

# 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**

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## Applicant(s)

Name        Scott Ferguson  
Address      117 Glenearn Road  
                Perth

Postcode     PH20NW

Contact Telephone 1 [REDACTED]  
Contact Telephone 2

E-mail\* [REDACTED]

## Agent

Name  
Address

Postcode

Contact Telephone 1  
Contact Telephone 2

E-mail\*

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

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Planning Authority

**Perth and Kinross**

Planning authority's application reference number 24/00525/FLL

Site address     117 Glenearn Road Perth

Description of proposed development

Replacement of broken chain link fence to side of the property with enclosed wooden fence

Date of application

Date of decision (if any) 19/09/2024

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.

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## Nature of application

- |    |   |                                     |
|----|---|-------------------------------------|
| 1. | Application for planning permission (including householder application)   | <input checked="" type="checkbox"/> |
| 2. | Application for planning permission in principle  | <input type="checkbox"/>            |
| 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) | <input type="checkbox"/>            |
| 4. | Application for approval of matters specified in conditions   | <input type="checkbox"/>            |

## Reasons for seeking review

- |    |  |                                     |
|----|--|-------------------------------------|
| 1. | Refusal of application by appointed officer  | <input checked="" type="checkbox"/> |
| 2. | Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/>            |
| 3. | Conditions imposed on consent by appointed officer   | <input type="checkbox"/>            |

## 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                                    | <input checked="" type="checkbox"/> |
| 2. | One or more hearing sessions                                   | <input checked="" type="checkbox"/> |
| 3. | Site inspection  | <input checked="" type="checkbox"/> |
| 4. | Assessment of review documents only, with no further procedure | <input type="checkbox"/>            |

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:

I am committed to working collaboratively with the planning department to address any concerns and make necessary adjustments to my proposal. I believe that with further discussion and consideration, we can reach a mutually beneficial outcome. I am happy to appear in person to give my views and any additional information.

## 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.

I am writing to formally appeal the decision to deny my planning application, reference number [Your Application Number], submitted on [Date of Submission]. I appreciate the time and effort the planning committee has taken to review my application and provide feedback.

Grounds for Appeal:

1. Clarification of Project Details:
  - o Provide a detailed explanation of your project, emphasizing any aspects that may have been misunderstood or overlooked in the initial review.
2. Addressing Specific Concerns:
  - o **Safety and Visibility:** Visibility is maintained at the road end, providing a clear line of sight for motorists to exit the junction safely. The Glenearn Service Road, a 30 mph zone, is extensively used for parking by residents and local businesses, reducing the effective width of the driving area and naturally slowing traffic. Additionally, numerous speed bumps along the road further reduce vehicle speeds.
  - o The “hatched area” in front of my property is often used for parking by customers of a neighboring home-based mechanic. This results in several considerations:
    - ☐ Cars rarely travel at 30 mph; they crawl along and stop at the junction, allowing ample time to see oncoming traffic.
    - ☐ Visibility to the left when exiting Glenearn Road Service Road is significantly reduced due to parking, so users are accustomed to these conditions and navigate safely.
    - ☐ The lack of parking means I often have two cars in my driveway, blocking the previously suggested view when approaching Glenlyon Road.
  - o Similar fences are common in the area, particularly on corners, and are of the same height as my rear fence, extending up to the junction.
  - o I have a ring door bell which shows minimal use on the service road.

My fence was built primarily to provide security and a safe area for my children to enjoy the garden. Previously, the side of my property was fully exposed, leading to numerous break-in attempts. The fence deters intruders, making it more difficult for them to enter my property. Additionally, it prevents people from looking directly into my house through a window facing the road.

The fence also serves as a windbreak and sound barrier, significantly reducing noise from outside and creating a quieter environment inside my property. It helps keep the garden clean by reducing debris from surrounding industrial and retail properties.

3. Community Benefits:

o An alternative to a fence, commonly used in the area, is planting a hedge around the garden perimeter. However, this poses various risks and hazards to the local community and obstructs visibility for drivers exiting the road.

o The fence is in keeping with the area and is built to a very high standard and well maintained adding to the aesthetics of the area.

Encroachment on Pathways:

o Traffic: Overgrown hedges can extend into roadways, narrowing the space for vehicles and potentially causing damage.

o Pedestrians: Hedges growing over sidewalks can force pedestrians into the street, posing hazards, especially for children, the elderly, and those with disabilities.

Maintenance and Debris:

o Traffic: Fallen leaves and branches from hedges can create slippery conditions on roads<sup>1</sup>.

o Pedestrians: Debris on sidewalks can cause tripping hazards and reduce accessibility<sup>1</sup>.

Lighting Obstruction:

o Traffic: Hedges can block streetlights, reducing nighttime visibility and increasing accident risks<sup>2</sup>.

o Pedestrians: Poorly lit sidewalks due to overgrown hedges can make walking at night unsafe and increase crime risks<sup>2</sup>.

Allergies and Pests:

o Traffic: Certain hedges attract pests or produce pollen, problematic for drivers with allergies<sup>3</sup>.

o Pedestrians: Pedestrians may suffer from allergies or encounter pests like bees or wasps nesting in the hedges<sup>3</sup>.

Addressing these issues requires regular maintenance and strategic planting to ensure hedges do not interfere with the safe movement of traffic and pedestrians.

4. Supporting Documentation:

o I have attached photos of similar fences in the area located on the corner which do not provide any view for traffic approaching and leaving

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 attached photos of the similar fences, I was not made aware of Mr Gories question he raised which only relates to access to his garden which he still has free access. There has been zero road traffic incidents and only one query raised about the fence but lots of people commenting that it makes the area look much nicer

### 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.

See various photos of similar fences

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.

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## 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.

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## 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: Scott Ferguson

Date: 13/12/2024

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