



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100691413-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: J W Souttar

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Calum

Building Name:

Last Name: *

Mcleish

Building Number:

3A

Telephone Number: *

01356 623435

Address 1
(Street): *

Clerk Street

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Brechin

Fax Number:

Country: *

Scotland

Postcode: *

DD9 6AF

Email Address: *

calum@jwsouttar.com

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Alan"/>	Building Number:	<input type="text" value="3A"/>
Last Name: *	<input type="text" value="Mackay"/>	Address 1 (Street): *	<input type="text" value="Clerk Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Breachin"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD9 6AF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="calum@jwsouttar.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Site at Mount Tabor Road, Perth PH2 7DE"/>
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Northing	<input type="text" value="723763"/>	Easting	<input type="text" value="313175"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of a Dwelling House (in Principle)

Type of Application

What type of application did you submit to the planning authority? *

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Statement will be uploaded in Supporting Documents.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

n/a

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. You can attach these documents electronically later in the process: * (Max 500 characters)

WD1PP - Site Plans submitted with Planning application, WD2PP - Location Plan submitted with Planning application, Existing Site Plan and Photo's submitted with the Planning application, Planning Statement submitted with the Planning application, Statement for Maters to be Reviewed.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

24/01732/IPL

What date was the application submitted to the planning authority? *

11/11/2024

What date was the decision issued by the planning authority? *

10/01/2025

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

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

Please select a further procedure *

Further written submissions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Would be required if any further information came to light from the local authority and we wish to respond to this.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

To enable us to put our case across face to face which can shed further light / more meaning on certain circumstances.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A Site Inspection would let the Review panel get a feel for the Site and surroundings and also make it easier to understand any information given on specific areas of the site. i.e. the vehicle access, proposed boundaries, etc.

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

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

If they were accompanied then areas of the site (boundaries, vehicle access, etc) can be clearly pointed out.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Calum Mcleish

Declaration Date: 23/01/2025



J.W. Souttar
ARCHITECTURAL SERVICES
& BUILDING CONSTRUCTION

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Brechtin
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Erection of Dwellinghouse at Land 40 Metres West of 8 Langley Place, Perth, PH2 7XB Reference No. 24/01732/IPL

Statement for Matters to be Reviewed:

Policy 14A of the LDP2 is referred to as the main reason for the above application recommendation of Refusal.

This Policy states that areas of open space identified in the LDP2 can only be lost if it meets certain listed exceptions.

Parts a,c and d of Policy 14A are not specifically relevant to the proposal, Part b states "The proposed development involves a minor part of the site which would not affect its continued use as a recreation or amenity resource".

All other Policies were met with no issues raised by any of the Consultees. Except for Roads, which we will explain later in this statement.

A very narrow sighted view was taken of the Proposal by the Planning Officer.

The proposal is to utilise a small area to the South of the larger open space area identified in the LDP2. A larger area would be retained as open space, with this space being enhanced with the planting of wild meadows, small tree plantations and native hedgerows, all to provide a better habitat for all types of wildlife.

We note that the Countryside Officer was not consulted for their comments on the enhancement of the open space area.

In the Planning Report it states that around 25% of the open space area is to be utilised for the proposed Plot. This is not the case as the Plot is nearer to 20% of the area, but in reality the house footprint and driveway would amount to around 5% of the overall area. The remainder of the Plot would be landscaped gardens and classed as amenity space. This added to the retained open space gives a total amenity space of around 95% of the area to be retained. This would surely class the area for the house as a minor part of the site, as per the wording of Policy 14A (b).

The proposed Plot is situated in a residential area and would not be detrimental to the surrounding area. This is highlighted in the Planning Report.

Policy 14A (b), as stated above, is met with the proposal in that we are utilising a small area of the site and not affecting its continued use as open space.

We would point out the area of open space is privately owned by the applicant and the public have no access to the land. It is currently utilised as a private Paddock.

With the enhancing of the retained open space, this can only be viewed as a positive, and this surely overrides the current use as a private Paddock. It would also allow for much more visual amenity than at present.

It should be noted that the enhancement of the open area would stymie any future development of the area.

The Planning Report states that Visual amenity would be adversely affected. We would ask what is termed as adverse impact on visual amenity, as the Plot is not visible from Mount Tabor Road or the Core path, basically the whole South area of the Plot.

A site visit would show that the Southern area of the land, that to be utilised for the Plot, is clearly not visible to the public.

The Planning Statement submitted with the application stated the fact the site was not visible, but this was not considered by the Planning Officer.

The Planning Report also states that Policy 60 of the LDP2, regarding Roads and Access is not met and that the access to the site would be unsafe for pedestrians as the access is to utilise part of the core path to gain access to the existing gate to the site.

This is not the case and the Planning Officer and Roads Dept. are wrong in their assumptions as the access to the site is to be taken from part of an existing area of land to the South-West corner of the site, belonging to the applicant, which is currently used as parking and a turning area for the neighbouring property at Gean Cottage, and will continue to be the case.

Parking for Gean Cottage is shown hatched yellow on the Site Plan submitted for the Planning application. The new access will be taken over part of the turning area and between existing trees on the South-West boundary of the Plot. The existing gate access on the South boundary will be removed and hedging planted.

The Core path will not be affected in any way. We would point out the Path is very overgrown and unkempt.

