

## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held virtually via Microsoft Teams on Tuesday 21 July 2020 at 11.00am.

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: A Brown, A Taylor, B Parker and C Wright (all Corporate and Democratic Services).

Councillor H Anderson, Convener, Presiding.

### 1. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2. MINUTES

The minute of meeting of the Local Review Body of 3 March 2020 was submitted and noted.

THE COMMITTEE UNANIMOUSLY AGREED TO VARY TO ORDER OF BUSINESS AT THIS POINT.

### 3. APPLICATIONS FOR REVIEW

- (i) **LRB-2020-01**  
**Planning Application – 19/01249/FLL – Erection of a dwellinghouse, land 15 metres north Leapark, Kenmore Street, Aberfeldy – Mr and Mrs R Morris**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse, land 15 metres north Leapark, Kenmore Street, Aberfeldy.

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, land 15 metres north Leapark, Kenmore Street, Aberfeldy, be refused for the following reasons:
  - 1. The proposal is contrary to Policy 28A, 'Conservation Areas and New Development', of the Perth and Kinross Local Development Plan 2 (2019), as the proposed development would not preserve or enhance the character or appearance of the Conservation Area and would set an unwelcome precedent for further similar developments.
  - 2. The proposal is contrary to Policy 1, 'Placemaking' of the adopted Perth and Kinross Local Development Plan 2 (2019) as the proposed development would not contribute positively to the quality of the surrounding area in terms of character or amenity.
  - 3. The proposal is contrary to Policy 17, 'Residential Areas', of the Perth and Kinross Local Development Plan 2 (2019), as the proposed development represents overdevelopment of the site, which would have a detrimental impact on the amenity of the neighbouring properties at Leapark and Hartley. The proposals would also not respect or improve the character or environment of the area.

**(ii) LRB-2020-02**

**Planning Application – Review of Conditions 3, 4, 5 and 7 attached to planning consent 19/01510/FLL – Erection of a dwellinghouse, garage and retaining wall (in part retrospect), former Council Officers, Newton Terrace, Blairgowrie – Mr R Halhead**

Members considered a Notice of Review seeking a review of Conditions 3, 4, 5 and 7 attached to planning consent 19/01510/FLL – Erection of a dwellinghouse, garage and retaining wall (in part retrospect), former Council Officers, Newton Terrace, Blairgowrie.

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 applicant to provide a copy of the properties title deed.
- (iii) An unaccompanied site visit be carried out.
- (iv) Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body.

(iii) **LRB-2020-03**

**Planning Application – 19/01412/FLL – Erection of a marquee, siting of storage containers to provide entertainment venue/restaurant/bar and siting of toilet blocks for a temporary period, Gateway Visitor Centre, Old School, Blair Atholl, Pitlochry– D McKenzie and S Judd T/A Food in the Park**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a marquee, siting of storage containers to provide entertainment venue/restaurant/bar and siting of toilet blocks for a temporary period, Gateway Visitor Centre, Old School, Blair Atholl, Pitlochry.

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 the erection of a, marquee, siting of storage containers to provide entertainment venue/restaurant/bar and siting of toilet blocks for a temporary period, Gateway Visitor Centre, Old School, Blair Atholl, Pitlochry be granted temporary consent until October 2022 subject to:

1. The imposition of relevant terms, conditions and informatives, including a) conditions regarding live entertainment ceasing by 11pm ( Fridays and Saturdays) and 10 pm( Sundays); and an informative regarding appropriate noise levels following consultation with the Council's Environmental Health Service; and b) an informative indicating that, while consent was being granted for a second two year period, this was solely to enable the applicants an opportunity to pursue and secure suitable permanent accommodation for this enterprise.

**Justification**

Whilst accepting that the proposal did not accord with the Perth and Kinross Local Development Plan 2 (2019), members considered the economic benefit of the proposal, with the imposition of appropriate terms, conditions and informatives, provided appropriate justification to depart from the Plan, in order to allow the applicant a further period in which to explore options for the provision of a permanent accommodation which is capable of addressing the related noise control considerations in a satisfactory manner.