

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually via Microsoft Teams on Tuesday 13 October 2020 at 11.00am.

Present: Councillors H Anderson, I James and W Wilson.

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

Also Attending: B Parker, M Pasternak, A Taylor and C Wright (all Corporate and Democratic Services).

Councillor H Anderson, Convener, Presiding.

1. WELCOME

Councillor Anderson 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 15 September 2020 was submitted and noted.

3. APPLICATIONS FOR REVIEW

- (i) **LRB-2020-14**
Planning Application – 19/01839/IPL – Erection of a dwellinghouse (in principle), site 400 metres north east of Drumcharry, Keltneyburn – Dr and Mrs J&A Lumsden

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle), site 400 metres north east of Drumcharry, Keltneyburn.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

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 (in principle), site 400 metres north east of Drumcharry, Keltneyburn, be granted subject to:
 - 1. The imposition of relevant terms, conditions and informatives, including conditions relating to a potential Education Contribution, the removal of permitted development rights, drainage, access and landscaping, and an informative relating to water supply.

Justification

Whilst accepting that the proposal was contrary to Perth and Kinross Local Development Plan 2 (2019) Policy 19 as the need for a key worker had not been met, members considered that there was sufficient justification to grant the Review, as it was considered to be improvement on the site.

Note: Councillor Wilson dissented from the majority decision. He considered that the proposal was not justified in terms of the potential improvement to pasture and the stocking potential of the land. He considered that the forestry work outlined would be limited and of limited economic benefit. He considered that the proposal was contrary to Perth and Kinross Local Development Plan 2 (2019) Policy 19.

(ii) **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, the grounds set out in the Notice of Review and the further information received.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Clarification SEPA's position in relation to the Phosphate mitigation the proposed development.

- (iii) The Applicant be requested 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.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

(iii) LRB-2020-16

Planning Application – 19/02095/FLL – Change of use from vacant land to commercial vehicle parking and open storage areas, formation of hardstanding and vehicular access (in part retrospect), land 80 metres south west of Unit C1, Muirhouses, Grange, Errol – Morris Leslie Ltd.

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a change of use from vacant land to commercial vehicle parking and open storage areas, formation of hardstanding and vehicular access (in part retrospect), land 80 metres south west of Unit C1, Muirhouses, Grange, Errol.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling, the grounds set out in the Notice of Review and the further information received.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Clarification be sought on the discrepancies in assessment between the applicant's arboriculturist's survey and that of the Council's Tree Officer, with particular reference to the species of tree concerned.
- (iii) Comment from the Development Quality and Building Standards Manager on whether or not the envisaged reduction in tree size to 10 metres would be an acceptable method of managing the trees within the application site.
- (iv) An unaccompanied site visit be undertaken.
- (xii) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

