

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 3 March 2020 at 10.30am.

Present: Councillors H Anderson, I James, C Purves (for Item TCP/11/16(624) only) and W Wilson (up to and including Item TCP/11/16(612)).

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

Also Attending: C Brien (Housing and Environment); members of the public, including an applicant.

Councillor H Anderson, Convener, Presiding.

. **DECLARATIONS OF INTEREST**

Councillor Wilson declared a non-financial interest in Item TCP/11/16/(624).

. **MINUTES**

The minute of meeting of the Local Review Body of 4 February 2020 (Arts. ** - **) was submitted and noted.

THE COMMITTEE UNANIMOUSLY AGREED TO VARY TO ORDER OF BUSINESS AT THIS POINT.

. **DEFERRED APPLICATION FOR REVIEW**

TCP/11/16(612)

Planning Application – 19/00483/FLL – Erection of a Replacement dwellinghouse at Rintoul, Milnathort – Mr A Dawson

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a replacement dwellinghouse, Rintoul, Milnathort.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

It was noted that at its meeting of 17 September 2019 the Local Review Body resolved that insufficient information was before them to determine the application without (i) the Council's Development Management Team and Perth & Kinross Heritage Trust be invited to comment on the ARC Architect Report, dated 1 August 2019, submitted as part of the Notice of Review; and (ii) an unaccompanied site visit. With the further information having been received and a site visit having taken place on 5 December 2019, the Local

Review Body reconvened. At its meeting of 10 December 2019 the Local Review Body resolved that insufficient information was before them to determine the application without (i) the Council's Development Management Service and Perth and Kinross Heritage Trust be invited to comment on the Rettie Economic Viability Statement dated 11 November 2019; and (ii) the Council's Development Management Service to provide, if available, the decision notices, reports of handling and plans for planning permissions 03/01110/FUL and 08/00663/MOD. With the further information having been received, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, with requested further information having been received, and having carried out a site visit on 5 December 2019, 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 replacement dwellinghouse, Rintoul, Milnathort, be granted subject to:
 - 1. The imposition of relevant terms, conditions and informatives, including the requirement for the recording of the existing building, an education contribution, bat mitigation survey/measures, drainage/phosphorous mitigation, landscaping, suspension of residential permitted development rights, existing and proposed contours and finishing, including colours and the re-use of materials from the existing dwellinghouse.

Justification

The Local Review Body accepted the economic viability statement for demolition, and considered that the proposal, in terms of design, accords with the Local Development Plan 2.

Note: Councillor Anderson dissented from the majority decision. He considered that the erection of replacement dwellinghouse should be refused. Whilst accepting the economic viability for demolition, in his opinion the proposal did not comply with the policies 1A and 1B (b and c) of Perth and Kinross Local Development Plan 2 (2019) as the massing and extent of glazing would have a significant adverse impact on the Ochil Hills Special Landscape Area and would not therefore contribute positively to the built and natural environment and would not respect the character and amenity of the area.. In his opinion, there was not sufficient justification to depart from the Local Development Plan policies and guidance.

HAVING PREVIOUSLY DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, COUNCILLOR WILSON LEFT THE MEETING AT THIS POINT.

COUNCILLOR PURVES ENTERED THE MEETING AT THIS POINT.

APPLICATION FOR REVIEW

TCP/11/16(624)

Planning Application – 19/01120/FLL – Erection of 4 dwellinghouses, land 60 metres west of Rawes Farm Steading, Longforgan – Mr N Walker

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 4 dwellinghouses, land 60 metres west of Rawes, Longforgan.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

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) The Council's Development Management Service to provide copies (a) for 08/01767/FUL the decision notice, report of handling, DPEA decision; and proposed site plan; (b) for 12/01084/IPL the decision notice, report of handling; LRB decision notice, and proposed site plan; and (c) for 15/01390/FLL the decision notice, report of handling, and proposed site plan.
- (iii) The applicant be invited to submit further information on how the site would be serviced with regards to foul and surface water and drainage. Any information submitted is then to be forwarded for comment from the Council's Development Management Service.
- (iv) An unaccompanied site visit be carried out.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

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