

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 30 April 2019 at 10.30am.

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

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

Also Attending: C Stewart (Housing and Environment); M Willis (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

233. DECLARATIONS OF INTEREST

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

234. MINUTES

The minute of meeting of the Local Review Body of 2 April 2019 (Arts. 168-170) was submitted and noted.

235. APPLICATION FOR REVIEW

- (i) **TCP/11/16(592)
Planning Application – 18/01774/FLL – Erection of a
dwellinghouse on land 40 metres north of The Stables, Main
Street, Almondbank – Mr J Jenkins**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank.

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 erection of a dwellinghouse on land 40 metres north of The Stables, Main Street, Almondbank, be refused for the following reason:
 - 1. The proposal will intensify the use of an existing sub-standard access and junction which has poor geometry and poor visibility onto the public road and as such the proposed development would result in pedestrian and traffic safety issues contrary to Policy TA1B of the Perth and Kinross Local Development Plan 2014 which seeks to ensure the safety of all users.

Justification

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

236. DEFERRED APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(584)**
Planning Application – 18/01816/FLL – Erection of a dwellinghouse on land 20 metres west of 14 Toberargan Road, Pitlochry – Mr and Mrs Haworth

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 20 metres west of 14 Toberargan 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.

It was noted that, at its meeting of 5 March 2019, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With an unaccompanied site visit having taken place on 25 April 2019, the Local Review Body reconvened.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 25 April 2019, 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 on land 20 metres west of 14 Toberargan Road, be refused for the following reason:

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1. The proposal is contrary to criterion within Policy PM1A of the Perth and Kinross Local Development Plan 2014 as the development does not contribute positively to the quality of the surrounding built, fails to respect the character and amenity of the area and has an adverse impact on the visual amenity of the area due to an inappropriate siting, density and design.
2. The proposal is contrary to criterion (a) and (c) of Policy PM1B of the Perth and Kinross Local Development Plan 2014 as the dwelling would (a) not create a sense of identity as it would erode the street structure and (c) the design and density does not compliment the surroundings.
3. The proposals are contrary to Policy HE3A of the Perth and Kinross Local Development Plan 2014, in failing to satisfy policy criteria, which seeks to ensure that development in a Conservation Area will not impact upon its special qualities, must remain appropriate to its appearance, character and setting.

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 Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and permission for the erection of a dwellinghouse should be granted. He considered that the proposal was not contrary to the Development Plan and, with the imposition of relevant conditions, including a condition regarding landscaping, would be acceptable in this location.

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