

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name **NADIA ANGUS**

Address **40 LOW ROAD
PERTH**

Postcode **PH2 0NF**

Contact Telephone 1 **[REDACTED]**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail* **[REDACTED]**

Agent (if any)

Name **JON LAW**

Address **68 COOPER DRIVE
PERTH**

Postcode **PH1 3GN**

Contact Telephone 1 **07380952485**

Contact Telephone 2 **[REDACTED]**

Fax No **[REDACTED]**

E-mail* **[REDACTED]**

Mark this box to confirm all contact should be
through this representative: ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

23/01661/FLL

Site address

40 LOW ROAD, PERTH. PH2 0NF

Description of proposed
development

**CHANGE OF USE OF FLAT TO SHORT TERM LET
ACCOMMODATION (IN RETROSPECT).**

Date of application

10/01/2024

Date of decision (if any)

05/03/2024

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☐
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ADDITIONAL SUPPORTING DOCUMENT.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes
☐

No
☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

SUPPORTING APPEAL STATEMENT.
ORIGINAL SUBMISSION DOCUMENTS.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

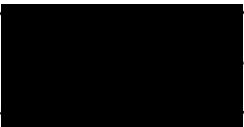
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

16/05/2024

To: The Secretary
Local Review Body
Perth and Kinross Council
Committee Services
Council Building
2 High Street
Perth
PH2 0NF

Application Reference: 23/01661/FLL

Dear Members of the Perth and Kinross Council,

I am writing to formally appeal the recent decision to refuse planning permission for the change of use to short-term at 40 Low Road, Perth PH2 0NF. I fully understand and respect the importance of the PKC planning process and the Council's commitment to maintaining the integrity of our community. However, I believe that there are reasons to reconsider the refusal for the change of use to short-term on my property.

My property has been fully renovated by myself from a rundown tenement to a high end one bed property. There has been a major amount of works carried out to bring the property up to a good standard. The property has been rewired, replumbed, new central heating installed, new double glazed windows installed, a new bathroom installed, a new kitchen installed and the internal decoration finished to a high standard throughout.

I have been operating as a STL since June 2021. I manage the property myself; I meet and greet all of my guests. I have a 5 star rating on Airbnb, 5 out of 5, 9.8 rating on Booking.com (9.8 out of 10), a very desirable property. Many of my guests have chosen my property as they didn't want to be in the town centre. Many of my guests love the area as it quiet with off street parking. I have had guests who live local but have been flooded and wanted to stay local not in city centre. I have guests who have used the property as members of their family were in hospital. I have also had hospital consultants stay. Aviva is another regular user of the apartment as it is a few minutes' walk away. My property is the only STL in the street so it's not over populated. I have had many repeat customers who will continue to book as they enjoy the property & location.

Most of my guests use the local restaurant and golf course, so brings trade to them. Many have used the hairdressers, dental practice & local garage.

I feel that the PKC planning descion was unfair as a property at 20c Needless Road was passed for planning permission, this is approximately a few hundred yards from my property. This property had 4 objections from all neighbours in the close but was given planning consent. My property had no objections from any of my neighbours. I have a good relationship with all my neighbours. They have my contact details and I have had no problems at all.

I have researched and seen that there are other properties - not in the city centre - that have been granted planning permission for a change use to short term let.

I feel decision made by Perth and Kinross Council to reject my application is not fair, considering my property had no objections from any neighbours. Cherrybank is a mix of residential properties with commercial properties like the Dental practice, Nursery, Hairdressing Salon, Beauty Room, Golf course and the Cherrybank Inn & Garage.

I would like Local Review Body to reconsider the planning decision to refuse the application.

Yours Sincerely,

Nadia Angus

Supporting Statement

Hosts have been asked to provide a statement to support this planning application. The proposal is to change the use retrospectively of the property known as 40 Low Road, Perth, from a residential apartment to a short-term let (STL) rental property providing visitor accommodation.

