

STIRLING COUNCIL

MINUTES of MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on WEDNESDAY 17 MARCH 2021 at 2.00 pm

Present

Councillor Maureen BENNISON
Councillor Douglas DODDS
Councillor Jim THOMSON

In Attendance

Richard Callender, Planning Adviser
Ewan Grant, Legal Adviser & Clerk

LR160 APOLOGIES

There were no apologies or substitutions.

LR161 APPOINTMENT OF CHAIR

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

LR162 DECLARATIONS OF INTEREST

There were no declarations of interest.

LR163 APPLICATION FOR REVIEW

**SIDE EXTENSION TO DWELLING HOUSE – LINGERWOOD, 172 BANNOCKBURN ROAD, STIRLING – SHAUN HAMILTON
APPLICATION NO: 20/00414/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 side extension to a dwelling house at Lingerwood, 172 Bannockburn 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 details and photographs of the site.

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 refuse the Review, for the following reasons:-
 - The proposed extension by virtue of its height, scale, bulk, massing and roof form is not of a character or design that is subordinate or sympathetic to the building to be extended. The proposed extension would also have a negative visual impact on the character and appearance of the wider townscape. For the above reasons, the proposed extension is contrary to Policy 1.1 and Policy 2.12 of the Stirling Local Development Plan 2018 and to guidance provided in paragraph 2.1 of SG12 Residential Alterations and Extensions.
3. to remit to Officers to prepare and issue the Decision Notice.

LR164 APPLICATION FOR REVIEW

EXTENSION TO REAR OF DWELLING HOUSE – 54 WISHART DRIVE, STIRLING – RYAN LAURENSEN APPLICATION NO: 20/00689/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 an extension to the rear of a dwelling house at 54 Wishart Drive, 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 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:-
 - i) presenting a video of the application site to a subsequent meeting, and
 - ii) to accurately determine the position and size of an outbuilding within the adjacent property in 52 Wishart Drive to allow the Local Review Body to properly determine the impact of the extension on the amenity of this property.
3. that the matter be duly referred to a future meeting of the Local Review Body.

LR165 APPLICATION FOR REVIEW

CHANGE OF USE OF OPEN SPACE TO GARDEN GROUND AND ERECTION OF FENCE (RETROSPECTIVE) – 15 POTTIS ROAD, BALQUHIDDEROCK, STIRLING APPEAL AGAINST NON-DETERMINATION – NEIL MCKINLAY APPLICATION NO: 20/00563/FUL

Members considered a Notice of Review submitted by the Applicant's Agent, seeking a review of the non-determination of an application for change of use of open space to garden ground and the erection of a fence (retrospective) at 15 Pottis Road, Balquhiddelock, 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 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. The development does not comply with Stirling Local Development Plan Policy 1.3: Green Infrastructure and Open Space which states there will be a presumption against the loss of open space . In this case the site is a part of a wider area of established amenity green space laid out in association with and for the enjoyment of the surrounding residential development.
 2. Any approval may also set an undesirable precedent for neighbouring properties whose rear gardens are also adjacent to the open space. A cumulative loss of open space would further erode the established character and amenity of the locality.
3. to note that, in line with usual procedures, the Planning Service would commence enforcement action to restore the land to its former use as open space;
4. to remit to Officers to prepare and issue the Decision Notice.

LR166 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: 20/00634/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 and land adjacent and south of 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 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 refuse the Review, for the following reasons:-
 1. The proposal by virtue of the access road serving the plot, does not appear as an integral addition to the existing Building Group or respect the established development pattern of the Building Group, contrary to Policy 2.10 (a) (i) of the Stirling Local Development Plan 2018 and to paragraphs 2.2 and 2.3 of Supplementary Guidance, Housing in the Countryside, May 2020.
 2. The proposed access road due to its length and location in an open field is likely to have significant impacts on landscape character contrary to Primary Policy 9 (a) (ii) of the Stirling Local Development Plan 2018.
3. to remit to Officers to prepare and issue the Decision Notice.

The Chair declared the Meeting closed at 3.30pm