

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
29 SEPTEMBER 2015

## **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of Meeting of the Perth and Kinross Local Review Body held in the Hay Room, Dewar's Centre, Glover Street, Perth on Tuesday 29 September 2015 at 10.30am.

Present: Councillors M Lyle, D Cuthbert and J Giacomazzi.

In Attendance: D Harrison (Planning Adviser), G Fogg (Legal Adviser) and Y Oliver (Committee Officer) (all Chief Executive's Service).

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

### **607. DECLARATIONS OF INTEREST**

Councillors M Lyle and J Giacomazzi declared a non-financial interest in Art. 609(i) in terms of the Councillors' Code of Conduct.

### **608. MINUTE OF PREVIOUS MEETING**

The Minute of the meeting of the Local Review Body of 25 August 2015 was submitted and noted.

### **609. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(369) - Planning Application 15/00083/FLL – Alterations and extension to dwellinghouse, Earnbank House, Kinkell, Strathallan, Auchterarder, PH3 1LD – Mr and Mrs P Medley**

As Councillors M Lyle and J Giacomazzi had declared a non-financial interest in this Notice of Review, the application was deferred to the next meeting of the Local Review Body, scheduled to take place on Tuesday 20 October 2015.

- (ii) **TCP/11/16(372) - Planning Application 15/00769/FLL – Change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9), Altamount Park, Coupar Angus Road, Blairgowrie, PH10 6JN – Mr S Pilmott**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9), Altamount Park, Coupar Angus Road, Blairgowrie, PH10 6JN.

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.

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**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure; and
- (ii) the Review Application for the change of use of holiday lodges (numbers 1-5 inclusive) to dwellinghouses (class 9), Altamount Park, Coupar Angus Road, Blairgowrie, PH10 6JN be refused for the following reason:
  - 1. As the 'as built' layout would collectively (lodges 1-5) create an environment which is not suitable for mainstream residential use, the proposed use of the lodges as mainstream dwellings would be contrary to the aims of Policies RD1 and PM1A of the Perth and Kinross Local Development Plan 2014 which both seek to protect residential amenity.

**Justification**

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

**(iii) TCP/11/16(373) - Planning Application 15/00478/FLL – Erection of a dwellinghouse, land 20 metres north west of Shel Mar, Market Street, Aberfeldy – Mr A Adams**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse, land 20 metres north west of Shel Mar, Market Street, Aberfeldy.

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 the erection of a dwellinghouse, land 20 metres north west of Shel Mar, Market Street, Aberfeldy be refused for the following reasons:
  - 1. The proposal is contrary to the Perth and Kinross Local Development Plan 2014 Policy PM1A: Placemaking which requires that all development must contribute positively to the quality of the surrounding built and

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natural environment and that the design and siting of development should respect the character and amenity of the place. The proposed development would not contribute positively to the area by virtue of the scale, design and proportions of the building. Furthermore it would not respect the character or amenity of the wider area.

2. The proposal is contrary to Policy PM1B (b) and (c): Placemaking as the proposal does not respect site topography and the design and density does not complement its immediate surroundings in terms of appearance, height, scale and massing.
3. The proposal is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that established residential amenity is protected. This proposal would result in infill residential development at a density which does not respect its immediate environs and thus this will not improve the character and environment of the area. It will also result in a loss of privacy and have an adverse impact on a private open space of amenity value.
4. The proposal is contrary to Policy HE3A of the Perth and Kinross Local Development Plan 2014 which indicates that development within a Conservation Area must preserve or enhance its character or appearance. The character or appearance of the Aberfeldy Conservation Area will not be preserved due to the siting, design and scale of this proposed development.
5. The proposal does not accord with the requirements of Scottish Planning Policy (paragraph 143) which seeks to ensure that development within a Conservation Area either preserves or enhances the character or appearance of the area. The proposal would result in a development which fails to preserve or enhance the character and appearance of Aberfeldy Conservation Area by virtue of the mass, scale and design of the proposed development.

