

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held on Thursday 16 November 2023.

Present: Councillor B Brawn, Bailie C McLaren and Councillor R Watters.

In Attendance: R Burton (Planning Adviser), Colin Elliott, (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 McLaren (Communities).

1. WELCOME

Councillor Brawn welcomed all present to the meeting.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

The minute of meeting of the Local Review Body of 23 October 2023 was submitted and noted.

4. APPLICATIONS FOR REVIEW

(i) LRB-2023-28 Planning Application – 22/02173/FLL – Alterations and extension to dwellinghouse 29 Pitheavlis Crescent, Perth PH2 0JX – Mr Gary Bell

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse 29 Pitheavlis Crescent, Perth PH2 0JX.

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, both originally submitted plans and amended plans for alterations and extension to dwellinghouse

29 Pitheavlis Crescent, Perth PH2 0JX, be refused for the following reasons:

1. The proposed dormer, by virtue of design, massing and siting, does not respect the character of the existing house. Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2 (2019) and contrary to the Perth and Kinross Placemaking Supplementary Guidance 2020.
2. The proposed dormer, by virtue of design, scale and massing, siting and height above the ground level would be detrimental to the visual amenity of the surrounding area. Approval would therefore be contrary to Policy 16(g)(i): Quality Homes of National Planning Framework 4, contrary to Policy 1B(c): Placemaking of the Perth and Kinross Local Development Plan 2 (2019).

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-2023-34**
Planning Application – 23/00418/FLL – Change of use, alterations and extension to steading to form dwellinghouse 50 metres east of Boreland Farm, Glendevon, Dollar FK14 7JY – Mr and Mrs MacDonald

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use, alterations and extension to steading to form dwellinghouse 50 metres east of Boreland Farm, Glendevon, Dollar FK14 7JY.

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 change of use, alterations and extension to steading to form dwellinghouse 50 metres east of Boreland Farm, Glendevon, Dollar FK14 7JY, be granted, subject to the imposition of relevant terms, conditions and informatives.

Justification

Members considered that whilst the proposal is contrary to Perth and Kinross Council's Housing in the Countryside Supplementary Guidance 2020, the proposal will bring an unused building back into use and will not adversely impact on the surrounding area.

(iii) LRB-2023-35
Planning Application – 23/00784/FLL – Alterations and extension to dwellinghouse Ardbeag, North Street, Burrelton, Blairgowrie PH13 9NZ – Ms S Al-Gayaar

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse Ardbeag, North Street, Burrelton, Blairgowrie PH13 9NZ.

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 and extension to dwellinghouse Ardbeag, North Street, Burrelton, Blairgowrie PH13 9NZ, be granted subject to the imposition of relevant terms, conditions and informatives.

Justification

Members considered the proposal to be in keeping with neighbouring properties and necessary for modern day living, and therefore in accordance with the Development Plan.

(iv) LRB-2023-36
Planning Application – 23/00962/FLL – Change of use of flat to form short term let accommodation unit (in retrospect) at 21 Raeburn Park, Perth PH2 0ER – Mr and Mrs Hall

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use of flat to form short term let accommodation unit (in retrospect) at 21 Raeburn Park, Perth PH2 0ER.

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, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Development Management to review and comment on the proposal in conjunction with the new Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.
- (iii) The applicant to review and comment on the response from Development Management as per (ii) above and in conjunction with the new Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body, along with a copy of the Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.

(v) **LRB-2023-37**
Planning Application – 23/00581/FLL – Change of use of flat to form short term let accommodation unit Flat 4, 38 Bonnethill Road, Pitlochry PH16 5BS – Ms Lorraine Currie

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use of flat to form short term let accommodation unit Flat 4, 38 Bonnethill Road, Pitlochry PH16 5BS.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Development Management to review and comment on the proposal in conjunction with the new Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.
- (iii) The applicant to review and comment on the response from Development Management as per (ii) above and in conjunction with the new Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body, along with a copy of the Non-Statutory Planning Guidance on Change of Use of Residential Property to Short-Term Let.

5. APPLICATIONS PREVIOUSLY CONSIDERED

(i) **LRB-2023-25**
Planning Application – 23/00186/FLL – Part demolition, alterations and extension to dwellinghouse Forest Lodge, Ladywell, Birnam, Dunkeld PH8 0DU – Ms Claire Norfolk

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse part demolition, alterations and extension to dwellinghouse Forest Lodge, Ladywell, Birnam, Dunkeld PH8 0DU.

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.

It was noted that, at its meeting of 14 August 2023, the Local Review Body resolved that insufficient information was before them to determine the application without (i) the applicant to produce a Full Ecological Survey, in addition to the already provided Bat Roost Assessment, both of which will be passed to the Tree and Biodiversity Officer and Development Management for comment. With the requested information provided, the Local Review Body reconvened.

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 part demolition, alterations and extension to dwellinghouse Forest Lodge, Ladywell, Birnam, Dunkeld PH8 0DU, be granted subject to the imposition of relevant terms, conditions and informatives, including a condition regarding finishing materials and colours of the extension to ensure representation of the original property.

Justification

Members considered that with the imposition of relevant conditions, the proposal is in accordance with the Development Plan.