

# PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 27 April 2021 at 10.30am.

Present: Councillors L Simpson, B Brawn and W Wilson.

In Attendance: D Harrison (Planning Adviser); G Fogg (Legal Adviser) and C Irons (Committee Officer) (Corporate and Democratic Services).

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

Councillor L Simpson, Convener

## 1. WELCOME

Councillor Simpson welcomed all present to the meeting.

## 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 30 March 2021 was submitted and noted.

## 4. APPLICATIONS PREVIOUSLY CONSIDERED

- (i) **LRB-2021-03**  
**Review of Decision to impose Condition 5 – 20/01516/FLL –**  
**Formation of raised decking at Craigvrack Hotel, 38 West Moulin**  
**Road, Pitlochry – Ms A Kaushik**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to impose condition 5 in relation to the formation of raised decking at Craigvrack Hotel, 38 West Moulin Road, Pitlochry.

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, including all submitted information, 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 be requested from the Council's Planning Department and Licensing Board on (a) the level of controls over other establishments in reasonable proximity to the applicant's hotel and (b) the extent to which the rest of the outdoor area around the applicant's premises are or are not controlled by either Planning or Licensing controls.
- (iii) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

**(ii) LRB-2021-04  
Planning Application – 20/01425/FLL – Extension to  
dwellinghouse, Duanbrig, Naemoor Road, Crook of Devon –  
Mr M Erskine**

Members considered a Notice of Review seeking a review of the refusal for an extension to the dwellinghouse, Duanbrig, Naemoor Road, Crook of Devon.

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, including all submitted further information, 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 proposed development be refused due to its excessive proportions, scale, massing and unsympathetic design, which would result in assertive and incongruous extensions which dominate the host cottage, to the detriment of its character and visual amenity. Accordingly, the proposal was contrary to Perth & Kinross Council's Placemaking Guide 2020 and Policies 1A, 1B(c) and 17(c) of the Perth and Kinross Local Development Plan 2 2019, which seek to ensure that proposals contribute positively to the quality of the built environment by respecting the design, proportions and appearance of the area, in order to respect the character and amenity of the place.

**Justification**

The Local Review Body considered some elements of the proposal not to be in accordance with the Local Development Plan and there were no material reasons to justify departing from the Plan.

**Note:** Councillor Brawn dissented from the majority view. He considered that the proposal would be sufficiently hidden from public

view by the existing trees, and therefore would not be to the detriment of the visual amenity of the area. Therefore, he considered that the proposal should be granted.

**(iii) LRB-2021-05**  
**Planning Application - 20/01126/IPL – Erection of a dwellinghouse, (in principle), land 50 metres north west of Broadmoss, Brucefield Road, Blairgowrie – Mr R Smith**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, land 50 metres north west of Broadmoss, Brucefield Road, Blairgowrie.

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, including all submitted further information, and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure at this time.

Thereafter resolved by unanimous decision that:

- (ii) the proposal be refused as approval of this application would be contrary to the Perth & Kinross Local Development Plan 2 (2019) as it does not meet the terms of the Site-Specific Developer Requirements (MU330) in particular the requirement for a Masterplan for the comprehensive development of the site. Approval could be cited as establishing a precedent for other piecemeal developments; to the detriment of the proper planning and general amenity of the surrounding area.

The development was contrary to policies 15 Public Access and 42 Green Infrastructure of the Perth & Kinross Local Development Plan 2 (2019) as it would prejudice the opportunity to provide a green infrastructure improvement and / or north to south off-road active travel link as required through a master plan approach to the development of site MU330 of which this proposal is part.

**Justification:**

The Local Review Body considered some elements of the proposal not to be in accordance with the Local Development Plan and there were no material reasons to justify departing from the Plan.

(iv) **LRB-2021-06**  
**Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute – Mr J Bryce**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the demolition of a dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute.

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, including all submitted further information, and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure at this time.

Thereafter Resolved by unanimous decision that:

- (ii) The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal by virtue of the scale of the development, with particular reference to plot 1, and impact on the visual amenity of the group fails to satisfactorily comply with category (1) Building Groups of the policy and guide.
- (iii) The proposal is contrary to Policy 1A and 1B Placemaking of the Perth and Kinross Local Development Plan 2 (2019) and the Supplementary Placemaking Guidance 2020. The proposed development would not contribute positively to the built and natural environment due to the scale and mass of the replacement dwelling in combination with the scale of the proposed new builds resulting in an overdevelopment of the site. The proposal by virtue of the amount of retaining structures required to form usable amenity space and parking are not considered to be appropriate in terms of their impact on the visual amenity of the rural 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.