



**MINUTES OF MEETING of the LOCAL REVIEW BODY (LRB) held via MS Teams on
THURSDAY 17 SEPTEMBER 2020 at 9.30 am.**

PRESENT

Councillor Donald Balsillie (In the Chair)
Councillor Martha Benny
Councillor Chris Dixon

IN ATTENDANCE

Lee Robertson, Clerk to the LRB
Keith Johnstone, Planning Adviser to the LRB
Melanie Moore, Committee Services

Mr Paul Houghton, DM Hall, Agent for the Applicant

LRB(20)01 APOLOGIES

None

LRB(20)02 DECLARATIONS OF INTERESTS

None.

**LRB(20)03 NOTICE OF REVIEW – BANKHEAD FARMHOUSE, DEVON VILLAGE,
FK10 3AN**

Name of Applicant:	Mr Alasdair MacGregor
Site Address:	Bankhead Farmhouse, Devon Village, FK10 3AN
Description of the Application:	Erection of 1 No house
Planning Application Reference Number:	20/00081/PPP

The Convenor introduced the Notice of Review documents. The Local Review Body then had the opportunity to ask questions of both the Planning Adviser and the Agent.

The Convenor confirmed that the applicant that he has four choices for this Notice of Review (i) agree that the new information that was not presented to the planning officer at the time of the application in March 2020 should be disregarded in terms of this Notice of Review and the Board will then make a decision based on the information available to the planning officer; or (ii) where the applicant wishes the new information to remain that the Board/Convenor confirms that it is unable to make a decision based on this new information and that the applicant should make a further application for planning permission at no cost to the applicant, to the planning authority; or (iii) the Board requests Written Submissions or a Hearing on the introduction of the new information and reconvene the meeting at a later date - this will allow for any interested parties to make representations on the new information; or (iv) that the Board accept the new information and make a decision on that..

Decision

The Local Review Body decided that they were happy to proceed on the basis that notwithstanding the new information was not available to the officer at the time a decision was made on the application they would proceed to review the new information and make a decision .

Having considered the Review Application documentation and the verbal submission from the applicant in terms of section 43A(15) of the Town and Country Planning (Scotland) Act 1997, the Local Review Body agreed to overturn the decision of the appointed officer and to grant planning permission to erect 1 no house; for the following reasons:

1. (a) Before any works commence on site, the written approval of the Council as planning authority must be obtained for the details of the siting, design and external appearance of all buildings, structures, the means of enclosure, access and landscaping, including future maintenance.

(b) Particulars of the Matters Specified in Condition 1(a) above shall be submitted for consideration by the planning authority, and no work shall begin until written approval has been given.
2. The subsequent application for Matters Specified in Condition 1(a) shall include:-
 - (a) A site layout plan at a minimum scale of 1:200 showing the position of all buildings, structures, roads, footpaths, parking and turning areas, boundary enclosures and landscaping.
 - (b) Plans and elevations of the proposed house, showing the dimensions and type and colour of external materials.
 - (c) A detailed tree survey of the site and surrounding land prepared in accordance with the requirements of BS5837:2012, as amended – Trees in Relation to Construction. This shall indicate trees to be removed, retained and any proposed arboricultural work in connection with this application to accommodate the development. The survey should also show the relationship of the trees and their Root Protection Areas to the proposed construction works including any proposed service tracks, changes in existing ground levels, excavations, roads and building layouts etc. The proposed layout should take cognisance of the location of the existing trees to be retained.
 - (d) A Sustainability Statement for the development which shall include proposals to incorporate the use of Low and Zero Carbon generating technologies within the house and enhance the biodiversity value of the site.
 - (e) Details of existing and finished ground levels and finished floor and ridge levels in relation to a fixed datum, preferably Ordnance Datum.
 - (f) Foul and surface water drainage proposals. The arrangements to manage surface water on the site shall be designed in accordance with SUDs principles and in accordance with the Sustainable Urban Drainage System Design Manual (C753), CIRIA, as amended.
3. The subsequent application for Matters Specified in Condition 1(a) shall include a scheme of landscaping for the site. This scheme shall include:
 - (a) reference of how the scheme has taken account of the findings of the tree survey required under Condition No 2 (c) above and identify existing trees and hedgerows to be retained as part of the development.
 - (b) Details of native tree and hedgerow planting around the proposed house and curtilage, including plant species, sizes, planting distances and means of protection. The scheme shall be designed to provide visual screening from the Devon Way

footpath to the south east of the site and provide enclosure to the north and north east sides of the site.

- (c) Arrangements for implementation and ongoing maintenance of all landscaping works.

Thereafter, all approved landscaping/planting shall be carried out in accordance with such approved details, within the first planting season following the occupation of the house.

4. In association with Condition 2 above, the proposed house shall be single or one and half storey design only, with any first floor accommodation contained predominantly in the roof space, with the wall head and eaves levels reflecting this. The building design and finishes shall reflect the advice set out in Scottish Government Planning Advice Note (PAN) 72 - Housing in the Countryside.

The Clerk advised that she would issue a decision notice to confirm the outcome of the Local Review Body meeting.

Action

Clerk to the Local Review Body

Ends 11:20 hours

