

## **STIRLING COUNCIL**

**MINUTES of MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on MONDAY 14 DECEMBER 2020 at 3.00 pm.**

### **Present**

Councillor Jim THOMSON (in the Chair from Item LR154)  
Councillor Douglas DODDS  
Councillor Alastair MAJURY

### **In Attendance**

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

### **Also Present**

Mark Laird, Development Management Team Leader

### **LR152 APOLOGIES**

There were no apologies or substitutions.

### **LR153 APPOINTMENT OF CHAIR**

It was unanimously agreed to appoint Councillor Jim Thomson as Chair.

### **LR154 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**LR155 APPLICATION FOR REVIEW  
ERECTION OF DETACHED GARAGE/WORKSHOP (RETROSPECTIVE)  
BILLYN HOUSE, BLANEFIELD, G63 9QL – W HOGG  
APPLICATION NO: 20/00219/FUL**

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 retrospective planning permission for a detached garage/workshop at Billyn House, Blanefield.

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.

**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 papers submitted by the Planning Authority, and having regard to the whole circumstances, to refuse the review, for the following reasons:-
  - (a) In the opinion of the Planning Authority the retrospective workshop is contrary to Primary Policy One, Policy 1.1, Primary Policy 9 and Policy 9.1 of the Adopted Stirling Council Local Development Plan October 2018, as it represents a sizable building, which is not considered to be of an appropriate scale or design for its countryside setting. It is considered to be of a size and scale that will have a detrimental impact on the amenity of the site and its wider setting.
  - (b) In the opinion of the Planning Authority the retrospective workshop is contrary to Policy 2.9 of the Adopted Stirling Council Local Development Plan October 2018, as it represents economic rural development, not within an allocated employment site, Rural Activity Area or an area safeguarded for such uses and it has not been proven the building is essential at this location.
  - (c) In the opinion of the Planning Authority the retrospective workshop is contrary to Policy 9.1 of the Adopted Stirling Council Local Development Plan October 2018, as the retrospective workshop design and finish is not considered to complement the site and will not enhance the character and setting of the location. The proposed scale, massing and design will detract from the character of the area and the setting of the Kilpatrick Hills Local Landscape Area (LLA 8).
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

**LR156 APPLICATION FOR REVIEW****ERECTION OF 2 DWELLING HOUSES – LAND ADJACENT AND SOUTH OF THE OLD STABLES, PENDREICH ROAD, BRIDGE OF ALLAN – F MCNICOL  
APPLICATION NO: 19/00982/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 two dwellinghouses at land adjacent and south of The Old Stables, Pendreich Road, Bridge of Allan.

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.

In terms of Standing Order 63, Councillor Majury, having moved to approve the application but failing to find a seconder, requested that his dissent be recorded.

**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 papers submitted by the Planning Authority, and having regard to the whole circumstances, to refuse the review, for the following reasons:-

The proposal is considered to depart from Policy 2.10 Housing in the Countryside of the Stirling Local Development Plan 2018 and fails to satisfy criteria provided for in Supplementary Guidance Housing in the Countryside (May, 2020). The siting of new housing on this particular site is also likely to have a significant adverse visual impact on the Local Landscape Area, contrary to Primary Policy 9 Managing Landscape Change and Policy 9.1 Protecting Special Landscapes of the Stirling Local Development Plan 2018.

3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

**LR157 APPLICATION FOR REVIEW****SINGLE STOREY REAR EXTENSION TO EXISTING DWELLINGHOUSE AND ERECTION OF AN ADJOINING DWELLING HOUSE – 12 EDENKILN PLACE, STRATHBLANE – GORDON & BRIDIE COWAN  
APPLICATION NO: 20/00258/FUL**

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 a single storey rear extension to an existing dwellinghouse and the erection of an adjoining dwelling house at 12 Edenkiln Place, Strathblane.

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 were advised that in the Notice of Review submission, the Applicants had sought to introduce new matters not before the case officer when taking the original decision and that this new evidence should be disregarded.

### **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 papers submitted by the Planning Authority, and having regard to the whole circumstances, to refuse the review, for the following reasons:-

In the opinion of the Planning Authority, the proposals are not considered to be in accordance with Policy 1.1 part (a) or 2.11 part (a) of the Adopted Stirling Council Local Development Plan October 2018, as the submitted drawings do not demonstrate that vehicles from each property can move safely, without obstruction from the vehicles associated with the other dwelling, ensuring safe access and egress. Furthermore, only one off street space is shown where a minimum of two is required.

3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

### **LR158 APPLICATION FOR REVIEW CONVERSION OF EXISTING SINGLE STOREY WORKSHOP TO FORM 2 BEDROOM HOLIDAY LETTING ACCOMMODATION – GARTCURRACHAN FARM, ABERFOYLE – FRASER HAMILTON APPLICATION NO: 20/00350/FUL**

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 for the conversion of an existing single storey workshop to form two bedroom holiday letting accommodation at Gartcurrachan Farm, Aberfoyle.

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.

## 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, with conditions as set out on page 151 of the Agenda and an occupancy condition that accorded with a similar condition attached to planning permission for Erection of 3 No. tourism chalets (Ref no. 19/00778/FUL) elsewhere on Gartcurrachan Farm, for the following reasons:-
  - (a) that the proposed change of use of the substantially completed garage/workshop to form 2 bedroom holiday letting accommodation would accord with Stirling Local Development Plan Policy 2.10 and supporting Supplementary Guidance – Housing in the Countryside, in so far as:-
    - (i) as demonstrated in the Grounds of Review the application site was previously occupied by a redundant storage building, and therefore the proposed development could be supported under criteria (vi) When the proposal will result in the beneficial re-use of a Brownfield site;
    - (ii) that Policy 2.10 defines new houses as including those for holiday let outwith managed chalet developments;
    - (iii) that the holiday letting accommodation was designed and sited in a manner appropriate to the countryside, sympathetic to its setting and there was an appropriate fit with the existing building group;
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

### **LR159 APPLICATION FOR REVIEW ERECTION OF DWELLING HOUSE AND GARAGE – LAND 470M NORTH EAST OF WEST TORRIE, DOUNE – MRS V GRAY APPLICATION NO: 20/00467/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 at land north east of West Torrie, Doune.

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.

## Decision

The Local Review Body agreed:-

1. that there was insufficient information before it to decide the matter without further procedure;
2. that in relation to the West Torrie Fort and Dun scheduled monument a further written submission be provided by the Applicant in the form of an objective written assessment prepared by a suitably qualified and experienced archaeologist and based on relevant guidance in the Historic Environment Scotland publication Managing Change in the Historic Environment – Setting. The assessment should take into account the significance of the asset and its setting and attempt to quantify the extent of the impacts of the removal of the agricultural shed and the erection of a dwellinghouse and garage. It should also set out a reasoned justification for the removal of the agricultural shed being dependent on the construction of a new house in the vicinity;
3. that the submitted assessment be referred to all interested parties, including Historic Environment Scotland, for consideration and comment
4. that a Hearing take place to consider the following matters:-
  - to consider the assessment and response from Historic Environment Scotland
  - to hear from the Applicant or their representative on the need for a house at this location, the design and position of the house and the impact of demolishing the shed;
5. that the matter be duly referred to a future meeting of the Local Review Body.

The Chair declared the Meeting closed at 4.45 pm