

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually via Microsoft Teams on Tuesday 18 August 2020 at 10.30am.

Present: Councillors H Anderson, T Gray (excluding Item 3(i)), C Purves and W Wilson (up to and including Item 3(i)).

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 and C Wright (all Corporate and Democratic Services).

Councillor H Anderson, Convener, Presiding.

1. DECLARATIONS OF INTEREST

Councillor Gray declared a non-financial interest in Item 3(i).

2. MINUTES

The minute of meeting of the Local Review Body of 21 July 2020 was submitted and noted.

HAVING DECLARED AN INTEREST, COUNCILLOR GRAY LEFT THE MEETING AT THIS POINT

3. APPLICATIONS FOR REVIEW

(i) LRB-2020-05

Planning Application – 19/01725/IPL – Erection of a dwellinghouse (in principle), land 70 metres north of Bargate Cottage, Gleneagles – Mr M Haldane

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 70 metres north of Bargate Cottage, Gleneagles.

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 erection of a dwellinghouse (in principle), land 70 metres north of Bargate Cottage, Gleneagles, 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 Council's Housing in the Countryside Supplementary Guidance 2020, as the proposal fails to comply with any of the categories (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land. In particular, it had not been demonstrated that the proposal is part of the original garden grounds of Gleneagles House.

Justification

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

COUNCILLOR WILSON LEFT THE MEETING AT THIS POINT.

COUNCILLOR GRAY RETURNED TO THE MEETING AT THIS POINT.

- (ii) **LRB-2020-10**
Planning Application –19/01734/FLL – Erection of a place of worship (class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns – Perth Gospel Trust

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a place of worship (class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns.

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 erection of a place of worship (class 10) and associated works, land 30 metres east of Castle Wynd, Kinfauns Holdings, West Kinfauns, be refused for the following reasons:

1. The proposal is contrary to Policy 14A, Open Space Retention and Provision: Existing Areas, of the Perth and Kinross Local Development Plan 2 (2019), as it would result in built development on a significant part of an area that is designated as open space of amenity value. The impact of the development would change the open character of the land and have an adverse impact on visual amenity that would lead to an erosion of the landscape buffer between the A90 Trunk Road and the built development at Kinfauns.
2. The proposal is contrary to Policy 39, Landscape, category (b), of the Perth and Kinross Local Development Plan 2 (2019), as it would detract from the open aspect and views from the site to Kinnoull Hill that contributes to the setting and in particular the entrance to Kinfauns settlement.
3. The proposal is contrary to Policy 60B, Transport Standards and Accessibility Requirements: New Development Proposals, of the Perth and Kinross Local Development Plan 2 (2019), as it would locate a development in a location where it would be dependent on access by private car and would not reduce travel demand by car as required by Policy 60B.

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 Purves dissented from the majority decision. He considered that the scale of the proposal was in keeping with the surrounding area, use of part the open space was not at a scale that was excessive, and the proposal would not detract from the setting of Kinnoull Hill. Therefore, he considered that the proposal did accord with Local Development Plan Policies and the Appointed Officers decision should be overturned and the Application for Review should be granted.

(iii) LRB-2020-11

Planning Application – 19/01870/FLL – Erection of a dwellinghouse and garage, land 40 metres south west of Gateside Cottage, Forteviot – Mr and Mrs I Mitchell

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, land 40 metres south west of Gateside Cottage, Forteviot.

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 and garage, land 40 metres south west of Gateside Cottage, Forteviot, be granted subject to:
 - 1. The prior submission of the appropriate contributions regarding education and transport infrastructure or completion of a suitable legal agreement; and
 - 2. The imposition of relevant terms, conditions including finishing materials with regards to natural slate roofing, drainage, the suspension of permitted development rights, and informatives on water supply and the wood burning stove.

Justification

Whilst accepting that the proposal was contrary to Policy 50 of the Local Development Plan, it was considered that this deviation from policy, and by extension the proposal, was justified as the proposal was considered to accord with Local Development Plan Policies 1A, 1B, 19 and 39.

Note: Councillor Anderson dissented from the majority decision. Whilst he considered that the proposal would extend an existing Building Group, he did not consider that the proposal was in accord with other policies of the Local Development Plan, and therefore considered that the Appointed Officer's decision should be upheld and the Application for Review refused.