

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 14 September 2021 at 10.30am.

Present: Councillors L Simpson, 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 (both Corporate and Democratic Services).

1. WELCOME

Councillor Simpson welcomed all present to the meeting.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

The minute of meeting of the Local Review Body of 17 August 2021 was submitted and noted.

4. APPLICATIONS FOR REVIEW

- (i) **LRB-2021-24**
Planning Application – 20/00260/FLL – Erection of a garage, Rusken House, Campmuir, Blairgowrie – Ms J Anderson

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a garage, Rusken House, Campmuir, Blairgowrie.

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 the erection of a garage, Rusken House, Campmuir, Blairgowrie, be refused for the following reasons:
 - 1. The proposed building would be dominant in relation to the existing dwellinghouse by virtue of its location forward of the principal elevation, scale, form, massing, bulk and excessive proportions and would have an imposing and oppressive appearance by comparison to the existing residential property, thereby having an adverse impact on the character, visual and residential amenity of the surrounding area. Approval would therefore be contrary to Policies 1A and 1B (c and d) of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that all developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place. The proposal is therefore not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.
 - 2. Approval would be contrary to Perth and Kinross Council's Placemaking Guide, March 2020, which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing built form, streetscape character or established amenity levels.

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-2021-26**
Planning Application – 20/01729/FLL – Erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth – Mr and Mrs Knox

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, 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.

Thereafter, resolved by unanimous decision that:

- (ii) the review application for the erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth, be granted, subject to:
 - 1. The imposition of relevant conditions, including conditions regarding an odour and waste management plan, structural landscaping and planting, an archaeological investigation, drainage and surface water management, roads and access and provision for external storage.

Justification

It was considered that the proposal, with the imposition and compliance with the proposed conditions, is in accordance with the Development Plan, as the development was considered to be capable of being accommodated within the landscape provided with an improved access. It is recognised that the existing traditional farm buildings, which are located close to houses, are not reasonably capable of meeting the requirements of the farm and that the site is capable of being overseen from the existing farmhouse.

(iii) LRB-2021-27

Planning Application – 21/00001/FLL – S42 application to delete condition 6 (access upgrade) of permission 20/01319/FLL, land 180 metres south west of Powmill Cottage, Rumbling Bridge – Mr K O'Reilly

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse an S42 application to delete condition 6 (access upgrade) of permission 20/01319/FLL, land 180 metres south west of Powmill Cottage, Rumbling Bridge.

The Legal 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 Legal Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Members deferred their decision and instructed the Legal and Planning Advisors to undertake an investigation into the potential remedies for the adoption or upgrading of the access and to better understand the applicant's submission as regards

concluding a legal agreement to secure the upgrading of the access road. Such investigation is to consider such matters as the construction specification for the road, ownership and rights of usage, the financial mechanism and phasing for the upgrading and the potential for an agreement as to the future maintenance of the road by interested parties.

- (iii) Following receipt of all information and responses, and the completion of an unaccompanied site visit, the application be brought back to a future meeting of the Local Review Body.

(iv) **LRB-2021-28**
Planning Application – 21/00719/FLL – Alterations and extension to dwellinghouse, Newhall Farm, Solsgirth – Mr and Mrs D Broome

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse- No its not- this is for the alteration and extension to dwellinghouse at Newhall Farm, Solsgirth.

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 the erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth, be granted, subject to:
 - 1. The imposition of relevant conditions.

Justification

It was considered that the proposal, with the imposition of conditions, is in accordance with the Development Plan, as members considered that the proposal was of sympathetic design and contributed positively to the surrounding area.