

PERTH AND KINROSS COUNCIL
SPECIAL MEETING OF LOCAL REVIEW BODY
25 NOVEMBER 2014

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of Special Meeting of the Perth and Kinross Local Review Body held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Tuesday 25 November 2014 at 10.30am.

Present: Councillors I Campbell, A Gaunt and C Gillies.

In Attendance: D Harrison (Planning Adviser), C Elliott (Legal Adviser) and Y Oliver (Committee Officer) (all Chief Executive's Service).

Also Attending: C Brien (The Environment Service); H Rheinallt (Chief Executive's Service); members of the public, including agents and applicants.

770. APPOINTMENT OF CONVENER

In terms of Standing Order 23, in the absence of the Convener, Councillor I Campbell was unanimously appointed to chair the meeting

771. DECLARATIONS OF INTEREST

There were no declarations of interest in terms of the Councillors' Code of Conduct.

772. DEFERRED APPLICATIONS FOR REVIEW

Deferred for Accompanied Site Visit

- (i) **TCP/11/16(319)
Planning Application 14/01175/IPL – Erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning – Mr W R W Patrick**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning.

The Planning Adviser displayed photographs of the site in question and described the proposal, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

It was noted that, at its meeting on 21 October 2014, the Local Review Body resolved that:

- (i) having regard to the material before the Local Review Body and comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an accompanied site visit be carried out; and
- (iii) following the accompanied site visit, the application be brought back to a future meeting of the Local Review Body.

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It was further noted that, at its meeting on 11 November 2014, the Notice of Review was deferred due to a Local Review Body member suffering a bereavement and it not being possible to convene an alternative Local Review Body in the time available.

Decision:

Resolved by unanimous decision that, having regard to the material before the Local Review Body, the comments from the Planning Adviser and their own assessment from their accompanied site visit on 21 November 2014, sufficient information was before the Local Review Body to determine the matter without further procedure.

Resolved by majority decision that the Review Application for permission for the erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning be upheld and planning permission granted, subject to the imposition of appropriate conditions.

Justification

The proposal is in accordance with Policies PM1A and RD3 of the Perth and Kinross Council Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 (notably part 3.3 a) and Siting Criteria) as the site was sufficiently identifiable within the landscape and sufficient need in terms of the agricultural activity and specific operational circumstances of this farm unit had been demonstrated.

Note: Councillor A Gaunt dissented from the majority view. She considered that the proposal is contrary to Policies PM1A and RD3 of the Perth and Kinross Council Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 (notably part 3.3 a) and Siting Criteria) as the site does not have established boundaries to form an identifiable site in the landscape and sufficient requirement regarding economic activity had not been demonstrated in circumstances where other housing was available within the farm unit.

**(ii) TCP/11/16(321)
Planning Application 14/01027/IPL – Erection of a dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning – Mr W R W Patrick**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning.

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The Planning Adviser displayed photographs of the site in question and described the proposal, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

It was noted that, at its meeting on 21 October 2014, the Local Review Body resolved that:

- (i) having regard to the material before the Local Review Body and comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an accompanied site visit be carried out; and
- (iii) following the accompanied site visit, the application be brought back to a future meeting of the Local Review Body.

It was further noted that, at its meeting on 11 November 2014, the Notice of Review was deferred due to a Local Review Body member suffering a bereavement and it not being possible to convene an alternative Local Review Body in the time available.

Decision:

Resolved by unanimous decision that, having regard to the material before the Local Review Body, the comments from the Planning Adviser and their own assessment from their accompanied site visit on 21 November 2014, sufficient information was before the Local Review Body to determine the matter without further procedure.

Resolved by majority decision that the Review Application for permission for the erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning be refused for the following reasons:

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Council Local Development Plan 2014 and the Perth and Kinross Council Housing in the Countryside Guide 2012 (notably parts 3.3 a) and the Siting Criteria) due to the lack of established mature boundaries or landscape framework that creates an identifiable site within the landscape and that the need for two houses to improve security for the adjoining agricultural shed has not been established (Notice of Review TCP/11/16(319) having previously been upheld).
2. The proposal is contrary to Policy PM1A of the Perth and Kinross Council Local Development Plan 2014 as the siting of the development will not respect the character and amenity of the place nor contribute positively to the quality of the surrounding natural environment.
3. The proposal is contrary to Policy PM1B(b) of the Perth and Kinross Council Local Development Plan 2014 as it does not respect site topography and views within the wider landscape character of the area due to its prominent position.

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Justification

The proposal is not in accordance Policies RD3, PM1A and PM1B(b) of the Perth and Kinross Council Local Development Plan 2014 and the Perth and Kinross Council Housing in the Countryside Guide 2012 due to the lack of a landscape framework for the site which has an open position within the landscape and the lack of an overriding need/ economic justification for a second house at this location, planning permission having been granted for one house immediately to the east (Notice of Review TCP/11/16(319)).

Note: Councillor C Gillies dissented from the majority view. He considered that the proposal is not contrary to the Perth and Kinross Local Development Plan 2014 in that sufficient economic activity need had been demonstrated in relation to the associated Housing in the Countryside Guide 2012.

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