

PERTH AND KINROSS COUNCIL
LOCAL REVIEW BODY
26 AUGUST 2014

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of Meeting of the Perth and Kinross Local Review Body held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Tuesday 26 August 2014 at 10.30am.

Present: Councillors M Lyle, H Anderson and I Campbell.

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

Also Attending: Councillor E Maclachlan (with the exception of Art. 554(ii)); C Brien and G Peebles (with the exception of Art. 554(iv)) (both The Environment Service); members of the public, including agents and applicants.

Councillor M Lyle, Convener, Presiding

552. DECLARATIONS OF INTEREST

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

553. MINUTE OF LAST MEETING

The Minute of meeting of the Local Review Body of 29 July 2014 was submitted and noted.

554. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(308)**
Planning Application 14/00822/FLL – Extension to dwellinghouse (in retrospect), 7 Thriepland Wynd, Perth, PH1 1RQ – Mr Z Abbas

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for an extension to dwellinghouse (in retrospect), 7 Thriepland Wynd, Perth, PH1 1RQ.

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.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and 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 an extension to dwellinghouse (in retrospect), 7 Thriepland Wynd, Perth, PH1 1RQ be refused for the following reasons:

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1. The scale and proportions of the extension are not subordinate or subservient to the host building and as such the extension is considered to dominate the original building to the detriment of its original character. The extension by way of its excessive scale and projection results in a dominant and unbalanced extension and over-developed property, to the detriment of the visual amenity of the house and the surrounding dwellings, particularly Nos. 9, 5, 45 and 47 Thriepland Wynd, Perth. Approval would therefore be contrary to Policy RD1 of the Perth and Kinross Council Local Development Plan 2014, which seeks to retain and where possible improve the character and environment of the residential area.
2. The extension, by virtue of its scale and unbalanced design, is not in keeping with either the character or appearance of the existing residential property and has resulted in an incongruous development being introduced into the local area. Accordingly, the proposal is contrary to Policy PM1A and PM1B(c) of the Perth and Kinross Council Local Development Plan 2014 in that the height, scale, massing and design of the development does not respect the character and amenity of its setting.
3. As the extension results in the loss of light to an adjoining residential property and appears oppressive from that adjoining property (No.9), all to the detriment of the adjoining property's residential amenity, the proposal is contrary to Policy RD1 of the Perth and Kinross Council Local Development Plan 2014, which seeks to retain and where possible improve the character and environment of the residential area.
4. The extension is contrary to the Scottish Government's "Designing Places" which seeks to ensure good design at all scales of development. The extension creates an unacceptable visual impact to the detriment of the host building.

Justification

The extension is not in accordance with the Perth and Kinross Council Local Development Plan 2014 and there are no material reasons which justify departing therefrom.

- (ii) **TCP/11/16(309)**
Planning Application 14/00128/IPL – Erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond – Mr and Mrs R Blyth

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond.

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

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and 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 the erection of a dwellinghouse (in principle), land 60 metres north of South Cairnies Farm, Glenalmond College, Glenalmond be refused for the following reasons:
 - 1. The proposal is contrary to Policy RD3 of Perth and Kinross Council Local Development Plan 2014 as the proposal fails to satisfactorily comply with either of the categories (1) Building Groups or (2) Infill Sites, nor can it satisfy any of the other accepted categories of the Policy. The site is not considered to be located adjacent to or part of an established building group. The proposed site fails to relate to an existing building group or have containment within the landscape. Approval would be of detriment to the existing natural visual amenity and established character of the area.
 - 2. The proposal is contrary to Policy PM1B(b) in that the formation of the proposed access road would result in a significant loss of trees and hedges and would have a detrimental impact of the wider landscape character of the area.
 - 3. The proposal, if approved, may be cited as a precedent for developments of a similar nature to the east and/or the west of the application site which would also contrary to the above policies and associated Supplementary Planning Guidance.

Justification

The proposal is not in accordance with the Perth and Kinross Council Local Development Plan 2014 and there are no material reasons which justify departing therefrom.

- (iii) **TCP/11/16(310)**
Planning Application 14/00358/FLL – Alterations and extension to dwellinghouse, 113 Balhousie Street, Perth, PH1 5BE – Mrs A Spence

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, 113 Balhousie Street, Perth, PH1 5BE.

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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.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and 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 alterations and extension to dwellinghouse, 113 Balhousie Street, Perth, PH1 5BE be refused for the following reasons:
 - 1. The proposal, by virtue of its height, projection, close proximity and orientation in relation to the neighbouring property at 111 Balhousie Street, would have an adverse overshadowing impact, to the detriment of the residential amenity of the neighbouring property. Approval would, therefore, be contrary to Policy RD1 of the Perth and Kinross Council Local Development Plan 2014, which seeks to protect and where possible improve existing residential amenity.
 - 2. The proposal is contrary to Policy PM1B(c) of the Perth and Kinross Council Local Development Plan 2014 in that the flat roof design and massing of the proposal does not respect the character of the building and rear garden amenity of its setting.
 - 3. The proposal would be contrary to Perth and Kinross Council's Placemaking Guide (2012) which sets guidelines on acceptable levels of overshadowing the neighbouring property and garden.

Justification

The proposal is not in accordance with the Perth and Kinross Council Local Development Plan 2014 and there are no material reasons which justify departing therefrom.

- (iv) **TCP/11/16(311)**
Planning Application 14/00300/IPL – Erection of dwellinghouse (in principle), land 30 metres south west of Carse Grange Holdings, Grange, Errol – Mr C Gourley

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 30 metres south west of Carse Grange Holdings, Grange, Errol.

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

Decision:

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Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and 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 the erection of dwellinghouse (in principle), land 30 metres south west of Carse Grange Holdings, Grange, Errol be upheld, subject to suitable conditions, including a condition relating to an education contribution and an assessment of, and management plan for, existing trees and hedging with a view to retaining the amenity and enclosure of the site.

Justification

Notwithstanding the provisions of Policy PM4 of the Perth and Kinross Council Local Development Plan 2014, the proposal is not contrary to this policy due to the specific nature of this site as the long established garden ground of Orchard of Carse Grange which lies within the recently defined settlement boundary. Consequently, the proposal is also not considered to be contrary to Policy RD3 PM4 of the Perth and Kinross Council Local Development Plan 2014, or the associated Housing in the Countryside Guide 2012.

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