

PERTH AND KINROSS COUNCIL
LOCAL REVIEW BODY
7 MARCH 2017

PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chambers, 2 High Street, Perth on Tuesday 4 April 2017 at 10.30am.

Present: Councillors M Lyle, I Campbell and D Cuthbert.

In Attendance: D Harrison (Planning Adviser), G Fogg (Legal Adviser) and H Rheinallt (Committee Officer) (all Corporate and Democratic Services).

Also Attending: C Brien and S Panton (The Environment Service); members of the public, including agents and applicants.

Councillor M Lyle, Convener, Presiding.

196. DECLARATIONS OF INTEREST

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

197. MINUTE

The minute of meeting of the Local Review Body of 7 March 2017 was submitted and noted.

198. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(461) - Planning Application 16/01029/IPL – Erection of a dwellinghouse (in principle) on land 20 metres North of Elmwood, Campmuir – Mrs J Fraser**

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 (in principle) on land 20 metres North of Elmwood, Campmuir.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in 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 Review application for the erection of a dwellinghouse (in principle) on land 20 metres North of Elmwood, Campmuir be refused for the following reasons:

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1. As the site does not have a good landscape framework which is capable of absorbing the proposal, the proposal is contrary to the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the Perth and Kinross Local Development Plan 2014, both of which seek to ensure that new proposals (including those associated with parts 3.3 and 3.4 of the aforementioned Guide) do so into definable sites that are formed by existing topography and/or well established landscape features and which would provide a suitable setting for the proposed dwelling. Furthermore, the proposal contravenes Policy RD3 and Section 1 of the 2012 Guide as it constitutes an inappropriate extension of the building group, principally due to the backland/tandem position of the application site that does not respect the character, layout and linear building pattern of Campmuir.
2. As the proposal would constitute undesirable backland or tandem development which is not in keeping with the existing linear building pattern of Campmuir, the proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that all new development contributes positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the area affected.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

199. DEFERRED APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(455) – Planning application 16/01511/IPL – Erection of a dwellinghouse (in principle) on land 250 metres North East of Balnairn, Foss – Mr and Mrs Horsfall**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for erection of a dwellinghouse (in principle) on land 250 metres North East of Balnairn, Foss.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 7 February 2017, the Local Review Body resolved, by unanimous decision, that insufficient information was before the Local Review Body to determine the matter without: (i) receiving comment on the new information submitted by the applicant with their Notice of Review, and other information subsequently

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accepted by the Local Review Body at the meeting; (ii) clarification on whether the applicants had considered any other sites for the erection of a dwellinghouse, and if so, where they were located and why they had been deemed unsuitable; and (iii) an unaccompanied site visit. The comments and further information having been supplied, and an unaccompanied site visit having been carried out on 28 March 2017, the Local Review Body reconvened.

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 review application for erection of a dwellinghouse (in principle) on land 250 metres North East of Balnairn, Foss be upheld and planning permission granted, subject to the relevant terms, conditions and informatives.

Justification

The Local Review Body considered that the proposal accorded with Policy RD3 'Housing in the Countryside' of the Perth and Kinross Local Development Plan 2014, and the associated Housing in the Countryside Guide 2012, as the proposal complies with category (6) Rural Brownfield Land of the 2012 Guide, due to the existence of the ruin of the former flax mill on the site. The Local Review Body also took account of the fact that the proposal would remove dereliction on the site. Having regard to the circumstances, the Local Review Body did not consider that the applicant had established that the need for a new dwellinghouse was justified in terms of the economic activity category of the 2012 Guide.

200. VALEDICTORY

This being the last meeting of the Local Review Body before the Local Government Elections on 4 May 2017, the Convener thanked David Harrison for his exceptional assistance to the Local Review Body and the Council's Planning Department since 2011.

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