

# **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chambers, 2 High Street, Perth on Monday 6 June 2022 at 10.00am.

Present: Councillors B Brawn, I James, and C McLaren.

In Attendance: R Burton (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 Brawn welcomed all present to the meeting.

Prior to the commencement of the agenda, Councillor Brawn paid tribute to former Councillor Lewis Simpson, his immediate predecessor as Convener of the Perth and Kinross Local Review Body, and Mr David Harrison, former Planning Adviser to the Perth and Kinross Local Review Body, upon their recent retirements. Councillor Brawn expressed thanks to both former Councillor Simpson and Mr Harrison for their service to the Perth and Kinross Local Review Body, and wished them the very best for their retirements.

Councillor Brawn also congratulated Her Majesty, Queen Elizabeth II, on the recent unique achievement of her Platinum Jubilee.

Councillor Brawn also noted that the date of this meeting coincided with the 78<sup>th</sup> anniversary of the Normandy Landings, commonly referred to as D-Day, and paid tribute to the sacrifices made by allied forces during the Normandy Landings.

## **2. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

## **3. MINUTES**

The minute of the meeting of the Local Review Body of 8 March 2022 be noted.

Consideration of the minute of meeting of the Local Review Body of 5 April 2022 was deferred until the next meeting of the Local Review Body.

#### **4. APPLICATIONS FOR REVIEW**

**(i) LRB-2022-03**  
**Planning Application – 21/01504/FLL – Erection of a boundary wall, West Lodge Caravan Park, Comrie, Crieff – TRI Scotland**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a boundary wall, West Lodge Caravan Park, Comrie, Crieff.

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) Further information from the applicant on whether they wish to demolish the existing wall having regard to the configuration of both the new and existing walls.
- (iii) Clarification as to whether Transport Scotland has received, and is content with the transport information apparently submitted on the applicant's behalf.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

**(ii) LRB-2022-05**  
**Planning Application – 21/01895/FLL – Alterations and extension to dwellinghouse, alterations to garage to form ancillary accommodations and associated works, 5 Duncan's Place, Birnam, Dunkeld – Mr N Fullerton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse, alterations to garage to form ancillary accommodations and associated works, 5 Duncan's Place, Birnam, Dunkeld.

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 alterations and extension to dwellinghouse, alterations to garage to form ancillary accommodations and associated works, 5 Duncan's Place, Birnam, Dunkeld, be refused for the following reasons:
  1. The proposal lacks an adequate physical and functional relationship to the host dwellinghouse. Approval would be contrary to Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 (2019), which seek to ensure that the siting of all development respects the character and amenity of the place.
  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, landscape character or established amenity levels.
  3. Approval would be contrary to Perth and Kinross Council's Ancillary and Annex Accommodation 2021 Supplementary Guidance, which seeks to discourage proposals which have no physical relationship to the principal dwellinghouse and as such would ultimately lead to the creation of a new residential unit.

#### **Justification**

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

**Note:** Councillor James dissented from the majority opinion. He considered the proposed development was in keeping with the local built environment. Therefore, he considered that the proposal was in accordance with the Development Plan and the Appointed Officer's decision should be overturned.

- (iii) **LRB-2022-07**  
**Planning Application – 21/01675/IPL – Residential development (in principle), land 45 metres south of Oaklea, Kinfauns Holdings, West Kinfauns – Mr J Irvine**

Members considered a Notice of Review seeking a review of the decision of the Appointed Officer to refuse residential development (in principle), land 45 metres south of Oaklea, Kinfauns Holdings, West Kinfauns.

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:

- (ii) 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 refuse residential development (in principle), land 45 metres south of Oaklea, Kinfauns Holdings, West Kinfauns, be refused for the following reasons:
  1. The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019). The proposal for residential development would dominate the site and would not meet any of the criteria for development on open space as set out in the policy.
  2. The proposal is contrary to Policy 1A and 1B(b), Placemaking, of the Perth and Kinross Local Development Plan 2 (2019), as residential development on the site would result in a loss of the landscape buffer between the old Dundee Road (U202) and Walnut Grove, which would have an adverse impact on the character and visual amenity of the place and would not contribute positively to the quality of the surrounding built and natural environment.
  3. Approval would be contrary to Policy 39, Landscape, of the Perth and Kinross Local Development Plan 2 (2019) as residential development on the site would erode local distinctiveness and the historic and cultural dimension of the local landscape.

**Justification**

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

- (iv) **LRB-2022-09**  
**Planning Application – 21/02110/FLL – Alterations and extension to dwellinghouse, Brambles, Clunie Street, Abernethy – Ms K Graham**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse, Brambles, Clunie Street, Abernethy.

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, Brambles, Clunie Street, Abernethy, be granted subject to the imposition of relevant conditions.

**Justification**

With the imposition of relevant conditions, members considered that the proposal was in accordance with the Development Plan, and therefore permission should be granted.

