

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 25 May 2021 at 10.30am.

Present: Councillors L Simpson, D Illingworth 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: A Brown, M Pasternak and L McGuigan (both 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 and the minute of special meeting of the Local Review Body, both of 27 April 2021, were submitted and noted.

4. APPLICATIONS FOR REVIEW

(i) **LRB-2021-07 Planning Application – 20/01424/FLL – Erection of a shed, Cnoc An Fraoich, Glenalmond, Kinross – Mr A Calderwood**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a shed, Cnoc An Fraoich, Glenalmond, Kinross.

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 shed, Cnoc An Fraoich, Glenalmond, Kinross, be refused for the following reasons:
 - 1. The proposals is, by virtue of their excessive scale, inappropriate design, proportions, finishes, prominent location, overdevelopment and lack of relationship to existing buildings, would have a detrimental impact on the character and amenity of the surrounding area. Approval would therefore be contrary to The Placemaking Supplementary Guide 2020 and Policies 1A, 1B(c) and 17 of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that proposals contribute positively to the surrounding built environment by respecting the design, character, appearance, and amenity of the place.

Justification

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

- (ii) **LRB-2020-08**
Planning Application – 20/01380/IPL – Erection of a dwellinghouse (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth – Mr D Hutchison

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), land 30 metres east of Cairnbank, Corsiehill, 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 (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth, be refused for the following reasons:
 - 1. The proposal is contrary to Policy 43, Greenbelt, of the Perth and Kinross Local Development Plan 2 (2019). This policy states that development will only normally be permitted where it meets one of the criteria set out in the policy. In relation to housing, where it complies with

criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated. The proposal does not comply with Category 4, Renovation or Replacement Housing or Category 5, Conversion or Replacement of Redundant Traditional Non-Domestic Buildings.

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) LRB-2021-09
Planning Application – 20/01728/FLL – Erection of 2
dwellinghouses and garages, land at Mennieburn Road,
Aberuthven – Mr D Wilson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 2 dwellinghouses and garages, land at Mennieburn Road, Aberuthven.

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, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) Investigation be undertaken with the Planning Service as to whether, during the preparation of LDP 2 (2019), consideration was given to the incorporation of the application site as part of the defined settlement.
- (iii) Clarification be sought on the inconsistency referred to in the Report of Handling, namely the reference to private foul drainage and the use of a SUDS scheme for surface water but also the reference to a connection to a mains sewer in the planning statement.
- (iv) An unaccompanied site visit be undertaken.
- (v) Following receipt of all information and responses, and the completion of an unaccompanied site visit, the application be brought back to a future meeting of the Local Review Body.

(iv) LRB-2021-10
Planning Application – 20/01823/FLL – Erection of ancillary accommodation, Shinafoot House, Dunning Road, Auchterarder – Mr S Ferrier

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of ancillary accommodation, Shinafoot House, Dunning Road, Auchterarder.

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 ancillary accommodation, Shinafoot House, Dunning Road, Auchterarder, be refused for the following reasons:
 - 1. The proposal, by virtue of its scale, siting, layout, orientation and extent of accommodation, lacks an adequate physical and functional relationship to the host dwellinghouse. Approval would be contrary to Policies 1A and 1B(c) of the Perth and Kinross Local Development Plan 2 (2019), which seek to ensure that the density and siting of all development respects the character and amenity of the place.
 - 2. The proposal contains insufficient information with regards to tree protection/removal. Approval would therefore be contrary to Policies 40A(b), (d) and (e) and 40B of the Perth and Kinross Local Development Plan 2 (2019) which seek to ensure that trees of good amenity value are protected.

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 Illingworth dissented from the majority decision. He considered that the proposal was sufficiently screened and a tree affected by the proposal was not subject to a Tree Protection Order. Therefore he considered that the proposal was in accordance with the Local Development Plan and, as such, permission for the erection of ancillary accommodation should be granted.

(v) **LRB-2021-11**
Planning Application – 20/01594/FLL – Erection of ancillary accommodation building, Larchside, Redgorton – Mr J Kelly

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of ancillary accommodation building, Larchside, Redgorton.

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 ancillary accommodation building, Larchside, Redgorton, be refused for the following reasons:
 - 1. The proposed building would be dominant in relation to the existing dwellinghouse by virtue of its scale, form, massing, bulk and excessive proportions and would have an imposing and oppressive appearance in comparison to the existing residential property, thereby having an adverse impact on the character, visual and residential amenity of the surrounding area. Furthermore, the proposed ancillary accommodation is entirely divorced from the main dwellinghouse with no shared facilities and is therefore tantamount to a new dwelling. Approval would therefore be contrary to Policies 1A, 1B(b), and (c) and 17 of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that all developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place.
 - 2. Approval would be contrary to Policy 43 of the Perth and Kinross Local Development Plan 2 (2019) as it would detract from the character and landscape setting of the Green Belt by virtue of its scale and form.
 - 3. Approval would be contrary to Perth and Kinross Council's Placemaking Guide, March 2020, which seeks to discourage particularly large, dominant, unsuitable or inappropriately designed or located developments that are not in keeping with the existing build form, landscape character or established amenity levels.

Justification

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

