

# PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually via Microsoft Teams on Tuesday 15 September 2020 at 10.30am.

Present: Councillors H Anderson, B Brawn and W Wilson.

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

Also Attending: A Brown, B Parker, A McMeekin, L McGuigan, L Simpson and M Pasternak (all Corporate and Democratic Services).

Councillor H Anderson, Convener, Presiding.

## 1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors Code of Conduct.

## 2. MINUTES

The minute of meeting of the Local Review Body of 18 August 2020 was submitted and noted.

## 3. APPLICATIONS FOR REVIEW

- (i) **LRB-2020-09**  
**Planning Application – 19/01881/IPL – Residential development (in principle), land 80 metres north east of Powmill Milk Bar, Powmill – Dilan Developments**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a residential development (in principle), land 80 metres north east of Powmill Milk Bar, Powmill.

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 unanimous decision that:

- (ii) the Review application for a residential development (in principle), land 80 metres north east of Powmill Milk Bar, Powmill., be refused for the following reasons:
1. The proposal is contrary to Policy 6, Settlement Boundaries, of the Perth and Kinross Local Development Plan 2 (2019), as the proposed development site is located out with the defined settlement boundary of Powmill and the development of this site would link an existing building group fronting Aldie Road with the settlement, thus forming a large extension to the defined settlement.
  2. The proposal is contrary to Policy 19, Housing in the Countryside, of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Supplementary Guidance 2020, as it does not comply with any of the categories of policy and guidance where a residential development would be acceptable in principle at this location.
  3. The proposal is contrary to Policy 39, Landscape, of the Perth and Kinross Local Development Plan 2 (2019) as it erodes the local distinctiveness, diversity and quality of Perth and Kinross's landscape character through the expansion of the defined settlement of Powmill into the countryside.
  4. The proposal is contrary to Policy 41 'Biodiversity' of the Perth and Kinross Local Development Plan 2 (2019) as a lack of information has been submitted in relation to biodiversity.

#### **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-2020-12**  
**Planning Application –19/02087/FLL – Erection of 3**  
**dwellinghouses, land 30 metres south west of Leiland House and**  
**50 metres south of Tillyochie Farmhouse, Balado – Mr R Paterson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 3 dwellinghouses, land 30 metres south west of Leiland House and 50 metres south of Tillyochie Farmhouse, Balado.

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) The Council's Development Management and Building Standards Manager to consult with SEPA on the further information provided by the Applicant regarding phosphorous mitigation, and subsequently provide comment back to the Local Review Body.
- (iii) The Council's Development Management and Building Standards Manager to enter discussions with the Applicant to investigate and assess whether Planning Permission 14/02062/FLL has been timeously implemented and constitutes extant consent, and subsequently provide comment back to the Local Review Body.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

**(iii) LRB-2020-13**

**Planning Application – 19/01781/FLL – Erection of a dwellinghouse, land 40 metres north west of Carraig Mhor, Sauchie Road, Crieff – Mr J Bryce**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, land 40 metres north west of Carraig Mhor, Sauchie Road, Crieff.

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) Comment from Development Management and Building Standards Manager on why the proposal is deemed to be contrary to categories (a), (b), (c), (d) and (g) of Policy 1B of the Perth and Kinross Local Development Plan 2 (2019).
- (iii) Clarification from the Development Management and Building Standards Manager on whether a Developer Contribution for Education would be required.

- (iv) Clarification from the Development Management and Building Standards Manager on whether Policy 52, New Development and Flooding, of the Perth and Kinross Local Development Plan 2 (2019), was assessed and viewed as a ground of refusal.
- (v) Comment from the Development Management and Building Standards Manager on drainage issues raised by representations.
- (vi) Comment from the Development Management and Building Standards Manager on the revised site plan relating to the provision of visibility splays submitted as part of the Notice of Review.
- (vii) Comment from the Development Management and Building Standards Manager on whether or not there is an intention to introduce a 20mph speed limit on Sauchie Road.
- (viii) Clarification from the Development Management and Building Standards Manager on whether or not there is any requirement that vehicles must leave the site in forward gear.
- (ix) Comment from the Development Management and Building Standards Manager on the Ecological Appraisal submitted by the applicant as part of the Notice of Review.
- (x) Comment from the Development Management and Building Standards Manager on the Tree Survey and Arboriculture Impact Report submitted by the applicant as part of the Notice of Review.
- (xi) To allow comment from the Development Management and Building Standards Manager on any other aspects submitted by the applicant as part of the Notice of Review.
- (xii) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.