

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 12.00 noon.

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

In Attendance: C Elliott (Legal Adviser) and D Williams (Committee Officer) (both Corporate and Democratic Services).

Also Attending: A Brown, M Pasternak and L McGuigan (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. APPLICATIONS FOR REVIEW

(i) LRB-2020-21

Planning Application – Review of Condition 3 on planning permission 19/02028/FLL – Alterations to access, Dalguise Wood, Dalguise – D and L Harrison

Members considered a Notice of Review seeking a review of Condition 3 on planning permission 19/02028/FLL – Alterations to access, Dalguise Wood, Dalguise.

The Legal 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 Legal 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 seeking a review of Condition 3 on planning permission 19/02028/FLL – Alterations to access, Dalguise Wood, Dalguise., Perth, be granted, and Condition 3 to read as follows:

3. Prior to the development hereby approved being completed or brought into use, visibility splays of 2.0m by 100m to the south shall be provided to the satisfaction of Perth and Kinross Council as Planning Authority.

Justification

Whilst accepting that the proposal was not in accordance with the Development Plan, members considered that there were material considerations to justify granting the review including that there were reduced speeds on the road, it would constitute an improvement on the existing access, there are other accesses in the immediate area with similar or lesser visibility splays, and as to insist upon a visibility splay of 2.0m x 160m would have a disproportionate effect on the land.