

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 6 April 2010 at 10.00am.

Present: Councillors M Lyle, W Wilson and I Campbell.

In Attendance: M Stewart (Independent Planning Adviser); C Brien (The Environment Service); C Elliott (Legal Adviser); M Kay and Y Oliver (all Chief Executive's Service).

Also Attending: 15 members of the public, including applicants.

Councillor M Lyle, Vice-Convener, Presiding.

197. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

198. MINUTE OF PREVIOUS MEETING

It was noted that the Minute of Meeting of the Local Review Body of 16 March 2010 would be submitted with the papers for the next Local Review Body meeting, being held on Tuesday 11 May 2010.

199. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(14)
Planning Application 09/01688/FLL – Attic Conversion to form 2 bedrooms and bathroom at 12 Duff Avenue, Moulin – Mr S Williamson**

There was considered a Notice of Review submitted by the applicants' agent, Bidwells, seeking a review of the decision by the Appointed Officer of the Council to refuse permission for an attic conversion to form two bedrooms and bathroom at 12 Duff Avenue, Moulin.

Mr M Stewart displayed photographs of the site in question, and described the proposal, 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 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) by unanimous decision, the Appointed Officer's decision be upheld, the application for the attic conversion to form two bedrooms and bathroom at 12 Duff Avenue, Moulin be refused, for the reasons previously applied by the Development Quality Manager.

**(ii) TCP/11/16(15)
Planning Application 09/00436/FLL – Erection of a dwellinghouse on land east of Ruthven Yard, Abbey Road, Auchterarder – Mr and Mrs A MacPherson**

There was considered a Notice of Review submitted by the applicants seeking a review of the decision by the Appointed Officer of the Council to refuse permission for the erection of a dwellinghouse at Abbey Road, Auchterarder.

Mr M Stewart displayed photographs of the site in question, and described the proposed development, 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 and therefore the matter was not further discussed and was duly referred to a future meeting of the Local Review Body.
- (ii) a site visit be arranged to be attended by the three Members constituting the meeting of the Local Review Body at which the application will be heard.

**(iii) TCP/11/16(16)
Planning Application 09/01582/FLL – Alteration to garage/stable/byre to form a dwellinghouse at Glenquey Reservoir, Glendevon, Dollar – Mr G and Mr C Livingstone**

There was considered a Notice of Review submitted by the applicants seeking a review of the decision by the Appointed Officer of the Council to refuse permission for alterations to garage/stable/byre to form a dwellinghouse at Glenquey Reservoir, Glendevon, Dollar.

Mr M Stewart displayed photographs of the site in question, and described the request by the applicants, 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 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) on a majority decision, the decision of the Appointed Officer be overturned and the application for alterations to garage/stable/byre to form a dwellinghouse be approved, the drafting of conditions, agreements and any other matters being delegated to the Planning and Legal Advisers. The decision was on the basis that the proposal met the criteria of the Strathearn Local Plan, Policy 54; and the Housing in the Countryside Policy 2009.

(iv) TCP/11/16(18)

Planning Application 09/01795/FLL – Erection of 15m high wind turbine at Abbey Farm, Madderty, Crieff – Thomas Clark

There was considered a Notice of Review submitted by the applicants seeking a review of the decision by the Appointed Officer of the Council to refuse permission for erection of a 15 metre high wind turbine at Abbey Farm, Madderty, Crieff.

Mr M Stewart displayed photographs of the site in question, and described the request by the applicants, 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, and therefore the matter was not further discussed and was duly referred to a future meeting of the Local Review Body.
- (ii) a site visit be arranged to be attended by the three Members constituting the meeting of the Local Review Body at which the application will be heard.
- (iii) a Hearing be convened to:
 - (i) consider the visual impact of the proposal; and
 - (ii) allow for further discussion on the extent of possible felling.

200. HEARING

(i) Procedure to be used for Hearings

There was noted Perth and Kinross Local Review Body Hearing Rules, which had been issued to the applicant and all interested parties in connection with the following applications (Arts. 200(ii) and (iii)).

(ii) TCP/11/16(7)
Planning Application 09/01266/FLL – Removal of Restrictive Occupancy Condition (Condition 3 planning consent 08/00596/FUL) on land east of Rustic Lodge, Keltneyburn – Mr and Mrs D Shearer

It was noted that, at its meeting on Tuesday 16 February 2010, the Local Review Body agreed that: (1) a Hearing be convened for the purposes of further consideration being given to the Housing in the Countryside Policy 2005, and clarification of the Housing in the Countryside Policy 2009; and (2) arrangement of a site visit, to be attended by the three Members (plus reserve) constituting the meeting of the Local Review Body due to take place on 16 March 2010. (The Notice of Review was subsequently placed on the agenda for 6 April 2010).

The Local Review Body heard submissions from Alexander Smith, Applicant's Agent, and from the Appointed Officer and had regard to their own assessment from attendance at the site visit.

Decision:

Resolved that:

- (i) on a majority decision, the decision of the Appointed Officer be overturned and application for the removal of restrictive occupancy condition (Condition 3 of Planning Consent 08/00596/FUL) on land east of Rustic Lodge, Keltneyburn, be approved. The decision was on the basis that the proposal met the criteria of the Highland Area Local Plan 2000, Policy 54 and the Housing in the Countryside Policy 2005.

(iii) TCP/11/16(10)
Planning Application 09/01453/IPL – Demolition of existing control tower and construction of a newbuild house and hangar of similar scale and design at The Control Tower Muirhouses Farm Grange – P Doe

It was noted that, at its meeting on Tuesday 16 February 2010, the Local Review Body agreed that: (1) a Hearing be convened to consider whether the proposal is contrary to Policy 32 of the Perth Area Local Plan 1995 and the Council's Policy on Housing in the Countryside (December 2005); and (2) a site visit be arranged to be attended by the three Members (plus reserve) constituting the meeting of the Local Review Body due to take place on 16 March 2010. (The Notice of Review was subsequently placed on the agenda for 6 April 2010).

The Local Review Body heard submissions respectively from P Doe, Applicant; L Doe, Interested Party; and from the Appointed Officer, and had regard to their own assessment at the site visit.

Decision:

Resolved that:

- (i) on a majority decision, the decision of the Appointed Officer be upheld and the application for the demolition of existing control tower and construction of new build house and hangar which would be of similar scale and design at The Control Tower, Muirhouses Farm, Errol, be refused for the reasons given in the Development Quality Manager's Decision Notice, dated 30 November 2009.

