

## 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 February 2013 at 10.00am.

Present: Councillors M Lyle, I Campbell and H Anderson.

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

Also Attending: Councillor J Beare, Fife Council, members of the public, including agents and applicants.

Councillor M Lyle, Convener, Presiding.

### 66. DECLARATIONS OF INTEREST

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

### 67. MINUTE OF LAST MEETING

The Minute of meeting of the Local Review Body of 15 January 2013 was submitted and noted.

### 68. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(222)  
Planning Application 12/01808/FLL – Modification of existing consent (12/00596/FLL), change to size and number of rooflights, Wade House, Weem, Aberfeldy, PH15 2LD – Mr S Wagstaff**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the modification of existing consent (12/00596/FLL), change to size and number of rooflights, Wade House, Weem, Aberfeldy, PH15 2LD.

The Planning Adviser 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 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 modification of existing consent (12/00596/FLL), change to size and number of rooflights, Wade House, Weem,

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Aberfeldy, PH15 2LD be refused, for the following amended reasons, namely:

1. The proposed rooflights by reason of their size, numbers and location are out of keeping with the character and visual amenity of the existing building. The proposals are therefore contrary to Polices 28 and 29 (but not contrary to Policies 2, 5 and 99 of the Highland Area Local Plan 2000) in that insufficient regard has been given to the scale and form of the host building; accordingly the development will be visually intrusive and detrimental to the established amenity and character of the host building and surrounding area.
2. The proposals are contrary to the requirements of Section 59 (not Section 14(2)) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which states that the Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

**(ii) TCP/11/16(223)**  
**Planning Application 12/01507/FLL – Alterations and conversion of garage into a house (removal of Condition 3 of 12/00045/FLL) to form independent dwellinghouse and formation of new access) at The Rowans, New Fowlis, Crieff, PH7 3NH – Mr G McOmish**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for alterations and conversion of garage into a house (removal of Condition 3 of 12/00045/FLL) to form independent dwellinghouse and formation of new access) at The Rowans, New Fowlis, Crieff, PH7 3NH.

The Planning Adviser 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 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 alterations and conversion of garage into a house (removal of Condition 3 of 12/00045/FLL to form independent dwellinghouse and formation of new access) at The Rowans, New Fowlis, Crieff, PH7 3NH be refused, for the following reasons, namely:
  1. The proposal is contrary to Strathearn Area Local Plan Policy 2 which, amongst other criteria, requires all development to have regard to the scale, form, colour

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and density of existing development within the locality, thus ensuring the development does not result in a significant loss of amenity to the local community, and that the site should be large enough to accommodate the development satisfactorily in planning terms. The proposal will have a detrimental effect on the amenity of the area by virtue of the form and density of the proposed and resultant plots and the lack of provision of adequate private amenity ground for the resultant plot.

2. The proposal is contrary to Strathearn Area Local Plan 2001 Policy 81: Small Settlements which requires that any small-scale residential development does not adversely affect the density, character or amenity of the settlement and that development accords with the established pattern of development and that the setting and amenity of adjacent properties is respected. The proposed development would detrimentally affect the density, character and amenity of the area; it does not reflect the existing pattern of development of the settlement; and the design and layout does not respect the setting and amenity of adjacent properties.

**(iii) TCP/11/16(224)**  
**Planning Application 12/01353/FLL – Erection of a dwellinghouse on land 1140 metres east of Wester Deuglie Farm, Glenfarg – Mr and Mrs T Esparon**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse on land 1140 metres east of Wester Deuglie Farm, Glenfarg.

The Planning Adviser 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 by unanimous decision that:

- (i) there was insufficient information before the Local Review Body to determine the matter without further procedure;
- (ii) the Development Quality Manager be requested to provide further information to the Local Review Body on the Appointed Officer's assessment of the proposal regarding:
  - (a) the scale, design and massing of the proposed dwellinghouse; and
  - (b) potential for landscaping;
- (iii) the Development Quality Manager's information be forwarded to the applicant who would be given fourteen days in which to respond in accordance with the Local Review body regulations;
- (iv) an unaccompanied site visit be arranged;

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- (v) following the unaccompanied site visit and receipt of the further information and any response from the applicant, the application be brought back to a future meeting of the Local Review Body.

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