

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 23 June 2020 at 11.00am.

Present: Councillors H Anderson, C Purves and R Watters.

In Attendance: D Harrison (Planning Adviser), C Elliott (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: A Brown, A Taylor and S Watt (all Corporate and Democratic Services).

Councillor H Anderson, Convener, Presiding.

Prior to the commencement of business the Convenor paid tribute to the late Councillor Bob Band, first convenor of Perth and Kinross Local Review Body.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

The minute of meeting of the Local Review Body of 3 March 2020 was submitted and noted.

3. APPLICATIONS FOR REVIEW

- (i) **LRB-2020-04**
Planning Application – 19/01453/IPL – Erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley – Abertay Property Co. Ltd

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for erection of a dwellinghouse (in principle), land 30 metres north west of 37 Percy Street, Murray Place, Stanley, be refused for the following reasons:
 - 1. The proposal is contrary to Policy 17, Residential Areas, of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that development is compatible with the character and amenity of the area. The site, by virtue of its position and proximity to existing dwellings on Murray Place, Stanley, would result in a detrimental impact on the amenity, the character of the immediate area and residential amenity.
 - 2. The proposal is contrary to Policy 1A: Placemaking, of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that the siting of the development should respect the character and amenity of the place. As the application is in principle, it has not been demonstrated that the site could accommodate a dwelling without detrimental impact on residential amenity.

**(ii) LRB-2020-06
Planning Application – 19/01577/IPL – Residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot – Mr B Baillie**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for a residential development (in principle), land 80 metres south of Bowerswell Road, Bankfoot, be refused for the following reasons:
 - 1. By virtue of the distance between the existing buildings, the site is not considered to be located within an existing building group, but is considered to be an extension to an existing group and/or an infill site. The site does not have a) a good landscape framework which is capable of absorbing the proposal, b) site boundaries which are

capable of providing a suitable enclosure and c) comparable plot sizes/shapes which would respect the existing building pattern/size of neighbouring plots. To this end, the proposal is contrary to the specific requirements of both the building groups and infill sites sections of the Council's Housing in the Countryside Supplementary Guidance 2020 and Policy 19 of the Perth and Kinross Local Development Plan 2 (2019), which both seek to ensure that all proposals which extend existing building groups or takes place between existing buildings (infill), takes place within definable sites that are formed by existing topography and/or well established landscape features, have a good landscape setting with suitable site boundaries and would result in a development that respects the existing building pattern of the area.

2. The site is elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy 1A of Perth and Kinross Local Development Plan 2 (2019). This policy seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment.
3. The site is elevated above the public road and is in a prominent position in the landscape. As it has not been demonstrated that the development would not have adverse impact on the visual amenity of the area, the proposal is therefore contrary to Policy 1B(b) of the Perth and Kinross Council Local Development Plan 2 (2019). This policy requires all proposals to respect site topography and any surrounding important landmarks, views or skylines as well as the wider landscape character of the area.

Note: Councillor Purves dissented from the majority decision. He considered that the proposal accorded with both the Perth and Kinross Council Local Development Plan 2 (2019) and the Council's Housing In the Countryside Supplementary Guidance 2020, and that the Appointed Officer's decision and reasons for refusal should be overturned and permission for a residential development (in principle) be granted.

(iii) LRB-2020-08
Planning Application – 19/01965/FLL – Erection of a garage with ancillary accommodation, Tomaknock House, Crieff – Mr and Mrs P Jones

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a garage with ancillary accommodation, Tomaknock House, Crieff.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a garage with ancillary accommodation, Tomaknock House, Crieff, be granted subject to:
 - 1. The imposition of relevant terms, conditions and informatives.

Justification

Members considered that the proposal was in accordance with Perth and Kinross Local Development Plan 2 (2019), and that the proposal for the erection of a garage with ancillary accommodation would be appropriate in this location, and therefore should be allowed.

Note: Councillor Anderson dissented from the majority decision. He considered that the scale proposal was not appropriate and that the Appointed Officer's decision and reasons for refusal should be upheld, and permission for the erection of a garage with ancillary accommodation should be refused.