

## **STIRLING COUNCIL**

**MINUTES of RE-CONVENED MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on WEDNESDAY 2 JUNE 2021 at 2.30 pm**

### **Present**

Councillor Maureen BENNISON  
Councillor Douglas DODDS  
Councillor Jim THOMSON

### **In Attendance**

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

### **LR168 APOLOGIES**

There were no apologies or substitutions.

### **LR169 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **LR170 APPLICATION FOR REVIEW**

**EXTENSION TO REAR OF DWELLING HOUSE – 54 WISHART DRIVE, STIRLING  
– RYAN LAURENSEN  
APPLICATION NO: 20/00689/FUL**

At a meeting on 17 March 2021, 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.

At that meeting, it was 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.

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. Members were advised that, since the Notice of Review had been submitted, the property had been sold, however this was not material to consideration of the Review.

The Planning Adviser presented a video recording following a site visit carried out as agreed under (2) above and a further presentation showing 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 information gained from the site visit video (presented in lieu of an accompanied site visit due to Covid 19 restrictions) and having regard to the whole circumstances, to refuse the review, for the following reasons:-

In the opinion of the Planning Authority, the proposed extension is contrary to Policy 1.1 on Site Planning, Policy 2.12: Residential Alterations and Extensions and Supplementary Guidance 12 (Residential Alterations and Extensions) in that:

- a. The footprint area of the house and the extension will occupy approximately 40% of the total site area; which is in excess of the 30% that is advised in the Council design guidance SG12. It is considered that the proposed extension would result in overdevelopment of the plot.
  - b. The depth of the proposed extension of 5.1 metres, built along the common boundary, would be visually intrusive and have adverse impact on the amenity of the house and garden at No 52 Wishart Drive.
3. to remit to Officers to prepare and issue the Decision Notice.

**LR171 APPLICATION FOR REVIEW  
ERECTION OF 2 NO. DWELLING HOUSES WITH GARAGES  
LAND ADJACENT AND EAST OF GLEN AN, MAIN STREET, THORNHILL  
MARGARET SIMPSON  
APPLICATION NO: 20/00632/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 2 No. dwelling houses with garages at land adjacent and east of Glen An, Main Street, Thornhill.

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 proposed dwellings would result in coalescence of the existing settlement and row of houses east of the settlement boundary contrary to Policy 2.10 of the Stirling Local Development Plan 2018. There are no exceptional circumstances that have been identified to justify departure from Policy 2.10.
  2. The proposed dwellings would lead to the erosion of the integrity of the surviving original feu plots and would compromise the strong boundary enclosures (Green Edges) that seek to protect the Conservation Area and its setting. The proposed plots therefore fail to relate well to the pattern of existing development, boundary or landscape treatments within the Thornhill Conservation Area and fail to retain existing natural features that contribute to the character of the Conservation Area and/or its setting, contrary to Policy 7.2 (a)(i) and (ii) of the Stirling Local Development Plan 2018 and the Thornhill Conservation Area Character Appraisal.
3. to remit to Officers to prepare and issue the Decision Notice.

## **LR172 APPLICATION FOR REVIEW**

### **DEMOLITION OF THE EXISTING DWELLING HOUSE AND ERECTION OF FOUR SEMI-DETACHED DWELLING HOUSES – CEDARWOOD, PRESIDENT KENNEDY DRIVE, PLEAN – MICHAEL MACRITCHIE APPLICATION NO: 20/00576/PP**

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 dwelling house and erection of four semi-detached dwelling houses at Cedarwood, President Kennedy Drive, Plean.

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 Jim Thomson, having moved to 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 163-164 of the Agenda, for the following reasons:-
  - i) subject to compliance with the proposed planning conditions and full and proper assessment of the planning and amenity impacts of the proposal at the MSC (Matters Specified in Condition) stage the redevelopment of the site for four semi-detached dwelling houses, as illustrated on the supporting indicative layout plan, could be carried out in accordance with the requirements of relevant criteria of Primary Policy 1: Placemaking and Policy 1.1: Site Planning of the Stirling Local Development Plan.
  - ii) that given present substandard condition and appearance of the site and consequential detrimental impacts on the amenity of neighbouring properties and the wider locality, redevelopment can be supported as it would bring back into productive use derelict brownfield land
3. to remit to Officers to prepare and issue the Decision Notice.

The Chair declared the Meeting closed at 3.40 pm