeting on 16 December 2021 the Committee considered a report which recommended conditions to be applied to the grant of planning permission in respect of this development (Report 338/20 refers). The Committee agreed to approve the recommended conditions. This report also advised the Committee that, as there was an outstanding objection from a statutory consultee (namely SEPA), the application together with the agreed conditions would require to be referred to the Scottish Ministers for their final consideration/confirmation. The application together with the agreed conditions were referred to the Scottish Ministers.
- 2.4 On 29 January 2021, the Scottish Government formally advised the Council that the Scottish Ministers required the application to be referred to them for determination and issued a Direction to that effect. The application was referred to the Planning and Environmental Appeals Division (DPEA), for an examination by a reporter in terms of the Town and Country Planning (Appeals) (Scotland) Regulations 2013.
- 2.5 Following the examination procedure, the Council were advised, on 30 June 2021, that the Scottish Ministers had received the report from the Reporter, that they accepted the Reporter's overall conclusions and recommendations and that the application was refused. A copy of the letter from the Scottish Government dated 30 June 2021 and the Reporters report can be found here:-

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=121357>

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

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