

STIRLING COUNCIL

MINUTES of MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on TUESDAY 29 SEPTEMBER 2020 at 10.00 am.

Present

Councillor Douglas DODDS (in the Chair from Item LR147)
Councillor Neil BENNY
Councillor Alastair MAJURY

In Attendance

Richard Callender, Planning Adviser (Items LR149 to LR151)
Ewan Grant, Legal Adviser
Mark Laird Planning Adviser (Item LR148)
Sheila McLean, Governance Officer (Clerk)

Also Present

David Love, Development Management Team Leader

LR145 APOLOGIES

There were no apologies or substitutions.

LR146 APPOINTMENT OF CHAIR

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

LR147 DECLARATIONS OF INTEREST

There were no declarations of interest.

LR148 APPLICATION FOR REVIEW

**CHANGE OF USE AND EXTENSION OF PUBLIC HOUSE TO FORM DWELLING HOUSE – BLANE VALLEY INN, 54 GLASGOW ROAD, BLANEFIELD, G63 9BP – ROSS & ALEXANDRA CAMPBELL
APPLICATION NO: 20/00252/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 the change of use and extension of a public house to form a dwellinghouse at Blane Valley Inn, 54 Glasgow Road, 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.

In terms of Standing Order 63, Councillor Benny, having moved the refuse 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 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 pages 69 of the Agenda, for the following reasons:-
 1. The proposed change of use was not likely to diminish the range of community facilities on offer in the village or have a significant impact on the vitality and viability of the village or be detrimental to the local community;
 2. The scale, flat roof and external finishes would not have a negative impact on the character and integrity of the host building;
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

LR149 APPLICATION FOR REVIEW

DEMOLITION OF EXISTING SHOP AND ERECTION OF 2 NO. SEMI-DETACHED DWELLING HOUSES AND A DOUBLE GARAGE – FORMER JOHAL CONVENIENCE STORE, 6 MUNRO AVENUE, CAUSEWAYHEAD, STIRLING, FK9 5RA – MR MOHAMMED NIAZ APPLICATION NO: 20/00156/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 the demolition of an existing shop and erection of 2 no. semi-detached dwellinghouses and a double garage at a former convenience store at 6 Munro Avenue, Causewayhead, 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 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 and Hearing Statement submitted by the Applicant and the other papers submitted by the Planning Authority, and having regard to the whole circumstances, to refuse the review, for the following reasons:-
 1. In the opinion of the Planning Authority, Primary Policy 1 part (a) and Policy 1.1 parts (a), and (c) of the Adopted Stirling Council Local Development Plan Oct 2018, including the associated non statutory Supplementary Guidance: Place Making. The proposals are of a scale and design that do not complement the existing urban context and will result in a build which will dominate the site and the surroundings. The design is not considered appropriate to the wider surroundings in terms of appearance, position, height, scale and massing.
 2. In the opinion of the Planning Authority, the proposals are not considered to be in accordance with Primary Policy 1 part (a) and Policy 1.1 parts (a), and (c) of the Adopted Stirling Council Local Development Plan Oct 2018, including the associated non statutory Supplementary Guidance: Place Making. The proposals do not demonstrate that they will preserve the amenity levels currently enjoyed by neighbouring residents and it is considered that they will result in a material reduction in the levels privacy currently enjoyed by these neighbouring properties.

3. In the opinion of the Planning Authority, the proposals are not considered to be in accordance with Policy 1.1 part (h) of the Adopted Stirling Council Local Development Plan Oct 2018. It is considered that insufficient information has been provided which demonstrates that vehicles from each property can move freely, without obstruction from the vehicles associated with the other dwelling.
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

LR150 APPLICATION FOR REVIEW

ERECTION OF DWELLING HOUSE FOR USE BY SAWMILL MANAGER AND FAMILY – LAND 175M SOUTH WEST OF DOVETAIL SCOTLAND, OAKWOOD, FINTRY – DOVETAIL SCOTLAND APPLICATION NO: 20/00049/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 the erection of a dwelling house at land 175m south west of Dovetail Scotland, Oakwood, 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 were advised that, since the officer decision had been taken, the Council had formally adopted Supplementary Guidance Housing in the Countryside (May 2020), against which the application should be assessed. The Planning Adviser highlighted matters of particular relevance to this Application.

Decision

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 pages 180-81 of the Agenda, for the following reasons:-
 1. In the opinion of the Planning Authority, this proposal complies with Policy 2.10 of the Local Development Plan (criteria (iii) - Single house at a specific type of site or for a specific purpose) and supporting Supplementary Guidance: Housing in the Countryside, as it has been satisfactorily demonstrated the dwelling is required for an applicant who has a genuine need to be housed in the vicinity for forestry and management of an established rural business where there is a clear operational need for a manager to be housed in the vicinity.

2. In the opinion of the Planning Authority, this proposal complies with Policy 10.1 Development Impact on Trees and Hedgerows of the Local Development Plan, since supporting information indicates the affected tree (oak spp.) is severely undercut by the adjacent burn and is likely to be destroyed by natural causes. If the tree does require to be removed a commitment has been given that replacement trees will be planted.
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

LR151 APPLICATION FOR REVIEW

CONVERSION OF 3 OLD PORTACABINS TO PROVIDE TEMPORARY ACCOMMODATION FOR THE MANAGER OF THE FAMILY TREE ART GALLERY – DOVETAIL SCOTLAND, OAKWOOD, FINTRY, G63 0LP – DOVETAIL SCOTLAND APPLICATION NO: 20/00050/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 the conversion of portacabins to provide temporary accommodation at Dovetail Scotland, Oakwood, 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 were advised that, since the officer decision had been taken, the Council had formally adopted Supplementary Guidance Housing in the Countryside (May 2020), against which the application should be assessed. The Planning Adviser highlighted matters of particular relevance to this Application.

Decision

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 217 of the Agenda, subject to Condition 1 being amended to read October 2025, for the following reasons:-
 1. In the opinion of the Planning Authority, this proposal complies with Policy 2.10 of the Local Development Plan (criteria (iii) - (iii Single house at a specific type of site or for a specific purpose) and supporting Supplementary Guidance: Housing in the Countryside, as it has been satisfactorily demonstrated the dwelling is required for an applicant on a temporary basis who has a genuine need to be housed in the vicinity for the management of an established rural business where there is a clear operational need for a manager to be housed in the vicinity.

2. In the opinion of the Planning Authority the proposal is complies with policy 2.10 of the Local Development Plan and supporting Supplementary Guidance: Housing in the Countryside and associated Design Guides in so far as the scale, design and external finishing of the temporary house has regard to its landscape setting and the natural surroundings.
3. to remit to the Planning Adviser and Legal Adviser to prepare and issue the Decision Notice.

The Chair declared the Meeting closed at 11.10 am