



**MINUTES OF MEETING of the LOCAL REVIEW BODY held within the Council Chamber,  
Greenfield, Alloa, FK10 2AD, on TUESDAY 12 NOVEMBER 2013 at 9.30 am.**

**PRESENT**

Councillor Alastair Campbell, Convenor (In the Chair)  
Councillor George Matchett, QPM  
Councillor Les Sharp

**IN ATTENDANCE**

Mark Easton, Solicitor, Legal Services (Clerk to the Local Review Body)  
Andrew Wyse, Planning Adviser to the Local Review Body  
Ian Duguid, Development Quality Team Leader  
Stuart Cullen, Roads Development Officer  
William McBurney, Applicant  
Greig Strang, Applicant's Agent

**LRB(13)04 APOLOGIES**

None

**LRB(13)05 DECLARATIONS OF INTERESTS**

None

**LRB(13)06 ORDER OF PROCEEDINGS**

A proposed Order of Proceedings was put before the Local Review Body for determination.  
The LRB agreed the specified matters for consideration at the hearing session as:

1. The full basis of the applicant's notice of review, together with any comments on the written submissions of the planning authority, any comments made in response to the representations received and the content of any reports lodged with the LRB in response to any procedure notice.
2. The planning authority's responses to the submissions detailed in the applicant's notice of review, the authority's further written submissions and any further comments made in respect of those submissions by the applicant.
3. The roads authority response to road access and safety issues, and
4. Closing submissions where appropriate.

**LRB(13)07      APPLICATION FOR REVIEW - LAND SOUTH OF STABLES AT  
SHAVELHAUGH LOAN, ALVA**

Name of Applicant      Mr William McBurney  
Site Address:            Site South of Stables at Shavelhaugh Loan, Alva  
Description of the      Kennel and associated manager's house, ancillary accommodation  
Application:            and dog grooming facility at Shavelhaugh Loan, Alva  
Planning Application  
Reference Number:      13/00101/PPP

Following an accompanied site visit on 16 October 2013, 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 in principle for the formation of dog boarding kennels with associated manager's house and ancillary accommodation at the site south of the Stables at Shavelhaugh Loan, Alva.

**Decision**

Having determined that the Local Review Body had sufficient information before it to proceed to decide the matter and having considered the notice of review and the information before it, in terms of section 43A(15) of the Town and Country Planning (Scotland) Act 1997, on a division of 2 votes to one, the Local Review Body agreed to uphold the decision of the appointed officer and to refuse planning permission in principle for the development of agricultural land for dog boarding kennels with associated manager's house and ancillary office and dog grooming facilities for the following reasons:

1.      The proposed site lies outwith any settlement boundary and is within the countryside as defined by the Clackmannanshire Local Plan 2004. The application is accordingly contrary to Policy EN18.
2.      The site is located within the Green Belt as defined by the Local Plan. The application is accordingly contrary to Policy EN19.
3.      The site lies within an area that may be at risk of flooding during a severe flood event which may either directly affect the site or indirectly through flood waters closing the C110 which serves the site. The application is accordingly contrary to Policy EN4.
4.      The proposed development would result both in the increased frequency of use and generation of customer visits at a private access onto a derestricted section of the C110 where traffic speeds are generally high. The application is accordingly contrary to Policy INF4.

The Clerk to the LRB to issue a formal decision notice to the Applicant's agent.

**Action**

Clerk to the Local Review Body.

ENDS 10.45 am