

STIRLING COUNCIL

**MINUTES of MEETING of the LOCAL REVIEW BODY held in the COUNCIL CHAMBERS,
OLD VIEWFORTH, STIRLING on TUESDAY 19 NOVEMBER 2019 at 11.30 am.**

Present

Councillor Douglas DODDS (in the Chair)
Councillor Graham HOUSTON
Councillor Jim THOMSON

In Attendance

Richard Callender, Planning Adviser
Ewan Grant, Legal Adviser (Clerk)
David Love, Development Management Team Leader

Also Present

Item LR111

Paul Houghton, Agent for Applicant

Item LR112

Barry McMullan, Agent for Applicant
Hardeep Gogna, Applicant

Councillor Jeremy McDonald (Observer)

LR109 APOLOGIES

There were no apologies or substitutions.

LR110 DECLARATIONS OF INTEREST

There were no declarations of interest.

LR111 APPLICATION FOR REVIEW

**ERECTION OF 2 NO. TIMBER HUTS TO BE USED AS TOURISM ACCOMMODATION, NEW ACCESS AND PARKING – LAND ADJACENT TO 4 GARTCARRON, FINTRY – EXECUTORS OF THE LATE HELEN STEVENS
APPLICATION NO: 18/00451/PPP**

At a meeting held on 9 October 2019, Members considered a Notice of Review submitted by the Applicant's Agent, seeking a review of the decision by the Appointed Officer of the Council to refuse planning permission for the erection of 2 No. Timber Huts and associated works at land adjacent to 4 Gartcarron, Fintry.

At that meeting the Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that an accompanied site visit take place;
3. that the matter be duly referred to a future meeting of the Local Review Body.

A site visit had taken place immediately prior to this meeting, attended by the three Local Review Body Members and the Planning Advisers. The Applicant's Agent had also been present.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and responded to questions from Members.

Decision

The Local Review Body agreed:-

1. that there was sufficient information before it to decide the matter without further procedure;
2. that, having considered the Notice of Review and other supporting documents submitted by the Applicant and the other papers submitted by the Planning Authority and Interested Parties, the information gathered at the site visit, and having regard to the whole circumstances, to uphold the officer decision and refuse the Review, for the following reasons:-
 - (a) In the opinion of the Planning Authority the proposed development is contrary to policy 15.1 of the Adopted Stirling Council Local Development Plan October 2018 parts: (a) (ii) (iv) and part b (ii) as the proposals to build 2 huts at this location will not complement any existing tourist facilities at the site, nor will the works involved, including the likely tree loss to build the huts, result in the enhancement of the natural environment;
 - (b) In the opinion of the Planning Authority the proposed development is contrary to policy 9.1 of the Adopted Stirling Council Local Development Plan October 2018 part (b) (i) as the proposals to build 2 huts at this location, including the likely tree loss to build the huts, will not result in the enhancement of the Southern Hills Local Landscape Area;

- (c) In the opinion of the Planning Authority the proposed development is contrary to policy 8.1 of the Adopted Stirling Council Local Development Plan October 2018 part (a) as the proposals to build 2 huts at this location, including the likely tree loss to build the huts, will not result in the preservation or enhancement of the biodiversity value of this site.
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

LR112 APPLICATION FOR REVIEW

ERECTION OF TWO STOREY 9 BED DWELLING HOUSE – LAND SOME 30 METRES SOUTH EAST OF WEST LECROPT, BRIDGE OF ALLAN – HARDEEP GOGNA – APPLICATION NO. 19/00052/FUL

At a meeting on 9 October, 2019, Members considered a Notice of Review submitted by the Applicant's Agent, seeking a review of the decision by the Appointed Officer of the Council to refuse planning permission for the erection of a two-storey 9 bed dwelling house at land south east of West Lecropt, Bridge of Allan.

At that meeting, the Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that an accompanied site visit take place;
3. that a further written submission be sought from the Planning Officer, providing the following information:-
 - (a) Confirmation of whether planning permission for the neighbouring property as shown on page 205 of the agenda was granted under the current or previous Local Development Plan;
 - (b) A copy of the Report of Handling relative to 3(a) above;
 - (c) Confirmation of distances between properties as shown on page 205.
4. that the matter be duly referred to a future meeting of the Local Review Body.

A site visit had taken place immediately prior to this meeting, attended by the three Local Review Body Members and the Planning Advisers. The Applicant, his Agent and a local resident were also present.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and responded to questions from Members.

In terms of Standing Order 63, Councillor Houston, having moved to grant the application but receiving no seconder, requested that his dissent be recorded.

The Local Review Body agreed:-

1. that there was sufficient information before it to decide the matter without further procedure;

2. that, having considered the Notice of Review and other supporting documents submitted by the Applicant and the other papers submitted by the Planning Authority and Interested Parties, further written submissions and the information gathered at the site visit, and having regard to the whole circumstances, to uphold the officer decision and refuse the Review, for the following reasons:-
 - (a) In the opinion of the Planning Authority the proposal is considered to be contrary to policy 2.10 of the Adopted Stirling Council Local Development Plan Oct 2018 as it is not considered to relate to any building group, existing at this location as defined within Supplementary Guidance Ten. The buildings on the opposite side of the road are not all within 100 metres of the next, do not connect visually, and are not closely arranged and appearing inter-related;
 - (b) In the opinion of the Planning Authority the proposal is considered to be contrary to policy 2.10 of the Adopted Stirling Council Local Development Plan Oct 2018 and the associated supplementary Guidance Ten (Design Guide) as the house siting and design has not had regard to its context and the natural surroundings. It seeks to introduce a dwelling that will not sit comfortably, physically and visually within the landscape setting, not respecting and complimenting the established development pattern and scale;
 - (c) In the opinion of the Planning Authority the proposed house is contrary draft Supplementary Guidance Ten (approved in May 2019 by Council), as it is not considered the buildings opposite the site to the north are closely arranged and appearing inter-related. Large distances, natural screening and other buildings interfere to the point there is no strong proximal relationship. Therefore, the siting of the proposed house is such, in the context of this guidance, that it does not sit within or adjacent to a building group.
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

The Chair declared the Meeting closed at 12.20 am.