

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
20 AUGUST 2019

## **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 20 August 2019 at 10.30am.

Present: Councillors L Simpson (excluding Art. 383(i)), H Anderson (up to and including Art. 383(i)), T Gray 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: P Beer (Housing and Environment); M Terava (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **381. DECLARATIONS OF INTEREST**

Councillor L Simpson declared an interest in Art. .

### **382. MINUTES**

The minute of meeting of the Local Review Body of 23 July 2019 (Arts. 374-376) was submitted and noted.

HAVING DECLARED A NON-FINANCIAL INTEREST IN ART 383(i), COUNCILLOR SIMPSON LEFT THE ROOM.

COUNCILLOR WILSON TOOK THE CHAIR.

### **383. APPLICATION FOR REVIEW**

- (i) **TCP/11/16(610)**  
**Planning Application – 19/00205/IPL – Erection of a dwellinghouse (in principle), land 20 metres east of Bellvue Cottage, Oakbank Road, Guildtown – Mr McLuckie and Ms Borley**

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 20 metres east of Bellvue Cottage, Oakbank Road, Guildtown.

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

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
20 AUGUST 2019

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 20 metres east of Bellvue Cottage, Oakbank Road, Guildtown, be granted subject to:
  - 1. The imposition of relevant terms, conditions and informatives, including conditions regarding SUDS, developer contributions and landscaping on site boundaries based on the previous decision notice reference 16/01964/IPL.

COUNCILLOR SIMPSON RETURNED TO THE MEETING AT THIS POINT AND TOOK THE CHAIR. COUNCILLOR ANDERSON LEFT THE MEETING AT THIS POINT.

**384. DEFERRED APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(596)**  
**Planning Application – 18/01656/FLL – Erection of a wind turbine and ancillary equipment, Aviva Headquarters, Pitheavlis, Perth – Aviva**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a wind turbine and ancillary equipment, Aviva Headquarters, Pitheavlis, Perth.

The Planning Adviser described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 28 May 2019, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure; (ii) the applicant be invited to submit information on noise impact in response to the comments of the Council's Environmental Health Officer; (iii) the applicant be invited to submit information on shadow flicker impact in response to the comments of the Council's Environmental Health Officer; and (iv) following the receipt of any or all further information, the application be brought back to the Local Review Body. With all further information having been received the Local Review Body reconvened.

**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

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
20 AUGUST 2019

was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision and for different reasons that:

- (ii) the Review application for the erection of a wind turbine and ancillary equipment, Aviva Headquarters, Pitheavlis, Perth, the application be referred to the Scottish Ministers indicating that the PKLRB was minded to grant conditional consent for the proposal contrary to the objection received from Historic Environment Scotland

**Note:** Councillor Simpson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and the erection of wind turbine and ancillary equipment be refused. In his opinion, whilst commending the environmental credentials of the proposal, the proposal did not comply with the Development Plan, and there was not sufficient justification to depart from the Development Plan and related guidance.

~~~~~