

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

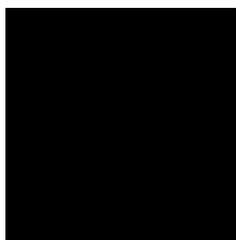
IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name Robert Broadfoot

Address



Postcode

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E-mail*



Agent

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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

Planning Authority

Perth and Kinross

Planning authority's application reference number 23/01903/1PL

Site address Rowan Hill

Description of proposed development

House of the log cabin design as others in the development

Date of application 01/12/2023

Date of decision (if any) 25/09/2024

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 mark 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:

The application for planning permission in principle was based on the premise that the site is within a development which was approved for building similar houses which surround the proposed site. The original approval for the overall development was granted 30 years ago and we are aware that policies have changed and many new policies have been introduced.

We believe the decision to refuse our application was based on insufficient information for which we take responsibility.

This review gives us the opportunity to provide further information and develop a plan in collaboration with the Planning Authority.

The existing development known as Rowanhill consists of log houses with grass roofs and which are low pitched and blend in with the landscape.

The proposed house would be within the boundary of this existing development, and of the same type of log cabin in sympathy with the rural environment.

The area has good visual amenity in line with Policy

(2). The proposed site is an infill or gap site.

it is surrounded by similar log cabins of good visual amenity on similar sites

(3). The site was originally approved for development as part of the original Rowanhill development. The site is vacant.

The new house will enhance the visual amenity of the development.

I am aware that the current Development Plan is a world apart from the development plan 30 years ago. A modern house on our vacant site would indeed be an eyesore, but that is not what is proposed. The house we hope to build is a log structure similar to surrounding buildings.

(4). It is planned to remedy the un-contained nature of the site by building a section of dry stane dyke and planting trees as a boundary

(My ancestors were dry stane dykers)

The development when landscaped will contribute positively to the visual amenity of the site.

(5). The site does contain young trees all of which I have planted

They are planted in clumps to protect them from the deer and will require to be thinned out on the advice of an arborist.

This will need to happen anyway and it is part of my nurturing of the site.

It will be part of the landscaping to ensure our site maintains the character of the area

(6). It is intended that the proposed development will conserve, restore and enhance the biodiversity of the site.

I have personally nurtured the site for 17 years and although I am not aware of the presence any protected species I would respect the required precautions if any are identified.

Site inspection

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

1. Can the site be viewed entirely from public land? Yes

2. Is it possible for the site to be accessed safely, and without barriers to entry? Yes

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.

The matters which I think ought to be the subject of the review procedure are detailed above. To summarise, the application for planning permission was "in principle" as the site was a gap/infill surrounded by similar log houses of high visual amenity which was approved for development many years ago.

Our understanding now is that the Planning Authority did not have sufficient detailed information which resulted in refusal. We were not aware that an "in principle" application required a high level of detail.

I apologise for this lack of information and seek a review to enable all the relevant information to be provided so that the application can be reviewed appropriately.

Please advise if an application "in principle" is still appropriate or if an alternative type of application is more appropriate. Also the necessary level of detail.

I have provided only background, additional information with this form but will be very happy to provide full details. I hope that there will be opportunity to discuss exactly the level of detail necessary.

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.

I am raising new material because an "application in principle" was made on the basis that the gap/infill site on Rowanhill was surrounded by log houses with grass roofs which were low pitched and contributed to the landscape and visual amenity of the area

We plan to build a similar house.

Access is good, by a hill road which is maintained by the residents of Rowanhill. The boundaries are unmarked at the moment but we plan to build a section of dry stone dyke and plant trees to clearly mark the boundary.

I apologise for this information not being available to the officer but I was unfamiliar with the process and thought that this information would be required at a later more detailed stage

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.

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: Robert Broadfoot

Date: 21/10/2024
