

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually on Tuesday 5 April 2022 at 10.30am.

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

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

Also Attending: A Brown, M Pasternak (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

Consideration of the minute of meeting of the Local Review Body of 11 January 2022 and 8 February 2022 were deferred until the next meeting of the Local Review Body.

4. APPLICATIONS FOR REVIEW

(i) LRB-2022-01 Planning Application – 21/01918/FLL – Erection of a dwellinghouse and garage/store (in principle), land 200 metres north east of Tomgarrow, Trochry – Mr & Mrs R & G Clamp

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse and garage/store (in principle), land 200 metres north east of Tomgarrow, Trochry.

The Planning Adviser, Mr Harrison, 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 a dwellinghouse and garage/store (in principle), land 200 metres north east of Tomgarrow, Trochry, be refused for the following reason:
 - 1. The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and the Housing in the Countryside Supplementary Guidance (SG) as the site was not part of an existing building group, is not an infill site, does not involve the renovation or replacement of a house, does not involve the conservation or replacement of a traditional non-domestic building and does not involve development on rural brownfield land. Furthermore, the proposal is not considered to meet the requirements under Category 3.3, Economic Activity, as it has not been demonstrated that there is a critical or essential need for a dwelling. The proposal also fails to meet the criteria within Category 3.5, Houses for Sustainable Living, as the proposal does not involve an overall scheme for the management or use of land which allows its occupants to be largely self-sufficient.
 - 2. As the application is in principle, there is a lack of information as no topographical survey, no site levels, no detailed design and site layout and no cross section based on a fixed datum point have been submitted. Consequently, the proposal cannot be adequately scrutinised against Policies 1A and 1B, Placemaking, Policy 19, Housing in the Countryside and Policy 39, Landscape, of the Perth and Kinross Local Development Plan 2 (2019) and the associated Housing in the Countryside Supplementary Guidance 2020.

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 opinion. He considered the proposed development was applicable to the business, and had significant economic benefit. Therefore, he considered that the proposal was in accordance with the Development Plan and the Appointed Officer's decision should be overturned.

- (ii) **LRB-2022-02**
Planning Application – 21/00732/FLL – Formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff – Comrie Holiday Park Ltd.

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the formation of 34 caravan

plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff.

The Planning Adviser, Mr Burton, 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) Local Review Body was minded to uphold the review application for the formation of 34 caravan plots, access road, car parking and associated works, Comrie Holiday Park, Station Road, Comrie, Crieff, subject to the following:
 1. The imposition of relevant conditions, including that none of the additional units proposed shall be occupied until the completion of the Comrie Flood Protection Scheme;
 2. This 'minded to uphold' decision be referred to Scottish Ministers in view of the outstanding objection from the Scottish Environment Protection Agency on potential flood risk.

Justification

With the imposition of relevant conditions, members considered that the proposal (in principle) was in accordance with the Development Plan.

- (iii) **LRB-2022-04
Planning Application – 20/00732/FLL – Review of Condition 5 on planning permission 21/01525 – Formation of all weather sports pitches and access road and access road, erection of fencing, installation of floodlighting and associated works, land 100 metres south west of Goodlyburn Primary School, Crieff Road, Perth – Perth College**

Members considered a Notice of Review seeking a review of Condition 5 on planning permission 21/01525 – Formation of all-weather sports pitches and access road and access road, erection of fencing, installation of floodlighting and associated works, land 100 metres south west of Goodlyburn Primary School, Crieff Road, Perth.

The Planning Adviser, Mr Harrison, 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 Condition 5 of planning permission 21/01525 – Formation of all-weather sports pitches and access road and access road, erection of fencing, installation of floodlighting and associated works, land 100 metres south west of Goodlyburn Primary School, Crieff Road, Perth, be refused, and Condition 5 of planning permission 21/01525 to remain in its present form.

Justification

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

**(iv) LRB-2022-08
Planning Application – 21/01586/FLL – Erection of a dwellinghouse, land 20 metres south east of 7 County Place, Stanley – Mr and Mrs J Monaghan**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, land 20 metres south east of 7 County Place, Stanley.

The Planning Adviser, Mr Burton, 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 20 metres south east of 7 County Place, Stanley, be refused for the following reasons:
 - 1. The proposal is contrary to Policy 17, Residential Areas, of the Perth and Kinross Local Development Plan 2 (2019), which seeks to ensure that development is compatible with the character and amenity of the area. To place a large swelling centrally within this space would not reflect the character and building pattern of the existing development. The proposal is also considered to

detrimentally impact the character and amenity of the place.

2. The proposal is contrary to Policy 1A, Placemaking, of the Perth and Kinross Local Development Plan 2 (2019), and the supplementary Placemaking Guidance 2020, which seeks to ensure that the design, density and siting of development should respect the character and amenity of the place. The proposal would develop an area of amenity space characterised by low density ancillary development to the detriment of the amenity and character of the place.
3. The proposal is contrary to Policy 27, Listed Buildings, of the Perth and Kinross Local Development Plan 2 (2019), as the submission has not demonstrated that there would be no detrimental impact on the character or setting of the B listed Stanley Parish which lies to the east.

Justification

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

