PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Hay Room, Dewar's Centre, Glover Street, Perth on Tuesday 8 November at 10.30am.

Present: Councillors M Lyle, A Gaunt and J Giacopazzi.

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

Also Attending: C Brien (The Environment Service); members of the public, including agents and applicants.

Councillor M Lyle, Convener, Presiding.

759. DECLARATIONS OF INTEREST

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

760. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Local Review Body of 18 October 2016 (Arts. 717- 719) was submitted and noted.

761. APPLICATIONS FOR REVIEW

(i) TCP/11/16(423) – Planning application 15/02229/FLL – Erection of a dwellinghouse on land 40 metres north east of Auchteralyth Farm Cottage, Alyth – Mr C Findlater

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for erection of a dwellinghouse on land 40 metres north east of Auchteralyth Farm Cottage, Alyth.

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;

(ii) the Review application for erection of a dwellinghouse on land 40 metres north of Auchteralyth Farm Cottage, Alyth be refused for the following reason:

1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012, both of which seek to ensure that new proposals which extend existing building groups do so into definable sites that are formed by existing topography and/or well established landscape features which would provide a suitable setting for the new housing proposed. The site is not assessed as being defined by an established landscape framework, notably on its southern and eastern boundaries, which is capable of absorbing the proposal.

Justification
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

(ii) TCP/11/16(434) – Planning application 16/00731/FLL – Alterations and extension to dwellinghouse at Rosebank Cottage, Vicar's Bridge Road, Blairingone, Dollar, FK14 7LR – Mrs G Vick

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for alterations and extension to dwellinghouse at Rosebank Cottage, Vicar's Bridge Road, Blairingone, Dollar, FK14 7LR.

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:
(ii) the Review application for alterations and extension to dwellinghouse at Rosebank Cottage, Vicar's Bridge Road, Blairingone, Dollar, FK14 7LR be upheld and planning permission granted, subject to the imposition of appropriate terms, conditions and informatives.

Justification
Taking account of the modest impact that the alterations and extension would have on the existing house, it was considered reasonable to grant planning permission as it would not detract significantly from the visual amenity of the building or the street. Consequently, the proposal is seen as being in accordance with the relevant policies of the Perth

and Kinross Local Development Plan 2014, notably RD1, PM1A and PM1B(c).

Note: Councillor Gaunt dissented from the majority decision. She supported the Appointed Officer's reasons for refusal as she considered the proposal contrary to Policies RD1, PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Placemaking Guide.

(iii) TCP/11/16(439) – Planning application 16/00530/FLL – Erection of a dwellinghouse on land 40 metres north west of Greengairs, Rattray – Ms K Walsh

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for erection of a dwellinghouse on land 40 metres north west of Greengairs, Rattray.

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;

(ii) The review application for erection of a dwellinghouse on land 40 metres north west of Greengairs, Rattray be refused for the following reason:

1. The proposal is contrary to Policy RD3, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012. The proposals fails to satisfactorily comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, and (6) Rural Brownfield Land. In particular the site does not extend a Building Group into a definable site and does not constitute Rural Brownfield Land.

Justification
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

PERTH AND KINROSS COUNCIL
LOCAL REVIEW BODY
8 NOVEMBER 2016

(iv) TCP/11/16(442) – Planning application 16/00911/FLL – Extension to dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie, Perth, PH2 6EZ – Mr and Mrs Clark

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for extension to dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie, Perth, PH2 6EZ.

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;

(ii) the review application for extension to dwellinghouse at 2 Lime Cottage, Main Street, Balbeggie, Perth PH2 6EZ be refused for the following reasons:

1. In the interest of residential amenity, the scale and proximity of the extension to the adjacent boundary would have an overbearing effect on, and would overshadow the neighbouring property (No 3) to an unacceptable degree. The proposals are therefore contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014.
2. As a consequence of its position as part of a terraced row, the scale and design of the proposed extension would be incongruous and detrimental to visual amenity. The proposals are therefore contrary to Policy PM1 of the Perth and Kinross Local Development Plan 2014 as they would not contribute positively to the quality of the surrounding built environment.

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