

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of Meeting of the Perth and Kinross Local Review Body held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Tuesday 1 March 2011 at 10.00am.

Present: Councillors B Band, M Lyle and W Lumsden.

In Attendance: D Harrison (Planning Adviser); G Fogg (Legal Adviser); and Y Oliver (Chief Executive's Service).

Also Attending: Members of the public, including agents and applicants and N Brian and J Williamson (both The Environment Service)

Councillor B Band, Convener, Presiding.

116. DECLARATIONS OF INTEREST

There were no declarations of interest in terms of the Councillors' Code of Conduct.

In terms of Standing Order 15, the Committee unanimously agreed to vary the order of business.

117. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(79)
Planning Application 10/01383/IPL - Erection of single dwellinghouse (in principle) at land south east of Woodend of Garvock, Dunning – Mr G Arthur**

Members considered a Notice of Review submitted by the applicant's agents, James Barr Ltd, seeking a review of a decision by the Appointed Officer of the Council to refuse planning permission for the erection of a single dwellinghouse (in principle) at land south east of Woodend of Garvock, Dunning.

D Harrison displayed photographs of the site in question, described the request by the applicant's agent, the reasons for the Appointed Officer's decision to refuse planning permission and the grounds for 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;
- (ii) the Appointed Officer's decision be upheld, and the application for the erection of a single dwellinghouse (in principle) at land

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south east of Woodend of Garvock, Dunning be refused, for the reasons previously applied by the Development Quality Manager.

- (ii) **TCP/11/16(78)**
Planning Application 10/00950/FLL – Demolish existing structurally unsound extension and erect replacement, thereby supporting existing building and disguise outward signs of subsidence at 6 Wilson Street, Perth, PH2 0EX – Mr R Cameron

Members considered a Notice of Review, submitted by the applicant, Mr R Cameron, seeking a review of the decision by the Appointed Officer to refuse permission to demolish the existing structurally unsound extension and erect a replacement, thereby supporting the existing building and disguise outward signs of subsidence at 6 Wilson Street, Perth, PH2 0EX.

D Harrison displayed photographs of the site in question, described the request by the applicant, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

As a preliminary matter, the applicant claimed that a drawing which had been placed before the Local Review Body had been superseded by an amended drawing prior to the Appointed Officer's determination. Whilst the amended drawing which he had produced to the Clerk on 28 February 2011 was dated November 2010, which is to say, after the Appointed Officer's determination, he maintained that it was an accurate reflection of the amended proposal as considered by the Appointed Officer.

Decision:

Resolved by unanimous decision that:
following a request from Mr N Brian, Development Quality Manager, the application be deferred to a future meeting of the Local Review Body, for clarification of the drawings to be considered with the review application.

- (iii) **TCP/11/16(81)**
Planning Application 10/00968/FLL – Demolition of cottage and erection of 8 care cottages, 8 care apartments, 2 garages and formation of road and associated parking at Stonefield, Golf Course Road, Blairgowrie, PH10 6LJ – Argus Construction

Members considered a Notice of Review submitted by the applicant's agents, Yeoman McAllister Architects, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the demolition of cottage and erection of 8 care cottages, 8 care apartments, 2 garages and formation of road and associated parking at Stonefield, Golf Course Road, Blairgowrie, PH10 6LJ.

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D Harrison displayed photographs of the site in question, described the request by the applicant's agents, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) there was insufficient information before the Local Review Body to decide the matter without further procedure;
- (ii) an unaccompanied site visit be arranged;
- (iii) following the site visit, the application be brought back to a future meeting of the Local Review Body.

(iv) TCP/11/16(82)

Planning Application 10/01022/FLL – Erection of dwellinghouse, Pathgreen Farm, Path of Condie, PH2 9DW – Colorado Homes

Members considered a Notice of Review submitted by the applicant's agents, Muir Smith Evans, Planning & Development Consultants, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of a dwellinghouse at Pathgreen Farm, Path of Condie, PH2 9DW.

D Harrison displayed photographs of the site in question, described the request by the applicant's agents, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

Decision:

Resolved that:

- (i) by unanimous decision, having regard to the information available, sufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) by majority decision, the Appointed Officer's decision be upheld and the application for the erection of a dwellinghouse at Pathgreen Farm, Path of Condie, PH2 9DW be refused, for the reasons specified by the Appointed Officer.

Councillor W Lumsden, whilst agreeing with the resolution that the Appointed Officer's decision should be upheld and the application for the erection of the dwellinghouse be refused, refused the application on the basis of Reason 1 (noise mitigation); Reason 2 (curtillage of listed building); and Reason 5 (intrusive and conspicuous development establishing precedent for further development) only and not Reason 3 and Reason 4 (Local Plan Policy 32 and Supplementary Guidance re Housing in the Countryside, respectively, both with reference to building group).

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(v) **TCP/11/16(83) – Planning Application 10/01272/FLL – Erection of 2- storey Detached House and Demolition of Redundant Steading Building at Westburn Steading, Whitemoss Road, Dunning – Mr and Mrs R Taylor**

Members considered a Notice of Review submitted by the applicants' agent, Mr A Smith, Planning Consultant, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of a 2-storey Detached House and Demolition of Redundant Steading Building at Westburn Steading, Whitemoss Road, Dunning, PH2 0QY.

D Harrison displayed photographs of the site in question, described the request by the applicants' agent, the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

Decision:

Resolved by unanimous decision that:

- (i) having regard to the information available, sufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) the Appointed Officer's decision be upheld and the application for the erection of a 2-storey Detached House and Demolition of Redundant Steading Building at Westburn Steading, Whitemoss Road, Dunning, PH2 0QY be refused, for the reasons specified by the Appointed Officer.

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