The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 requires that all properties operated as Short Term lets must be licenced by July 2024. As a pre-condition to securing the licence, properties that have been subject to a change of use in order to operate as an STL, must show that they have secured the benefit of planning permission where this is a requirement.

A material change of use will take place in the transition from a residential flat to short term let visitor accommodation, means that planning permission should be sought to facilitate the future grant of an STL licence. The proposed change of use of this small property will provide it with a sustainable function going forward that can contribute to the City of Perth's important tourist economy, as well as that of the wider region, while having minimal impact on the local community.

Property & Location

The planning application is a one bedroom first floor apartment located in a tenement block on Low road, Craigie, Perth. The property is situated within an established residential area and has been operating as a short term holiday let from July 2022, and hopefully helping to attract visitors from near and far to experience the cultural and heritage attractions Perth has to offer. Currently the property is listed as has a 5* ratings. There is free on street parking for guests if they bring their car or walking distance to park & ride. The city bus & local train stations are both walkable distance for guests. The building is well maintained stairwell, gutters, chimney heads, roof voids etc. The property is an immaculate one bedroomed property with many original features finished to a high standard.

Management

The property is managed by current owner. I meet & greet guests provide them with introduction to property. Guests are provided with the house rules & recycling before booking. The owner is first point of contact for guests during their stay. Cleaning of property is done between 10am & 3pm by owner. Laundry is cleaned off site & returned on changeover days.

Guest numbers & Length of stay

Accommodation occupancy is maximum two guests have been on average of 50% for one & 50% for two guests, which minimises impact for other residents. Occupancy was around 50% to avoid any noise We do not allow children or pets to stay. Therefore, there is less impact than previously, with a tenanted 100% residential use.

Currently the property operates on a minimum two-night stay. it is intended to move this to a minimum four-night stay once established. Hopefully with satisfied returning guests.

Amenities

Access and Parking: It is considered that the proposal complies with Transport Standards and Accessibility and LDP Policy 60B: New Development Proposals given that the property

is situated within walking distance of the city centre and therefore has access to a range of facilities and amenities as well as tourist attractions. There is also free on street parking for guests if they bring their car or walking distance to park & ride. The city bus & local train stations are both walkable distance for guests.

