

STIRLING COUNCIL

MINUTES of MEETING of the LOCAL REVIEW BODY held as a VIRTUAL MEETING by MICROSOFT TEAMS on TUESDAY 13 JULY 2021 at 10.00 am.

Present

Councillor Douglas DODDS (In the Chair from Item LR178)
Councillor Neil BENNY
Councillor Graham HOUSTON

In Attendance

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

LR176 APOLOGIES

There were no apologies or substitutions.

LR177 APPOINTMENT OF CHAIR

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

LR178 DECLARATIONS OF INTEREST

There were no declarations of interest.

LR179 APPLICATION FOR REVIEW ERECTION OF GARAGE AND STORE, APPLGARTH, GARGUNNOCK GARY SHEPHERD APPLICATION NO: 20/00888/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 garage and store at Applegarth, Gargunnoch.

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 37 of the Agenda for the following reasons:-
 - (a) the proposal complied with Policy 1.1 of the Local Development Plan, since the proposal is deemed to be appropriate to the existing dwelling house in terms of position, height, scale and massing;
 - (b) the proposal complies with Policy 2.12 of the Local Development Plan, since the proposal is deemed to be of a scale, size or massing that is subordinate and sympathetic to the existing dwelling house;
 - (c) the proposal complies with Supplementary Guidance 12: Residential Extensions and Alterations as it is deemed that the siting of the garage forward of the frontage of the dwelling house will not obscure the original building and will not be over dominant in nature;
3. to remit to officers to prepare and issue the Decision Notice.

LR180 APPLICATION FOR REVIEW ALTERATION TO BOUNDARY WALL AND FORMATION OF DRIVEWAY 25 PARK TERRACE, KINGS PARK, STIRLING, FK8 2JS ALASTAIR HERON APPLICATION NO: 20/00618/FUL

Members considered a Notice of Review submitted by the Applicant, seeking a review of the decision by the Appointed Officer of the Council to refuse planning permission for the alteration to boundary wall and formation of driveway at 25 Park Terrace, Kings Park, 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.

Members were advised that the proposed development was also the subject of an appeal to Ministers following refusal of Listed Building Consent. It was noted that neither the outcomes of this, nor any subsequent request for roads consent, was a consideration and that Members of the Local Review Body should consider only the application before them.

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 69 of the Agenda for the following reasons:-
 - (a) The application accords with Primary Policy 7, Historic Environment policy in that the proposed development is deemed to safeguard, preserve or enhance the historic environment in the form of the character of the Conservation Area and/or the setting of the listed building;
 - (b) The application accords with Policy 7.2 in that the proposed development is deemed to respect the architectural and visual qualities of the Conservation Area.;
 - (c) The application accords with Policy 7.3 in that the siting, design and materials proposed is deemed to preserve the character of the listed building and its setting.
3. to remit to officers to prepare and issue the Decision Notice.

**LR181 APPLICATION FOR REVIEW
INSTALLATION OF 4KW SOLAR ARRAY (14 PANELS) AND EV CHARGING
POINT, INVERTOR BOX AND BATTERY STORAGE - 1 BAIRNSBURN, BRIDGE
OF ALLAN, FK9 4ND
APPEAL AGAINST CONDITIONS
KENNETH TAYLOR
APPLICATION NO: 20/00533/FUL**

Members considered a Notice of Review submitted by the Applicant's Agent, seeking a review of the conditions imposed on the granting of planning permission for the installation of solar panels and associated works at 1 Bairnsburn, Bridge of Allan.

The Planning Adviser described the proposal, the reasons given by the Appointed Officer in setting the conditions and the grounds for the Notice of Review. He responded to a number of questions from Members, including confirming separation distances between the excavation works and trees to the north. He provided a visual presentation which included location details and photographs of the site.

It was noted that the Planning Adviser could only provide factual and technical information, however he confirmed that he had sought technical advice from the Council's Tree Officer. It was considered that there was scope to vary the conditions if deemed appropriate by Members.

Following discussion, Members agreed that the requirement set out in the conditions for the entire area to be hand-dug was disproportionate to the application.

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 and vary conditions 1 and 2 to be more proportionate to the circumstances;
3. to remit to the Planning Adviser, in consultation with the Council's Tree Officer, to develop revised conditions reflecting the discussion and views expressed by the Local Review Body;
4. to remit to officers to prepare and issue the Decision Notice.

The Chair declared the Meeting closed at 11.10 am