



**MINUTE OF MEETING of the LOCAL REVIEW BODY MEETING held within the Council  
Chamber, Greenfield, Alloa, on FRIDAY 22 JUNE 2012 at 9.30 am**

**PRESENT**

Councillor Graham Watt (Vice Convenor)  
Councillor Gary Womersley  
Councillor Ellen Forson

**IN ATTENDANCE**

Mark Easton, Solicitor (Clerk to the Local Review Body)

**LRB(11)01      APOLOGIES**

None.

**LRB(11)02      DECLARATIONS OF INTEREST**

None.

**LRB(11)03      APPLICATION FOR REVIEW - GARDEN GROUND AT KELLYSIDE  
COTTAGE, DRUM ROAD, DOLLAR, FK14 7PG**

Name of Applicant:	Mrs Shona Ulrichsen
Site Address:	Garden Ground at Kellyside Cottage, Drum Road, Dollar, FK14 7PG
Description of the Application:	Application for Planning Permission in Principle for proposed new dwelling house in garden ground at Kellyside Cottage
Planning Application Reference Number:	11/00329/PPP

**Attending**

Mr Ulrichsen, on behalf of the Applicant.

The Local Review Body (LRB) held a pre-examination meeting to determine the procedural steps to be taken. The LRB agreed to adjourn the meeting so that an unaccompanied site visit could take place.

The LRB adjourned at 9.35 am and agreed that immediately following the site visit, the LRB would reconvene to determine the review application. The LRB reconvened at 10.35 am and were satisfied that following the site visit, there was sufficient information before it to determine the application without any further procedure.

## **Motion**

That having considered all the information before it, the Local Review Body agree to reverse the decision made by the appointed officer as in this case, the material considerations outweighed the Development Plan policies. The material considerations were that the development site is close to the settlement boundary and is set in the garden grounds of an existing cottage. As the proposed development is nearer the settlement boundary than the existing cottage, this justifies departure from the development plan as, having visited the site, the development would be within the natural curtilage of the town, notwithstanding the settlement boundary within the Development Plan. The LRB therefore agree to grant permission for the erection of 1 no. house at Kellyside Cottage subject to the conditions for development of this type imposed by the planning authority and additional conditions relating to the (i) the restriction on the height of the development; (ii) adequate screening proposals; and (iii) proposals for access restricting the use of access to/from the A91 and encouraging the use of Kirkstyles.

Moved by Councillor Gary Womersley. Seconded by Councillor Ellen Forson.

## **Decision**

The Local Review Body unanimously agreed to reverse the decision made by the appointed officer as in this case, the material considerations outweighed the Development Plan policies. The material considerations were that the development site is close to the settlement boundary and is set in the garden grounds of an existing cottage. As the proposed development is nearer the settlement boundary than the existing cottage, this justifies departure from the development plan as, having visited the site, the development would be within the natural curtilage of the town, notwithstanding the settlement boundary within the Development Plan. The LRB therefore agree to grant permission for the erection of 1 no. house at Kellyside Cottage subject to the conditions for development of this type imposed by the planning authority and additional conditions relating to the (i) the restriction on the height of the development; (ii) adequate screening proposals; and (iii) proposals for access restricting the use of access to/from the A91 and encouraging the use of Kirkstyles.

## **Action**

Clerk to the Local Review Body