**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 D Cuthbert dissented from the majority view. He considered that the proposal was not contrary to Policy RD1(a) of the Perth and Kinross Local Development Plan 2014 as the site was suitable for infill residential development. He also felt that the proposal accords with the requirements of Scottish Planning Policy (Paragraph 143) as there was a shortage of accommodation in Aberfeldy and the proposal would result in a development which

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enhances the character and appearance of the Aberfeldy Conservation Area by virtue of the mass, scale and design of the proposed development.

**(iv) TCP/11/16(374) - Planning Application 15/00835/FLL – Erection of a dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie – Mr C Robinson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus 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 and comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure; and
- (ii) the Review Application for the erection of a dwellinghouse, land 10 metres north west of Cairn Cottage, Coupar Angus Road, Blairgowrie be refused for the following reason:
  - 1. As the proposal, by virtue of the site's size and its 'squeezed in' nature would result in a development that would have an adverse impact on both the density and general character of the local area, the proposal is contrary to Policies PM1A a) and c), and RD1 of the Perth and Kinross Local Development Plan 2014 which both seek (amongst other things) to protect the visual amenity and character of existing areas from inappropriate developments.

**Justification**

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

**(v) TCP/11/16(375) - Planning Application 15/00352/FLL – Erection of replacement dwellinghouse, 59 Bonhard Road, Scone – Mr G Cumming**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of replacement dwellinghouse, 59 Bonhard Road, Scone.

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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 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.

Resolved by majority decision that the Review Application for the erection of replacement dwellinghouse, 59 Bonhard Road, Scone be refused for the following reason:

1. The proposed replacement dwellinghouse is contrary to Policy PM1A and B c) and Policy RD1 a) and c) of the Perth and Kinross Local Development Plan 2014 as the design of the replacement dwellinghouse results in a bulk and massing of development which fails to relate to the established character of the area and the design and proportions of houses in the immediate vicinity. As a result the proposed dwellinghouse would have a detrimental impact on the visual amenity of the area.

**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 J Giacobazzi dissented from the majority view. He was of the opinion that the proposed replacement dwellinghouse was not contrary to Policy PM1A and B and Policy RD1 of the Perth and Kinross Local Development Plan 2014 as the design of the replacement dwellinghouse would not result in a house whose bulk or massing would have a detrimental impact on the visual amenity of the area. He noted that there was an eclectic range of house designs in the wider locality of the site.

**(vi) TCP/11/16(376) - Planning Application 15/00827/IPL – Erection of a dwellinghouse (in principle), land 50 metres south of Belfield, Woodlands Road, Blairgowrie – Mr M Wojtowicz**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle), land 50 metres south of Belfield, Woodlands 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.

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**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure; and
- (ii) the Review Application for the erection of a dwellinghouse (in principle), land 50 metres south of Belfield, Woodlands Road, Blairgowrie be refused for the following reason:
  - 1. The proposal is contrary to Policy CF1A of the Perth and Kinross Local Development Plan 2014 which seeks to protect areas of existing open space from new development. The development of a house on this site would result in the loss of land which presently has value to the local community for amenity purposes.

**Justification**

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

**610. DEFERRED APPLICATIONS FOR REVIEW**

**Deferred for unaccompanied site visit.**

- (i) **TCP/11/16(370) - Planning Application 14/02109/FLL – Erection of replacement dwellinghouse, Site of Former Callelochan, Acharn – Mrs K Kelly**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a replacement dwellinghouse, site of former Callelochan , Acharn.

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 on 25 August 2015, the Local Review Body resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out; and
- (iii) that following the site visit, the application be brought back to the Local Review Body for determination of the Review or for such further procedure as the Local Review Body may determine.

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**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and their own assessment from the unaccompanied site visit on 22 September 2015, 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 replacement dwellinghouse, site of former Callelochan, Acharn be upheld and planning permission granted, subject to the imposition of appropriate conditions.

**Justification**

The proposal is in accordance with Policy RD3 of the Perth and Kinross Local Development Plan 2014 with associated supplementary guidance in the form of the Housing in the Countryside Guide 2012.

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