

## 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 5 July 2011 at 10.00am.

Present: Councillors M Lyle, B Band and I Campbell.

In Attendance: M Stewart (Planning Adviser); C Elliott (Legal Adviser) and Y Oliver (both Chief Executive's Service).

Also Attending: Members of the public, including agents and applicants and G Taylor (Head of Democratic Services).

Councillor M Lyle, Convener, Presiding.

### 405. DECLARATIONS OF INTEREST

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

### 406. MINUTE OF PREVIOUS MEETING

The Minute of meeting of the Local Review Body of 31 May 2011 was submitted and noted.

### 407. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(105)  
Planning Application 11/00096/FLL – Extension to existing dwelling at Rowan Cottage, Crieff, PH7 4JH – Mr and Mrs Anderson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for an extension to existing dwelling at Rowan Cottage, Crieff, PH7 4JH.

The Planning Adviser displayed photographs of the site in question, described the proposal, 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 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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- (ii) the Appointed Officer's decision be overturned and the application for an extension to existing dwelling at Rowan Cottage, Crieff, PH7 4JH be approved, subject to the imposition of appropriate conditions.

**Justification**

The proposal is not contrary to Policies 1, 2, 5, 7, 27 and 66 of the Strathearn Area Local Plan 2011 and is in accordance with the Development Plan.

- (ii) **TCP/11/16(108)**  
**Planning Application 11/00074/FLL – Review of Condition 2 on planning permission for formation of car park (in retrospect) and provision of security CCTV cameras at land 10 metres west of Rutherford Court, St Andrews Street, Perth – L W Haddow**

Members considered a Notice of Review seeking a review of Condition 2 on planning permission for formation of car park (in retrospect) and provision of security CCTV cameras at land 10 metres west of Rutherford Court, St Andrews Street, Perth.

The Planning Adviser displayed photographs of the site in question, described the proposal, 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.

**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 overturned and Condition 2 on planning permission for formation of car park (in retrospect) and provision of security CCTV cameras at land 10 metres west of Rutherford Court, St Andrews Street, Perth be removed.

**Justification**

The proposal is not contrary to Policies 14 and 41 of the Perth Central Area Local Plan 1995 and is in accordance with the Development Plan.

- (iii) **TCP/11/16(111)**  
**Planning Application 11/00357/FLL – Erection of replacement dwellinghouse at Damside Cottage, Auchterarder, PH3 1EU – Mrs L Steele**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of replacement dwellinghouse at Damside Cottage, Auchterarder, PH3 1EU.

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The Planning Adviser 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:**

Agreed by unanimous decision that, having regard to the information available, sufficient information was before the Local Review Body to determine the matter without further procedure.

Resolved by majority that:

the Appointed Officer's decision be upheld, and the application for the erection of replacement dwellinghouse at Damside Cottage, Auchterarder, PH3 1EU be refused, for the reasons previously applied, namely:

1. The proposal is contrary to Policy 54 of the Strathearn Area Local Plan as it cannot fully comply with the requirements of category (b) Renovation or Replacement of Houses and it does not satisfy any of the other accepted categories of the policy.
2. The proposal is contrary to the Council's policy on Housing in the Countryside (August 2009) as it cannot fully comply with the requirements of category (4) Renovation or Replacement of Houses and it does not satisfy any other of other accepted categories of the policy.
3. The proposed development in such close proximity to the house recently approved under planning consent 11/00356/FLL would detrimentally affect the residential and visual amenity of this adjoining property.

**Note:** Councillor I Campbell considered that the Appointed Officer's decision should only be upheld insofar as relating to ground of refusal 3. The proposal was not contrary to the Strathearn Local Plan, Policy 54 nor the Housing in the Countryside Policy (August 2009).

**(iv) TCP/11/16(113)  
Planning Application 10/01738/FLL – Erection of dwellinghouse in garden ground at 59 Station Road, Invergowrie, DD2 5AP – Mr S Cohen**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of a dwellinghouse in garden ground at 59 Station Road, Invergowrie, DD2 5AP.

Mr M Stewart, Planning Adviser, displayed photographs of the site, stated the reasons for the Appointed Officer's refusal of the application and the grounds for 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, 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 dwellinghouse in garden ground at 59 Station Road, Invergowrie, DD2 5AP be refused, for the reasons previously applied, namely:  
The proposal, by virtue of the site's narrow width, will have an adverse impact on the density and character of the area, whilst not achieving a satisfactory level of separation between the proposed new dwelling and the existing dwelling, is contrary to Policy 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No 1, Housing Land 2000), which seeks to ensure the character, density and amenity of existing areas are not adversely affected by new developments.

