



**MINUTES OF MEETING of the LOCAL REVIEW BODY (LRB) held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA on MONDAY 22 MAY 2023 at 1.30 PM.**

**PRESENT**

Councillor Denis Coyne (Convener) (Chair)  
Councillor Kenneth Earle  
Councillor Phil Fairlie

**IN ATTENDANCE**

Lee Robertson, Clerk to the LRB  
Keith Johnstone, Planning Adviser to the LRB  
Sophie Gardiner, Legal Adviser to the LRB  
Gillian White, Committee Services

The Clerk advised that the Chair, Councillor Coyne had been delayed and adjourned the meeting until his arrival. The meeting commenced at 1.55 pm.

**LRB(23)05 APOLOGIES**

None.

**LRB(23)06 DECLARATIONS OF INTERESTS**

None.

**LRB(19)07 NOTICE OF REVIEW – FRONT AND REAR ROOF DORMER EXTENSIONS AND INSTALLATION OF EXTERNAL ACCESS RAMP AT 44 HILL STREET, TILlicOUNTRY, FK13 6HF.**

Name of Applicants:	Mr Adam Bellshaw Ms Samantha Sinclair
Site Address:	44 Hill Street, Tillicoultry, FK13 6HF
Description of the Application:	Application for front and rear roof dormer extensions and installation of external access ramp
Planning Application Ref No:	22/00258/FULL

**Attending**

Mr Adam Bellshaw, Applicant  
Ms Samantha Sinclair, Applicant

The Convener confirmed with the Local Review Body that they had been able to access all papers for the meeting. This was duly confirmed by all members present.

The Clerk advised the Local Review Body (LRB) that under the Scheme of Delegation, the LRB were responsible for considering and determining applications for review of decisions made by officers under delegated powers in respect of planning applications for local development. The LRB should consider whether they had sufficient information before them to decide the application or if they required further information by way of further written representations from the applicant or any objectors; or by way of a hearing, where both the applicant and the objectors would be able to make oral representation. The Clerk also advised the LRB that they had the option to undertake a site visit, If the LRB decided that they had enough information, the Clerk advised that the LRB could proceed to make a decision.

At the request of the Convener, the Planning Adviser set out the information contained in the application for review, along with correspondence submitted by the applicant in support of their review; and the original report of handling and decision taken by the Planning Authority; providing the background and policy information around all submissions. The Planning Adviser also updated the LRB on the introduction of the National Planning Framework 4 which was adopted in February 2023. He advised that as the 33 policies of the NPF4 provided the latest national planning policy context for the assessment of planning applications, where it is considered there is incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF4, the provisions of NPF4 will prevail. The Planning Adviser also updated the LRB on the planning history of the site including the previous application for 2 box dormers ref 22/00081/FULL which was refused; and he advised that the applicant had submitted a more recent application, reference 23/00075/FULL, for a further amended design for front and rear dormers and formation of external ramp which had been received on 13th April 2023 and was granted permission on 19th May 2023. The Planning Adviser also advised that an Enforcement Notice has been served on the applicant following construction works to the front and rear of the property to which the applicant has submitted an appeal to the Scottish Ministers on 10 May 2023.

The Local Review Body then had the opportunity to ask questions of the Planning Adviser.

The Convener adjourned the meeting at 2.35 pm to allow the opportunity for the Local Review Body to deliberate in private. When the meeting resumed at 2.46 pm, all attendees remained present.

The Convener checked with the LRB whether they felt they had sufficient information before then to proceed to decide the matter. The LRB unanimously confirmed that they did have sufficient information to decide the matter.

### **Voting**

To uphold the decision made by the Appointed Officer	2 votes
To overturn the decision made by the Appointed Officer	1 vote

### **Decision**

The Local Review Body, having considered the Review Application and all other documents contained within the Agenda, and having had the opportunity hear from and to ask questions of the Planning Adviser, on a division of 2 votes to 1, the Local Review Body agreed to uphold the decision of the appointed officer. The Local Review Body therefore refused planning permission for front and rear roof dormer extensions and Installation of external access ramp.

The reasons for refusal which were set out in the upheld decision of the appointed officer are noted below:

1. The proposal is contrary to Policy SC 8 of the Clackmannanshire Local Development Plan in that the scale and massing of the proposed front dormer is not in keeping with the character of the house and would adversely affect that character.
2. The proposal is contrary to Policy EA 23 of the Clackmannanshire Local Development Plan in that it is atypical of other dormers within the conservation area in terms of materials, size and position and would have an unacceptable adverse impact on it's character.
3. The proposal would set a precedent for similar developments which would adversely impact on the character of the street and surrounding conservation area.
4. There are no other material considerations that outweigh the Development plan position.

A decision notice will be issued to confirm the outcome of the Local Review Body meeting.

**Action**

Clerk to the Local Review Body

Ends 2.48 pm

