



**MINUTES OF MEETING of the LOCAL REVIEW BODY (LRB) held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA on TUESDAY 29 OCTOBER 2024 at 9.30 AM.**

**PRESENT**

Councillor Denis Coyne (Convener) (Chair)  
Councillor Donald Balsillie  
Councillor Phil Fairlie

**IN ATTENDANCE**

Lee Robertson, Clerk to the LRB  
Fiona Gordon, Addleshaw Goddard, Independent Planning Adviser to the LRB  
Councillor Martha Benny (Observing)  
Gillian White, Committee Services  
Melanie Moore, Committee Services

**LRB(24)01 APOLOGIES**

None.

**LRB(24)02 DECLARATIONS OF INTERESTS**

None.

**LRB(24)03 NOTICE OF REVIEW – PROPOSED NEW HOUSE AT LAND NORTH WEST OF DEVONBANK COTTAGE, FISHCROSS.**

Name of Applicant:	Mr Malcolm Watt
Name of Agent:	Mr Greig Strang Architectural & Building Consultant
Site Address:	Land North West Of Devonbank Cottage , Fishcross
Description of the Application:	Change Of Use Of Woodland To Residential Use For House Plot
Planning Application Ref No:	24/00043/PPP

**Attending**

Mr Greig Strang Architectural & Building Consultant

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 submissions 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 advised the LRB that they had also the option to undertake a site visit. The Clerk confirmed that the Applicant had not requested any further procedure. 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 Independent 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 Local Review Body then had the opportunity to ask questions of the Independent Planning Adviser.

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	3 votes
To overturn the decision made by the Appointed Officer	0 votes

### **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 Independent Planning Adviser, the Local Review Body unanimously agreed to uphold the decision of the appointed officer. The Local Review Body therefore refused planning permission in principle for the Change Of Use Of Woodland To Residential Use For House Plot at Land North West Of Devonbank Cottage, Fishcross.

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

1. The site lies within an area identified as countryside in the adopted Clackmannanshire Local Development Plan, 2015. The proposed house on the site is not considered to satisfy any of the criteria or circumstances set out in Policies 17 (Rural Homes) and 29 (Rural Development) of NPF4 or Policies SC23 (Development in the Countryside – General Principles) and SC24 (Residential Development in the Countryside) of the Clackmannanshire Local Development Plan adopted 2015 which could justify the development of a house at this countryside location. In the absence of any significant justification and having regard to the adverse impact that development on the site would have on the established landscape character and visual amenity of the area, the development is considered to be contrary to NPF4 Policies 17 and 29 and Clackmannanshire LDP Policies SC23 and SC24.
2. The introduction of a house and associated curtilage on this greenfield site is considered to have an adverse impact on the natural environment of the site and the local landscape character of the area. The permanent development would erode the countryside character of the site and contribute to the permanent fragmentation of a wooded area. The house is not necessary to support the sustainable management of a viable rural business where there is an essential need for a worker to live permanently at or near their place of work, or benefit from any other acceptable locational justification. The application is considered to be contrary to NPF4 Policies 4 and 6 and Clackmannanshire LDP Policy EA4.

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

### **Action**

Clerk to the Local Review Body

Ends 10:00 am