

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
26 JUNE 2018

## **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 26 June 2018 at 10.30am.

Present: Councillors L Simpson, B Brawn and R Watters.

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

Also Attending: C Brien (the Environment Service); S Richards (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **397. DECLARATIONS OF INTEREST**

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

### **398. MINUTE**

The minute of meeting of the Local Review Body of 29 May 2018 was submitted and noted.

### **399. APPLICATIONS FOR REVIEW**

- (i) TCP/11/16(528) - Planning Application – 17/02015/FLL – Siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone – Barnhill Estates**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone.

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.

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Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in this location.
  - 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in the location.

**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) **TCP/11/16(530) - Planning Application – 17/02003/FLL – Change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth – Mr M Paton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth.

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, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

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**(iii) TCP/11/16(532) - Planning Application – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven – A Crow & F Welstead**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a hut for recreational use, Drumbuich Wood, Methven.

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 hut for recreational use, Drumbuich Wood, Methven, be refused for the following reasons:
  - 1. The proposal is contrary to Policy ED4C (c) of the Perth and Kinross Local Development Plan 2014, Caravan Sites, Chalets and Timeshare Developments, as the development does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.
  - 2. The proposal is contrary to Policy ED3 of the Perth and Kinross Local Development Plan 2014, Rural Business and Diversification, as it will not contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. Furthermore there is a conflict with criterion (b) which looks for development to be satisfactorily accommodated within the landscape capacity of the location.
  - 3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, Placemaking, as the development will not contribute positively to the quality of the surrounding natural environment.
  - 4. The proposal is contrary to Policy PM1B (b) and (c) of the Perth and Kinross Local Development Plan 2014, Placemaking, as the new development does not respect the topography and landscape character of the surrounding area, features an inappropriate design and poor choice of materials which are uncomplimentary and insensitive to their location. Approval would therefore

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result in a development that is visually intrusive and out of keeping with the character and appearance of the rural environment.

5. The proposal is contrary to Reforesting Scotland's Thousand Huts guidance note, which confirms the acceptability of a single hut development will depend on its impact on the environment. In this case there are identified visual and landscape impacts which mean the development cannot be supported.

**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) TCP/11/16(534) - Planning Application – 18/00495/IPL – Residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles – Mrs L Bradfield**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles.

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 residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles, be granted subject to:
  1. The imposition of relevant conditions and informatives including a tree removal plan, an updated bat survey in relation to any building demolition or tree works, and relevant education and road infrastructure contributions.

**Justification**

The proposed development, with the imposition of relevant conditions and informatives, was not assessed as being contrary to the Local Development Plan and was assessed as being a feasible proposal in principle.

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**Note:** Councillor Watters dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and that permission for residential development (in principle) should be refused. In his view, the proposal would be contrary to Local Development Plan Policies NE2A, NE2B, PM1A and PM1B.