

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 2 February 2021 at 10.00am.

Present: Councillors L Simpson, I James and W Wilson.

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

Also Attending: A Brown, M Pasternak, L McGuigan, A McMeekin and B Parker (all Corporate and Democratic Services).

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 meeting of the Local Review Body of 5 January 2021 was submitted and noted.

4. APPLICATIONS FOR REVIEW

(i) **LRB-2020-26** **Planning Application – 20/00437/FLL – Erection of a dwellinghouse, land west of 20 Struan Road, Perth – Mr G Coull**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, land west of 20 Struan Road, 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 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 dwellinghouse, land west of 20 Struan Road, Perth, be refused for the following reasons:

1. The proposal is contrary to Policies 1A and 1B, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019), as the proposed development would not contribute positively to the quality of the surrounding area in terms of character or amenity, due to the adverse effect on the streetscape, and in particular the existing and neighbouring terrace housing, and the loss of open space amenity of these.
2. The proposal is contrary to Policy 17, Residential Areas, of the Perth and Kinross Local Development Plan 2 (2019) as the proposed development would not respect or improve the character or environment of the area, due to the adverse effect on the streetscape, and in particular the existing and neighbouring terrace housing, and the loss of open space amenity of these.

Justification

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

5. APPLICATIONS PREVIOUSLY CONSIDERED

(i) LRB-2020-15 Planning Application – 19/02068/FLL – Siting of 2 camping pods, formation of a vehicular access and associated works, land 40 metres north east of Leven View, Wester Balgedie – Mr A Orr

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the siting of 2 camping pods, formation of a vehicular access and associated works, land 40 metres north east of Leven View, Wester Balgedie.

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 of 13 October 2020, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) clarification of SEPA's position in relation to Phosphate mitigation of the proposed development; and (ii) the Applicant being invited to submit a business plan reflecting the requirements of Policy 8 of Perth and Kinross Local Development Plan 2 (2019), incorporating issues raised in the Decision Notice dated 3 March 2020. It was further noted that second consideration of this application by the Local Review Body its meeting of 5 January 2021 was deferred due to a Declaration of Interest by a member of the Local Review Body. With all 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 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 siting of 2 camping pods, formation of a vehicular access and associated works, land 40 metres north east of Leven View, Wester Balgedie. be refused for the following reasons:
 - 1. The proposal is contrary to Policy 8, Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2 (2019), as no suitable justification has been provided for the erection of 2 camping pods in this location. In particular criteria (e) has not been met, as the proposal does not meet a specific need by virtue of its quality or location in relation to existing business or tourist facilities. It has not been satisfactorily demonstrated how the siting of these pods, criteria (d), in this prominent location within the Loch Leven and Loch Lomond Hills Special Landscape Area is the most appropriate location to facilitate development.
 - 2. The proposal is contrary to Policy 9C, Chalets, Timeshare and Fractional Ownership, of the Perth and Kinross Local Development Plan 2 (2019), as the proposed site does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.

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 decision. He considered that the application did accord with the Local Development Plan and permission for the siting of two camping pods should be granted. Councillor James considered that all the necessary criteria had been met, and the location of the proposed site would be beneficial.

