

PERTH AND KINROSS COUNCIL
LOCAL REVIEW BODY
7 JANUARY 2020

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 7 January 2020 at 10.30am.

Present: Councillors H Anderson, R Watters 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: C Brien and M Willis (Corporate and Democratic Services); members of the public, including agents and an applicant.

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 10 December 2019 (Arts. 611-613/19) was submitted and noted.

3. APPLICATION FOR REVIEW

- (i) **TCP/11/16(619)
Planning Application – 19/01129/IPL – Erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank – L Scammacca and A Harley**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank.

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.

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Thereafter, resolved by unanimous decision that:

- (ii) the Review application for erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank, 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 2019, and the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
 2. The proposal is contrary to Policy 1B 'Placemaking', criterion (a), of the Perth and Kinross Local Development Plan 2019, as the proposal fails to create a sense of identity and erodes the character of the countryside.
 3. The proposal is contrary to Policy 1B 'Placemaking', criterion (b), of the Perth and Kinross Local Development Plan 2019, as the siting of dwellinghouse would erode and dilute the area's landscape character.
 4. The proposal is contrary to Policy 39 'Managing Future Landscape Change to Conserve and Enhance the Diversity of the Area's Landscape', criterion (a), of the Perth and Kinross Local Development Plan 2019, as the loss of agricultural land to a residential use in this rural location will erode the local distinctiveness, diversity and quality of Perth and Kinross's landscape character whilst being of detriment to the visual and scenic qualities of the landscape.

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) **TCP/11/16(620)**
Planning Application – 19/00826/FLL – Erection of a dwellinghouse and garage, land 30 metres south east of Croit Oran, Carnbo – Mr G and Dr E Menzies

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 30 metres south east of Croit Oran, Carnbo.

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.

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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 and garage, land 30 metres south east of Croit Oran, Carnbo, 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, as the proposal does not respect its environs, criterion (a), and will not improve the character or environment of the area or village, criterion (c).
 - 2. The proposal is contrary to criterion within Policy 1A of the Perth and Kinross Local Development Plan 2 2019, as the development does not contribute positively to the quality of the surrounding built environment, fails to respect the character and amenity of the area and has an adverse impact on the visual amenity of the area due to an inappropriate siting, density and design.
 - 3. The proposal is contrary to criterion within Policy 1B of the Perth and Kinross Local Development Plan 2 2019, as the dwelling does not create a sense of identity as it would erode the street structure, criterion (a), does not respect site topography, criterion (b). The design and density does not compliment the surroundings, criterion (c). The dwellings orientation and position also does not reinforce the street and does not respect the building line, contrary to criterion d.

Justification

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

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