

PERTH AND KINROSS COUNCIL
LOCAL REVIEW BODY
15 OCTOBER 2019

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 15 October 2019 at 10.30am.

Present: Councillors H Anderson, I James and R McCall.

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

Also Attending: S Callan (Housing and Environment); M Terava (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor H Anderson, Convener, Presiding.

510. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors Code of Conduct.

511. MINUTES

The minute of meeting of the Local Review Body of 17 September 2019 (Arts. 441-444) was submitted and noted.

512. APPLICATION FOR REVIEW

- (i) **TCP/11/16(613)**
Planning Application – 19/00272/FLL – Erection of a boathouse holiday accommodation unit and jetty, land 200 metres north of Rock House, Achianich, Acharn – Mr G Deakin

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a boathouse holiday accommodation unit and jetty, land 200 metres north of Rock House, Achianich, Acharn.

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

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:

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- (ii) the Review application for erection of a boathouse holiday accommodation unit and jetty, land 200 metres north of Rock House, Achianich, Acharn, [be](#) refused for the following reasons:
1. The proposal for an elevated building using stilts is contrary to the guidance contained within Scottish Planning Policy 2014, paragraph 263 which states “elevated buildings on structures such as stilts are unlikely to be acceptable” within an area which has an annual probability of flooding which is greater than 0.5% (1:200 years). Therefore the principle of development is unacceptable.

Note: Councillor McCall concluded that the application should be refused for the above reason, in accordance with the decision of the Appointed Officer. Whilst agreeing with the Appointed Officer’s decision and reason for refusal, Councillor Anderson considered there should be a further reason for refusal, on the basis that the proposal was contrary to Policy NE2A (a, b, d and e) of the Perth and Kinross Local Development Plan 2014, due to the prospective impact on the ancient woodland as a result of the proposed development. Councillor McCall did not support this additional reason for refusal.

Note: Councillor James dissented from the majority decision. He considered that the Appointed Officer’s decision should be overturned, and the erection of a boathouse holiday accommodation unit and jetty be granted. In his opinion, with the imposition of appropriate conditions, he considered the proposal was unlikely to be adversely affected by flooding and the impact upon ancient woodland would be negligible.

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