

STIRLING COUNCIL

MINUTES of MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on MONDAY 27 JULY 2020 at 2.00 pm.

Present

Councillor Douglas DODDS (in the Chair from Item LR125)
Councillor Neil BENNY
Councillor Jim THOMSON

In Attendance

Richard Callender, Planning Adviser
Ewan Grant, Legal Adviser
Sheila McLean, Governance Officer (Clerk)

Also Present

David Love, Development Management Team Leader
Carla Roth, Solicitor

LR122 APOLOGIES

There were no apologies or substitutions.

LR123 DECLARATIONS OF INTEREST

There were no declarations of interest.

LR124 APPOINTMENT OF CHAIR

Decision

It was unanimously agreed to appoint Councillor Douglas Dodds as Chair.

LR125 APPLICATION FOR REVIEW**TO ERECT A 6 METRE FLAG POLE IN BACK GARDEN - DUNDARROCH, MAIN STREET, FINTRY, G63 0YH - JOHN & MARGARET DUCKWORTH
APPLICATION NO: 19/00634/FUL**

Members considered a Notice of Review submitted by the Applicants, seeking a review of the decision by the Appointed Officer of the Council to refuse planning permission to erect a flag pole in the garden of Dundarroch, Main Street, Fintry.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and answered a number of questions from Members. He provided a visual presentation which included location details and photographs of the site.

Members considered the draft Conditions provided by the Case Officer in the event that the application be approved and agreed that these were not appropriate and should not be included.

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 having regard to the whole circumstances, to allow the Review, without conditions, for the following reasons:-

Taking account of its height, positioning, design and finishing within the curtilage of the dwellinghouse, the proposed flagpole would not have an adverse impact on the setting of the Fintry Conservation Area or the character and quality of the Southern Hills Local Landscape Area.

3. That information be provided to the applicants on regulations and guidance relating to the use of flagpoles to display advertisements
4. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

LR126 APPLICATION FOR REVIEW**ERECTION OF DWELLING HOUSE AND GARAGE - LAND ADJACENT AND SOUTH OF 5 MANOR STEPS, MANOR POWIS ROAD, STIRLING - PAUL HOUGHTON
APPLICATION NO: 19/00563/PPP**

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 a dwelling house and garage at land adjacent to 5 Manor Steps, Manor Powis Road, Stirling.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and answered a number of questions from Members. He provided a visual presentation which included location, site and elevation plans and photographs of the site

Decision

The Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that a site visit take place, such visit to be carried out by the Planning Adviser in accordance with the advice given by the Scottish Government's Chief Planner and subject to compliance with Stirling Council's Covid-19 site visit hazard control measures, for the purposes of presenting a video of the site to a subsequent meeting;
3. that the matter be duly referred to a future meeting of the Local Review Body.

LR127 APPLICATION FOR REVIEW ERECTION OF DWELLING HOUSE LAND ADJACENT TO SOUTH WEST OF AUCHENBERG HOUSE, BLANEFIELD – ROY HAWES APPLICATION NO: 19/00845/PPP

Decision

The Local Review Body agreed to note that the Notice of Review had been withdrawn by the Applicant.

LR128 APPLICATION FOR REVIEW ERECTION OF DWELLING HOUSE AND GARAGE (PLOT 1) LAND BETWEEN CRAIGIEBARNES AND LARNE COTTAGE, FORE ROAD, KIPPEN – FRASER HILLHOUSE APPLICATION NO: 19/00751/PPP

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 dwelling house and garage (Plot 1) at Fore Road, Kippen.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and answered a number of questions from Members. He provided a visual presentation which included location, site and elevation plans and photographs of the site.

Decision

The Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that a Hearing take place to consider the following matters:-
 - to consider definitions and interpretations of policy wording and guidance relevant to this review, as set out in the Stirling Local Development Plan Policy 2.10 Housing in the Countryside and SG Housing in the Countryside (adopted May 2020), with particular reference to:-
 - i) Para 1.5 of the SG which refers to proposals leading to coalescence with existing settlements, and
 - ii) Para 2.12 of the SG which refers to infill development;
 - to invite the Applicant to explain and justify the claim of exceptional circumstances referred to in para. 1.5 of the SG relating to the application;
3. that the matter be duly referred to a future meeting of the Local Review Body.

LR129 APPLICATION FOR REVIEW ERECTION OF DWELLING HOUSE AND GARAGE (PLOT 2) LAND BETWEEN CRAIGIEBARNES AND LARNE COTTAGE, FORE ROAD, KIPPEN – FRASER HILLHOUSE APPLICATION NO: 19/00752/PPP

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 dwelling house and garage (Plot 2) at Fore Road, Kippen.

The Planning Adviser described the proposal, the reasons for the Appointed Officer's decision and the grounds for the Notice of Review, and answered a number of questions from Members. He provided a visual presentation which included location, site and elevation plans and photographs of the site.

Decision

The Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that a Hearing take place to consider the following matters:-
 - to consider definitions and interpretations of policy wording and guidance relevant to this review, as set out in the Stirling Local Development Plan Policy 2.10 Housing in the Countryside and SG Housing in the Countryside (adopted May 2020), with particular reference to:-

- i) Para 1.5 of the SG which refers to proposals leading to coalescence with existing settlements, and
 - ii) Para 2.12 of the SG which refers to infill development;
 - to invite the Applicant to explain and justify the claim of exceptional circumstances referred to in para. 1.5 of the SG relating to the application;
3. that the matter be duly referred to a future meeting of the Local Review Body.

The Chair declared the Meeting closed at 3.10 pm