

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held on Monday 11 September 2023 at 1:00pm.

Present: Councillors B Brawn, H Anderson (Item 4(iii) only), K Harvey and I James.

In Attendance: R Burton (Planning Adviser), G Fogg, (Legal Adviser) and J Guild (Democratic Governance Officer) (all Corporate and Democratic Services).

Also Attending: A Brown and M Pasternak (both Corporate and Democratic Services) and C Brien (Communities).

1. WELCOME

Councillor Brawn welcomed all present to the meeting.

2. DECLARATIONS OF INTEREST

In terms of the Councillors Code of Conduct, Councillor B Brawn declared a non-financial interest in Item 4 (iii).

3. MINUTES

The minute of meeting of the Local Review Body of 14 August 2023 was submitted and noted.

IT WAS AGREED TO VARY THE ORDER OF BUSINESS TO HEAR ITEM 4(iii) FIRST.

COUNCILLOR B BRAWN LEFT THE CHAMBER AT THIS POINT.

COUNCILLOR H ANDERSON JOINED THE MEETING AT THIS POINT.

FOLLOWING NOMINATION FROM COUNCILLOR K HARVEY, COUNCILLOR I JAMES TOOK THE CHAIR FOR THE FOLLOWING ITEM OF BUSINESS.

4. APPLICATIONS FOR REVIEW

- (iii) **LRB-2023-27**
Planning Application – 23/00252/FLL – Alterations to dwellinghouse, formation of vehicular access, alterations to rear vehicular access and installation of gates, Morven, Balmoral Road, Rattray, Blairgowrie PH10 7AF – Mr and Mrs J Adams

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to dwellinghouse, formation of vehicular access, alterations to rear vehicular access and installation of gates, Morven, Balmoral Road, Rattray, Blairgowrie PH10 7AF.

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 alterations to dwellinghouse, formation of vehicular access, alterations to rear vehicular access and installation of gates, Morven, Balmoral Road, Rattray, Blairgowrie PH10 7AF, be granted subject to relevant terms, conditions and informatives including a suspensive condition that sight lines onto Balmoral Road will be adjusted and agreed to the satisfaction of Perth and Kinross Council Transport Planning Department.

Justification

With the imposition of relevant conditions, Members considered the proposal to be in accordance with the Development Plan.

COUNCILLOR H ANDERSON LEFT THE MEETING AT THIS POINT.

COUNCILLOR B BRAUN RETURNED TO THE CHAMBER AND RESUMED THE CHAIR FOR THE FOLLOWING ITEMS OF BUSINESS.

- (i) **LRB-2023-24
Planning Application – 22/02096/FLL – Erection of a dwellinghouse land 70 metres South East of Mylnefield House, Invergowrie – Mr M Harris**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse land 70 metres South East of Mylnefield House, Invergowrie.

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 Erection of a dwellinghouse land 70 metres South East of Mylnefield House, Invergowrie, be granted, subject to the imposition of relevant terms, conditions and informatives, including a condition that permitted development rights pertaining to the new property, be suspended.

Justification

Councillors B Brawn and I James considered the proposal to be a departure from Policy 19, however, considered it to be acceptable, given the ancillary planning permission previously granted but not completed.

Note

Councillor K Harvey dissented from the majority opinion. He considered the proposal to be contrary to Policy 19 and therefore not in accordance with the Development Plan.

**(ii) LRB-2023-26
Planning Application – 23/00655/FLL – Alterations and extension to dwellinghouse, Gean Tree Cottage, Rait, Perth PH2 7SA – Mr A Thriepland**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse, Gean Tree Cottage, Rait, Perth PH2 7SA.

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 extension to dwellinghouse, alterations and extension to dwellinghouse, Gean Tree Cottage, Rait, Perth PH2 7SA, be refused for the following reasons:

1. The extension, by combination of its proportions, position and design would result in an awkward addition which is unsympathetic to the traditional character and architectural and historic interest of the Category B-listed former laundry building.

Refusal would therefore be in line with Policy 14(c) of National Planning Framework 4. Furthermore, approval would be contrary to Policies 7(c), 14(a)+(b) of National Planning Framework 4, Policies 1A and 1B(c) of Perth

and Kinross Local Development Plan 2 (2019) and Perth and Kinross Council's Placemaking Guide 2020, which seek to ensure that development contributes positively to the quality of the surrounding built environment in terms of design, proportions and appearance, in order to respect the character and amenity of the place and to safeguard listed buildings from inappropriate development.

2. The extension by combination of its proportions, position and design would have an adverse impact on the character and appearance of the designated Garden and Designed Landscape of Fingask Castle and the Sidlaw Hills Local Landscape Area.

Approval would therefore be contrary to Policies 4(d) and 7(i) of National Planning Framework 4 and Policies 29 and 39 of Perth and Kinross Local Development Plan 2 (2019), which seek to protect and enhance the integrity of designated Garden and Designed Landscapes and Local Landscape Areas.

Justification

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