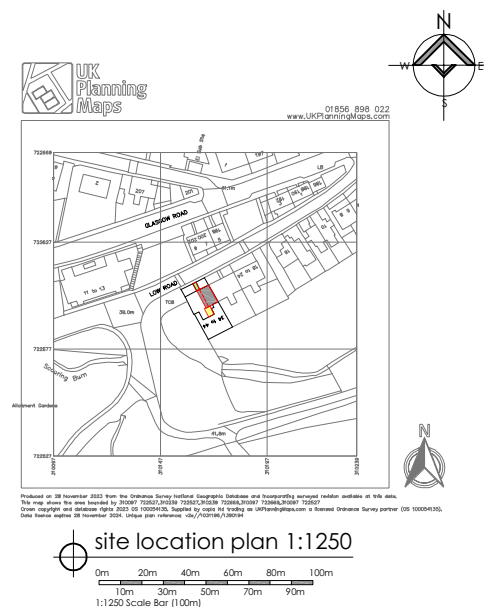
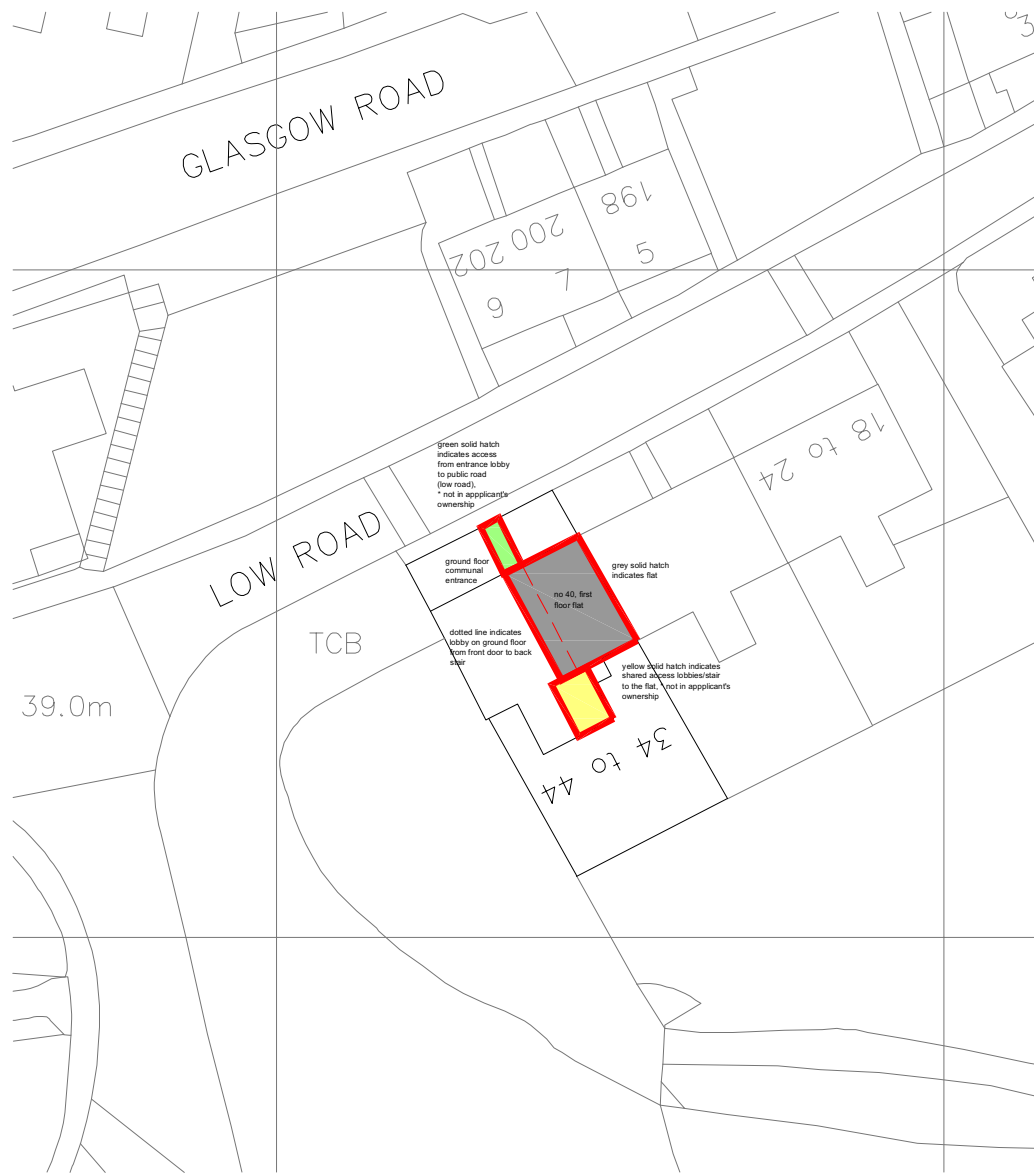
Neighbouring Amenity

I have a good friendly relationship with my neighbours and ensure the use of the property as a short term let does not have a negative impact on my neighbour's amenity.

All guests are advised of the house rules "Policies and House Rules" this are provided to guests prior to booking, this clearly outlines what is not acceptable in relation to noise, parties, waste disposal, etc. There is also a guest book in the property displaying this information.

My neighbours have been provided with my contact details and will inform me if there is ever believed to be a breach of the rules. It must be noted there have been no reported issues with regards to noise or any disturbances to date.

Local business such as Craigie hill golf course & Cherrybank Inn benefit from guests as 75% of use their facilities.



for planning - low road, perth

if required refer to site location plan
for full extent of the red and blue
line boundaries

drawing no: 2396/PI/001 rev:

