

## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of Special Meeting of the Perth and Kinross Local Review Body held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Friday 28 January 2011 at 10 am.

Present: Councillors B Band, M Lyle (except for Art. 46(i)); W Lumsden and L Caddell (Art 46(i) only).

In Attendance: M Stewart (Planning Adviser); G Fogg (Legal Adviser); N Brian, J Williamson, M Williamson, R Stewart (all The Environment Service) and Y Oliver (Chief Executive's Service).

Also Attending: Members of the public, including agents and applicants.

Councillor B Band, Convener, Presiding.

### 45. DECLARATIONS OF INTEREST

Councillor M Lyle declared a non-financial interest in Art. 46(i) in terms of the Councillors' Code of Conduct.

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

### 46. APPLICATIONS FOR REVIEW

Councillor M Lyle, having declared a non-financial interest in the following application, left the Chambers at this point and took no part in the discussion and decision thereof.

#### (i) TCP/11/16(80)

#### **Planning Application 10/01224/FLL – Installation of 2 225kw ACSA wind turbines at Dunduff House, Braco Castle Farm, Braco, FK15 9LA – Mr N Muir**

Members considered a Notice of Review submitted by the applicant's agents, Maple Leaf Architecture Ltd, seeking a review of a decision by the Appointed Officer of the Council to refuse planning permission for the installation of 2 225kw ACSA wind turbines at Dunduff House, Braco Castle Farm, Braco, FK15 9LA.

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

PERTH AND KINROSS COUNCIL  
SPECIAL LOCAL REVIEW BODY  
28 January 2011

**Decision:**

Resolved that:

- (i) there was insufficient information before the Local Review Body to decide the matter without further procedure;
- (ii) further information be requested from the applicant with regard to visual impact, in particular a zone of theoretical visibility map for a 15km radius with wireline drawings and/or photomontages;
- (iii) an unaccompanied site visit be arranged;
- (iv) a Hearing be convened to address the issue of visual impact.

Councillor L Caddell left the Chambers at this point and took no further part in the proceedings.

Councillor M Lyle entered the Chambers at this point.

**(ii) TCP/11/16(77)**

**Planning Application 10/01092/FLL – Erection of Funeral Operations Centre at Queich Place, Kinross, KY13 8DF – Stewart Funeral Directors Ltd**

Members considered a Notice of Review, submitted by the applicants, following non-determination of a planning application for the erection of a Funeral Operations Centre at Queich Place, Kinross, KY13 8DF. The Report of Handling, prepared following receipt of the Notice of Review, recommended refusal.

M Stewart displayed photographs of the site in question, described the request by the applicants, the reasons for the Appointed Officer's view that the application should be refused and the grounds for the Notice of Review. A response to the Report of Handling, dated 24 January 2011, was submitted by the applicant.

**Decision:**

Resolved that:

- (i) having regard to the information available, sufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) by unanimous decision, the Appointed Officer's recommendation in the Report of Handling be accepted and the application for the erection of a Funeral Operations Centre at Queich Place, Kinross, KY13 8DF be refused, for the reasons specified by the Appointed Officer.

PERTH AND KINROSS COUNCIL  
SPECIAL LOCAL REVIEW BODY  
28 January 2011

(iii) TCP/11/16(73)

**Planning Application 10/01000/FLL – Review of Conditions 1 and 2 imposed on planning application 10/01000/FLL for change of use from agricultural building to vaulting arena (in retrospect) and extension to form ancillary storage at land 20 metres north of Hillside House, Milnathort, KY13 3NR – Mrs E Mackay**

Members considered a Notice of Review submitted by the applicant's agents, Hendersons Chartered Surveyors, seeking a review of the decision by the Appointed Officer of the Council to impose Conditions 1 and 2 on planning application 10/01000/FLL for change of use from agricultural building to vaulting arena (in retrospect) and extension to form ancillary storage at land 20 metres north of Hillside House, Milnathort, KY13 3NR.

M Stewart 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) there was insufficient information before the Local Review Body to decide the matter without further procedure;
- (ii) further information be requested from the Planning Service with regard to the Roads Authority's views on the proposal as the applicant was apparently unable to comply with the relevant conditions due to access not being within the applicant's control;
- (iii) following receipt of further information, the application be brought back to a future meeting of the Local Review Body.

(iv) TCP/11/16(74)

**Planning Application 10/01408/FLL – Erection of a dwellinghouse at Gairney Bridge Farm Cottage, Gairneybridge, Kinross, KY13 9JZ – Mr T King**

Members considered a Notice of Review submitted by the applicant's agents, John Gordon Associates Ltd, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of a dwellinghouse at Gairney Bridge Farm Cottage, Gairneybridge, Kinross, KY13 9JZ..

PERTH AND KINROSS COUNCIL  
SPECIAL LOCAL REVIEW BODY  
28 January 2011

M Stewart 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) having regard to the information available, sufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) by unanimous decision, the Appointed Officer's decision be upheld and the application for the erection of a dwellinghouse at Gairney Bridge Farm Cottage, Gairneybridge, Kinross, KY13 9JZ be refused, for the reasons specified by the Appointed Officer.

**(v) TCP/11/16(75)**

**Planning Application 10/01376/FLL – Alterations, extension and conversion of storage building to form dwellinghouse at site 20 metres south west of Gilfillan Court, Commercial Lane, Comrie – McKenzie Properties**

Members considered a Notice of Review submitted by the applicants' agents, BDA Design, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for alterations, extension and conversion of storage building to form dwellinghouse at site 20 metres south west of Gilfillan Court, Commercial Lane, Comrie.

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

**Decision:**

Resolved that:

- (i) there was insufficient information before the Local Review Body to decide the matter without further procedure;
- (ii) Planning Officers be requested to consider the Flood Risk Assessment and provide a response in writing to the Local Review Body;
- (iii) following receipt of further information, the application be brought back to a future meeting of the Local Review Body.

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