

## 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 25 August 2015 at 10.30am.

Present: Councillors M Lyle, H Anderson, I Campbell and D Cuthbert (for Art. \*(i)).

In Attendance: D Harrison (Planning Adviser); G Fogg (Legal Adviser) and P Frazer (Committee Officer) (both Chief Executive's Service).

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

Councillor M Lyle, Convener, Presiding.

### . **DECLARATIONS OF INTEREST**

Councillor M Lyle declared a non-financial interest in Item 4(ii) in terms of the Councillors' Code of Conduct.

### . **MINUTE OF LAST MEETING**

The Minute of meeting of the Local Review Body of 28 July 2015 was submitted and noted.

The Local Review body agreed to change the order of business from this point to hear Item 4(ii) first.

Councillor Lyle withdrew from the meeting during consideration of Art. \*(i), to be replaced by Councillor Cuthbert. Councillor I Campbell was unanimously appointed as Convener for Art. \*(i).

Councillor I Campbell, Convener, Presiding

### . **APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(368) - Planning Application 15/00188/IPL – Residential development (in principle), former steading at Newhill Farm, Glenfarg – Mr and Mrs B Hamilton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for a residential development (in principle), former steading at Newhill Farm, Glenfarg.

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 comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure; and
- (ii) the Review Application for the a residential development (in principle), former steading at Newhill Farm, Glenfarg be refused for the following reasons:
  - 1. As the site is not an infill development, not a development within or adjacent to an existing building group, not a replacement of an existing dwelling, not a conversion/or replacement of a traditional, non-domestic building, not a development for a local person, not a development linked to an economic activity and not an acceptable form of redevelopment of a 'rural' brownfield' site, the proposal is contrary to the specific, restrictive requirements of Policy RD3 of Perth and Kinross Local Development Plan 2014 and Housing in the Countryside Guide 2012.
  - 2. In relation to 'rural brownfield land', as the site is not 'formerly' occupied by buildings, the proposal fails to meet the Council's specific criteria required for an acceptable rural brownfield site as indicated in both Policy RD3 of Perth and Kinross Local Development Plan 2014 and the Housing in the Countryside Guide 2012. These state that acceptable rural brownfield sites relate to sites which were 'formerly occupied by buildings'. Neither Policy RD3 of Perth and Kinross Local Development Plan 2014 nor the Council's Housing in the Countryside Guide 2012 intend to offer support for new residential developments on sites of existing, non-traditional, non-domestic building regardless of whether or not the existing buildings are redundant.

**Justification**

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

*COUNCILLOR CUTHBERT LEFT THE MEETING AT THIS POINT.*

*COUNCILLOR LYLE RETURNED TO THE MEETING AT THIS POINT.*

Councillor M Lyle, Convener, Presiding.

- (ii) **TCP/11/16(367)**  
**Planning Application 13/01174/FLL – Change of use of agricultural shed for the processing and storage of biomass materials (in retrospect), land at Lambhill, Blairingone – Barnhill Estates**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the change

of use of an agricultural shed for the processing and storage of biomass materials (in retrospect), land at Lambhill, Blairingone.

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 comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
  - (ii) the applicant be invited to submit further information confirming the nature and volume of traffic associated with the proposed development; clarifying the boundaries of the application site relative to the proposal and ; commenting on the enforcement notice appeal decision of the Reporter dated 17 July 2015 – ENA-340-2025;
  - (iii) the Council's Legal representative be requested to provide comments on the enforcement notice appeal decision of the Reporter dated 17 July 2015 ENA-340-2025;
  - (iv) The Development Quality Manager be requested to provide copies of the planning decision notices concerning the Erection of 2 Agricultural Buildings ( PK/97/1665 "A") and Storage of Waste Wood Material on the Lower Hardstanding Area ( 12/01354/FLL at Lambhill, Blairingone.
  - (v) following receipt of the requested information from the applicant, Legal representative and the Development Quality Manager, copies be submitted to the Development Quality Manager and all interested parties for further representation;
  - (v) following receipt of all further information and responses, an unaccompanied site visit be arranged;
  - (vi) that following the site visit, the application be brought back to the Local Review Body for determination of the Review or for such further procedure as the Local Review Body may determine.
- (iii) **TCP/11/16(370) - Planning Application 14/02019/FLL – Erection of replacement dwellinghouse, site of former Callelochhan, Acharn – Mrs K Kelly**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of replacement dwellinghouse, site of former Callelochhan, Acharn.

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, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out; and
- (iii) that following the site visit, the application be brought back to the Local Review Body for determination of the Review or for such further procedure as the Local Review Body may determine.