

## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 5 January 2021 at 10.30am.

Present: Councillors T Gray, I James and W Wilson.

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

Also Attending: A Brown, M Pasternak and B Parker (both Corporate and Democratic Services).

### IN MEMORIUM

Prior to the commencement of business, members paid tribute to Councillor Henry Anderson, Convener of the Local Review Body, following his untimely passing in December 2020. The sympathy and best wishes of all were extended to Councillor Anderson's family at this sad time.

#### 1. APPOINTMENT OF ACTING CONVENER

It was unanimously agreed that Councillor Wilson be appointed Acting Convener for this meeting.

Councillor Wilson, Acting Convener, Presiding

#### 2. WELCOME

Councillor Wilson welcomed all present to the meeting.

#### 3. DECLARATIONS OF INTEREST

Councillor Gray declared a non-financial interest in Item 6(i).

It was noted that, as a reserve member was not available, Item 6(i) would be deferred to a future meeting of the Local Review Body.

#### 4. MINUTES

The minute of meeting of the Local Review Body of 8 December 2020 was submitted and noted.

#### 5. APPLICATIONS FOR REVIEW

##### (i) LRB-2020-25

**Planning Application – 20/00981/IPL – Residential Development (in principle), land 60 metres south west of Burnside House, Benarty Road, Kelty – Lomond Group**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a residential Development (in principle), land 60 metres south west of Burnside House, Benarty Road, Kelty.

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 unanimous decision that:

- (ii) the Review application for a residential Development (in principle), land 60 metres south west of Burnside House, Benarty Road, Kelty, be refused for the following reasons:
  - 1. The proposal is contrary to Policy 19, 'Housing in the Countryside', of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020, as it does not comply with any of the categories of the policy guidance where a residential development would be acceptable in principle at this location.
  - 2. The proposal is contrary to Policy 19, 'Housing in the Countryside', of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020, as it constitutes ribbon development.

**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) **LRB-2020-27**  
**Planning Application – 20/00906/FLL – Erection of a dwellinghouse, land 90 metres south of Westbank Farm Yard, Westbank Road, Longforgan – Mr D Wilkie**

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 90 metres south of Westbank Farm Yard, Westbank Road, Longforgan.

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 majority 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 dwellinghouse (in principle), land 90 metres south of Westbank Farm Yard, Westbank Road, Longforgan, be refused for the following reasons:
  - 1. The proposal is contrary to Policy 19 (Housing in the Countryside) of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance (March 2020), as it does not meet any of the criteria within 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) Development on Rural Brownfield Land. In particular, the applicant has not submitted a satisfactory business case demonstrating essential operational need and has not demonstrated that there is no scope for renovating, converting or redeveloping an existing domestic or non-domestic building as an alternative to the to new build.
  - 2. The proposal is contrary to Policy 1A and 1B (Placemaking) of the Perth and Kinross Local Development Plan 2 (2019). The proposal would result in the further spread of built development into an undeveloped area, contributing to the unsatisfactory ad hoc arrangement of existing buildings in a way that would not contribute positively to the built and natural environment.

#### **Justification**

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

**Note:** Councillor Wilson dissented from the majority decision. He considered that the Application for Review should be continued for further information from the applicant, namely the submission of a business plan relating to the application.

## **6. APPLICATIONS PREVIOUSLY CONSIDERED**

### **(ii) LRB-2020-15**

**Planning Application – 20/02068/FLL – Siting of 2 camping pods, formation of a vehicular access and associated works, land 40 metres north east of Leven View, Wester Bagedie – Mr A Orr**

As noted prior to commencement of business, this application was deferred to a future meeting of the Local Review Body.

