



**MINUTES OF MEETING of the LOCAL REVIEW BODY (LRB) held within the Council
Chamber, Kilncraigs, Alloa, FK10 1EB on THURSDAY 13 DECEMBER 2018 at 10.52 am.**

PRESENT

Councillor Donald Balsillie (In the Chair)
Councillor Martha Benny
Councillor Phil Fairlie
Councillor Helen Lewis

IN ATTENDANCE

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

LRB(18)05 APOLOGIES

None

LRB(18)06 DECLARATIONS OF INTERESTS

None.

**LRB(18)07 MINUTE OF MEETING OF LOCAL REVIEW BODY HELD ON 13
SEPTEMBER 2018**

The minutes of the meeting of the Local Review Body held on Thursday 13 September 2018 were submitted for approval.

Moved by Councillor Martha Benny. Seconded by Councillor Phil Fairlie.

Decision

The minutes of the meeting of the Local Review Body held on Thursday 13 September 2018 were agreed as a correct record and signed by the Convenor.

LRB(18)08 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. LRB Meeting will convene.
2. A site visit would be undertaken at 9.30am on Thursday 13 December 2018.
3. The Local Review Body would convene a hearing following the site visit to determine the Review Application. The specified matters for consideration at the Hearing Session are set out below:

- Application for Notice of Review and Supporting Statement
 - Planning Application
 - Refusal of Planning Permission
 - Report of Handling – Planning Application Delegated Report
 - Response to Planning Consultation from Clackmannanshire Council – Roads and Transportation
 - Response to Planning Consultation from Police Scotland
 - Further written submission from Applicant, AKI Smith Limited (as requested by LRB)
 - Further written submission from Roads and Transportation (as requested by LRB)
 - Further written submission from Police Scotland (as requested by LRB)
 - Response to further written submissions from Applicant
 - Hearing Statement from Applicant
4. To assist the LRB in taking a decision on the Review Application, the LRB asked the Agent to speak on behalf of the applicants. The LRB called upon the Planning Adviser and Legal Advisor to speak to assist the Review Application.
5. Determination of Review Application.

LRB(18)09 APPLICATION FOR REVIEW – HARRYLAYOCK, FORESTMILL, CLACKMANNANSHIRE , FK14 7NE

Name of Applicant:	AKI Smith Limited
Site Address:	Harrylayock, Forestmill, Clackmannanshire, FK14 7NE
Description of the Application:	Proposed erection of one dwelling house at Harrylayock, Forestmill, Clackmannanshire, FK14 7NE
Planning Application Reference Number:	18/00029/PPP

Attending

Scott Strachan, Architect (Agent for the Applicant)
Stan and Heather Smith, Applicants

Following an accompanied site visit at 9.30 am on Thursday 13 December 2018, the LRB convened to consider all the Review Application documentation and proceeded to review of the decision taken by the Appointed Officer of the Council to refuse planning permission for the erection of 1 no. house at Harrylayock, Forestmill, Clackmannanshire, FK14 7NE.

The LRB heard representation from the applicant's agent. The LRB also had the opportunity to take advice from the Planning Adviser to the LRB and the Clerk (Legal Adviser to the LRB). The LRB had the opportunity to put questions to all parties.

Decision

Having determined that the Local Review Body had sufficient information before it to proceed to decide the matter and having considered the Review Application documentation, the site visit and representations and the information before it, in terms of section 43A(15) of the Town and Country Planning (Scotland) Act 1997, the Local Review Body unanimously agreed to reverse the decision of the appointed officer made pursuant to section 43A(8) of the 1997 Act and granted the application for planning permission (reference 18/00029/PPP) subject to an occupancy condition being attached to the PPP and that the Roads consultation comments will be satisfactorily addressed by the appellant. It was agreed that an appropriate conditions will be attached to the planning permission in principle.

The Convenor advised that that reason for reversing the decision was that:

1. The applicant has proved that there is an agricultural need for a house to be built in that location.

The Clerk advised that a formal Decision Notice incorporating appropriate planning conditions would follow in due course.

Action

Clerk to the Local Review Body

Ends 1130 hours

