

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 16 February 2010 at 10.00am.

Present: Councillors B Band, S Miller and W Lumsden.

In Attendance: M Stewart, Planning Adviser; G Fogg (Legal Adviser); A Wilson and Y Oliver (all Chief Executive's Service).

Also Attending: Councillors M Roberts and B Vaughan and eight members of the public, including applicants.

Councillor B Band, Convener, Presiding.

90. DECLARATIONS OF INTEREST

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

91. MINUTE OF PREVIOUS MEETING

The Minute of meeting of the Local Review Body of 5 January 2010 was submitted and noted, subject to the following amendments:

Page 2: (iii)

In accordance with Scottish Government advice, the words "condition to require" should be deleted and the words "agreement to be entered into with ..." be inserted instead.

Page 4: (iii)

The words "Housing in the Countryside Plan" be deleted.

92. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(4)
Planning Application 08/0149/FLL – Erection of 3 dwellinghouses at Isla Mount, Blairgowrie Road, Coupar Angus – Applicant's Request to Permit Additional Information – Mr and Mrs R Farquharson**

G Fogg, Legal Adviser, advised the Local Review Body that this item was on the agenda to discuss a procedural matter only. He requested that the application be deferred to the next meeting of the Local Review Body, being held on Tuesday 16 March 2010 for (i) the purposes of carrying out a visit to the application site; and (ii) consideration of the request etc. In terms of the current Regulations, a decision to allow this course of action must be made by the Local Review Body.

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Decision:

Agreed that:

- (i) a Hearing be convened to allow the applicant and The Environment Service to make representations on the draft Eastern Area Local Plan.
- (ii) 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 in March.
- (iii) the application be deferred to the next meeting of the Local Review Body for the above reasons.

(ii) TCP/11/16(5)

Planning Application 09/01380/FLL – Extension to dwellinghouse at Primrose Bank, Kinnaird – Mr and Mrs Oswald

Members considered a Notice of Review submitted by the applicants' agent, Mr S Chimiak, seeking a review of the decision by the appointed officer to refuse permission for an extension to a dwellinghouse at Primrose Bank, Kinnaird.

Mr M Stewart, Independent Planning Adviser to the Local Review Body, 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:

Agreed 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 decision of the appointed officer be overturned and the application for an extension to a dwellinghouse at Primrose Bank, Kinnaird, be approved for the following reasons:
 - (a) The proposal by virtue of its scale and design was not out of keeping with the existing pattern of building.
 - (b) The proposal is not contrary to Policy 1 of the Perth Area Local Plan 1995 (incorporating Alteration No. 1, Housing Land 2000) in that sufficient regard has been had to the scale and form of the existing building.
 - (c) The proposal is not contrary to the Scottish Government's "Designing Places" due to the scale, massing and proportions of the extension.
 - (d) The application be subject to conditions etc to be drawn up by the Planning Adviser, in consultation with the Head of Planning, incorporating Perth and Kinross Council's standard conditions.

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(iii) TCP/11/16(6)
Planning Application 09/01455/FLL – Erection of a dwellinghouse and garage at Brantwood Hall, Oliverburn, Perth – Mr M Dagnall

Members considered a Notice of Review submitted by the applicant seeking a review of the decision by the appointed officer to refuse permission for the erection of a dwellinghouse and garage at Brantwood, Oliverburn, Pitroddie, Perth.

Mr M Stewart, Independent Planning Adviser to the Local Review Body, 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:

Agreed 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 erection of a dwellinghouse and garage at Brantwood, Oliverburn, Pitroddie, Perth, be refused, for the reasons previously applied by the Development Quality Manager.

Justification

The proposal is contrary to the development plan and there are no material reasons which justify approving the application.

(iv) TCP/11/16(7)
Planning Application 09/01266/FLL – Removal of restrictive occupancy condition (Condition 3 Planning Consent 08/00596/FUL) at Rustic Lodge, Keltneyburn – Mr and Mrs D Shearer

Members considered a Notice of Review submitted by the applicants' agent, Mr A Smith, seeking a review of the decision by the appointed officer to refuse permission for the removal of restrictive occupancy condition (Condition 3 Planning Consent 08/00596/FUL) at Rustic Lodge, Keltneyburn.

Mr M Stewart, Independent Planning Adviser to the Local Review Body, 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.

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Decision:

Agreed 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 the next meeting of the Local Review Body.
- (ii) a hearing be held at the next meeting of the Local Review Body, due to take place in March, for the purposes of further consideration to be given to the Housing in the Countryside Policy 2005, and clarification of the Housing in the Countryside Policy 2009.
- (iii) a site visit be arranged to be attended by the three Members constituting the meeting of the Local Review Body due to take place in March.

**(v) TCP/11/16(8)
Planning Application 08/02192/FLL – Extension to dwellinghouse
at Cockersfauld, Muckhart Road, Dunning – Mr M L Brambles**

Members considered a Notice of Review submitted by the applicant, seeking a review of the decision by the appointed officer to refuse permission for an extension to dwellinghouse at Cockersfauld, Muckhart Road, Dunning.

Mr M Stewart, Independent Planning Adviser to the Local Review Body, displayed photographs of the site in question and described the proposed development, the locality of the site, the reasons for the appointed officer's refusal of the application and the grounds for the Notice of Review.

Decision:

Agreed 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 the next meeting of the Local Review Body.
- (ii) a hearing be held at the next meeting of the Local Review Body, due to take place in March, to consider the scale and form of the proposed extension with the existing building and whether it would have an unacceptable landscape impact.
- (iii) a site visit be arranged to be attended by the three Members constituting the meeting of the Local Review Body due to take place in March.

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(vi) **TCP/11/16(10)**

Planning Application 09/01453/IPL – Demolition of existing control tower and construction of new build house and hanger which would be of similar scale and design at The Control Tower, Muirhouses Farm, Errol – Mr P Doe

Members considered a Notice of Review submitted by the applicant, seeking a review of the decision by the appointed officer to refuse permission for the demolition of existing control tower and construction of new build house and hanger which would be of similar scale and design at The Control Tower, Muirhouses Farm, Errol.

Mr M Stewart, Independent Planning Adviser to the Local Review Body, displayed photographs of the site in question and described the proposed demolition and development, the locality of the site, the reasons for the appointed officer's refusal of the application and the grounds for the Notice of Review.

Decision:

Agreed 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 the next meeting of the Local Review Body.
- (ii) a hearing be held at the next meeting of the Local Review Body, due to take place in March, 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).
- (iii) a site visit be arranged to be attended by the three Members constituting the meeting of the Local Review Body due to take place in March.

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