- (v) **TCP/11/16(115)**  
**Planning Application 10/01884/FLL – Alterations to install security shutters at 8 Leslie Street, Blairgowrie – L McConnell**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer of the Council to refuse permission for alterations to install security shutters at 8 Leslie Street, Blairgowrie, PH10 6AH.

Mr M Stewart, Planning Adviser, displayed photographs of the site, stated the reasons for the Appointed Officer's refusal of the application and the grounds for the Notice of Review.

FOLLOWING A SHORT ADJOURNMENT, THE LOCAL REVIEW BODY RECONVENED.

**Decision:**

Agreed by unanimous decision that, having regard to the material before the Local Review Body, sufficient information was before the Local Review Body to determine the matter without further procedure.

Resolved by majority decision that:

The Appointed Officer's decision be upheld, and the application for alterations to install shutters at 8 Leslie Street, Blairgowrie, PH10 6AH be refused, for the reason previously applied, namely:

The proposal is considered to have a detrimental visual impact on the character and amenity of the applicant's property, adjacent listed buildings and the Blairgowrie Conservation Area. Approval would therefore be contrary to both Policies 23 and 59 of the Eastern Area Local Plan; ERP 8 of the Structure Plan, as well as Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998).

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**Note:** Councillor B Band proposed that temporary consent be granted for two years to allow the applicant to modify the external appearance by removal of the external box and shutters.

**408. DEFERRED APPLICATIONS FOR REVIEW**

**Accompanied Site Visit**

- (i) **TCP/11/16(98)**  
**Planning Application 10/00551/FLL – Alterations and extension to form additional accommodation and storage area at Viewlands House, 25 Viewlands Road, Perth, PH1 1BL – Abbeyfield Perth Society Ltd**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer of the Council to refuse permission for alterations and extension to form additional accommodation and storage area at Viewlands House, 25 Viewlands Road, Perth, PH1 1BL.

It was noted that, at its meeting on 31 May 2011, the Local Review Body resolved that:

- (i) there was insufficient information before the Local Review Body to determine the matter without further procedure;
- (ii) an accompanied site visit be arranged, to which the applicant, interested parties, planning adviser and Appointed Officer be invited.

**Decision:**

Agreed by unanimous decision that, having regard to the material before the Local Review Body, and to their own assessment from their attendance at the site visit on 4 July 2011 sufficient information was before the Local Review Body to determine the matter without further procedure.

Resolved by majority decision that:

the Appointed Officer's decision be upheld, and the application for alterations and extension to form additional accommodation and storage area at Viewlands House, 25 Viewlands Road, Perth, PH1 1BL be refused, for the reason previously applied, namely:

The proposed extension by reason of its scale, form, location and elevational design would be detrimental to the setting of the adjacent listed building. Approval would therefore be contrary to Policy 59 of the Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000.

**Note:** Councillor B Band proposed that the Notice of Review be upheld and considered that the proposal was not contrary to Policy 59 of the Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000 in that the proposed extension would not be

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detrimental to the setting of the adjacent listed building and the general appearance of the elevation would be much improved.

**Unaccompanied Site Visit**

- (ii) **TCP/11/16(102)**  
**Planning Application 10/01960/FLL – Erection of two new dwellings and garages at Davidsfold, North Ardbennie, Madderty, PH7 3PT – Mr J Henderson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of two new dwellings and garages at Davidsfold, North Ardbennie, Madderty, PH7 3PT.

It was noted that, at its meeting on 31 May 2011, the Local Review Body resolved 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.

**Decision:**

Agreed by unanimous decision that:

- (i) having regard to the information available and to their own assessment from their attendance at the site visit on 4 July 2011, sufficient information was before the Local Review Body to determine the matter without further procedure;
- (i) the Appointed Officer's decision be upheld, and the application for the erection of two new dwellings and garages at Davidsfold, North Ardbennie, Madderty, PH7 3PT be refused, for the reasons previously applied, namely:
  - 1. The proposal is contrary to Policy 44 of the Strathearn Area Local Plan 2001 as it consists of the erection of a dwelling outwith the settlement boundaries contained within the Local Plan.
  - 2. The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 as it does not meet any of the categories (a) Building Group (b) Renovation or Replacement (c) Conversions or (d) Operational Need.
  - 3. The proposal is contrary to the Council's policy on Housing in the Countryside (2009) as it does not satisfy any of the accepted categories (1) Building Groups (2) Infill sites (3) New Houses in the Open Countryside (4) Renovation or Replacement of Houses (5) Conversion or Replacement of Non-Domestic Buildings and (6) Brownfield Sites.
  - 4. The proposal would result in a visually intrusive, conspicuous development and would further establish a

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precedent for developments of a similar nature to the detriment of the overall character of the area which would undermine and weaken the established policies of the Strathearn Area Local Plan 2001 and supplementary Council planning policy.

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