The width of Mount Tabor Road is also questioned and whether it is wide enough for the fire service vehicles to access it. They require a width of 3.70m.

Mount Tabor Road is adopted and maintained by the Council. At this time the verges are very overgrown and unkept. If the verges were cut back and maintained then the required 3.70m width would be easily manageable.

Pedestrian safety was also questioned, but with the above information that the Core Path would not be affected and Mount Tabor Road could be easily widened to provide safe passage then Policy 60 of the LDP2 is met.

With the above information / arguments for Policies 14A and 60, we would ask the Panel to review the application and overturn the recommendation for refusal.



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Website: www.jwsouttar.com

TITLE
Proposed Dwellinghouse at
Site at
Mount Tabor Road
Kinnoull
Perth

CLIENT
Mr A. McKay

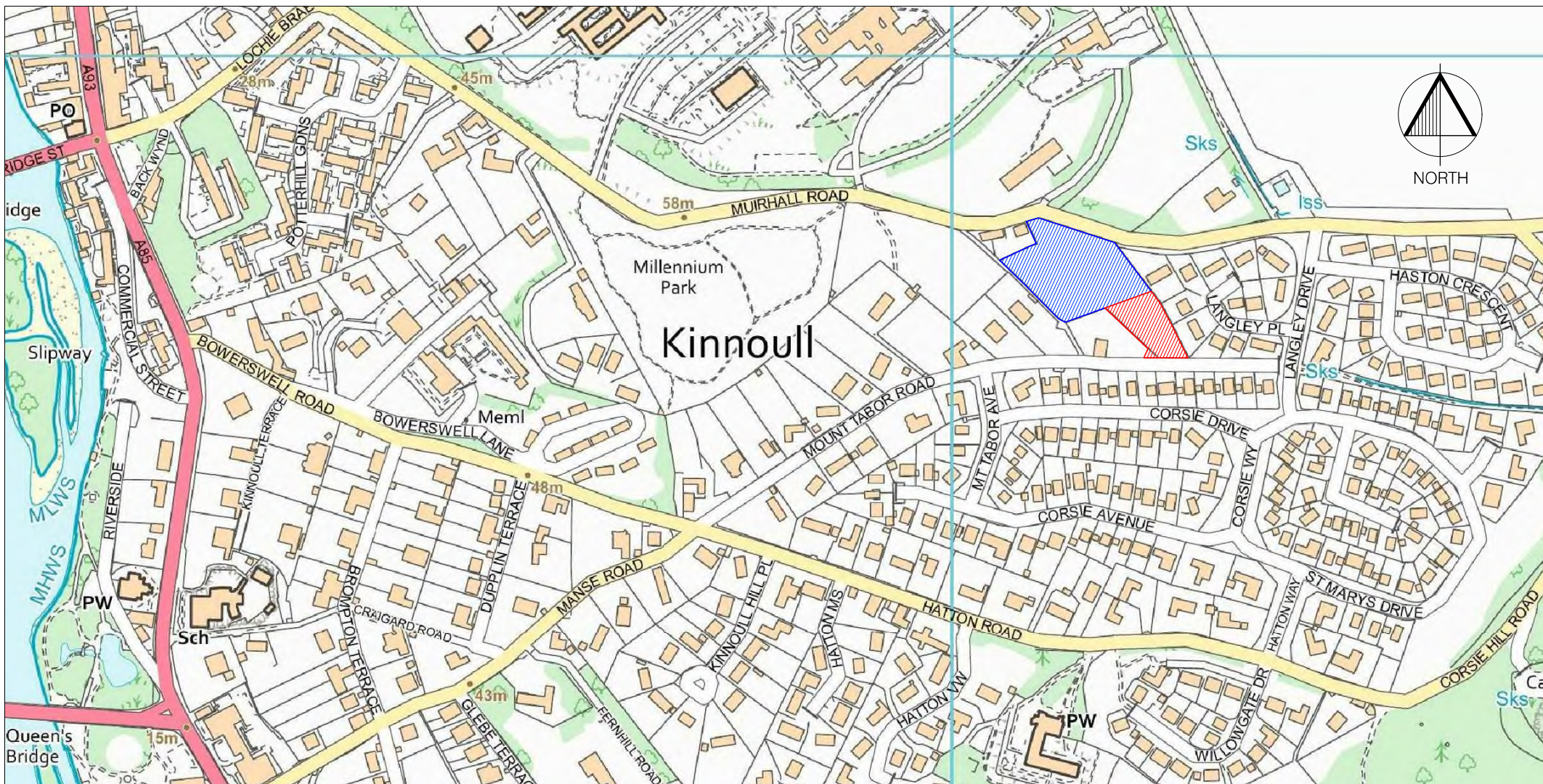
DESCRIPTION
Location Plan

DRAWING TYPE
Working Drawing 2 PP

DWG No:
WD2PP/ 2302 / 24

DATE
March 2024

SCALE
-
REVISION
-



SITE PLAN 1-2500
SCALE OF METRES = 1:2500



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TITLE
Proposed Dwellinghouse at
Site at
Mount Tabor Road
Kinnoull
Perth

CLIENT
Mr A. McKay

DESCRIPTION
Site Plan & Photographs
DRAWING TYPE
Existing Layout

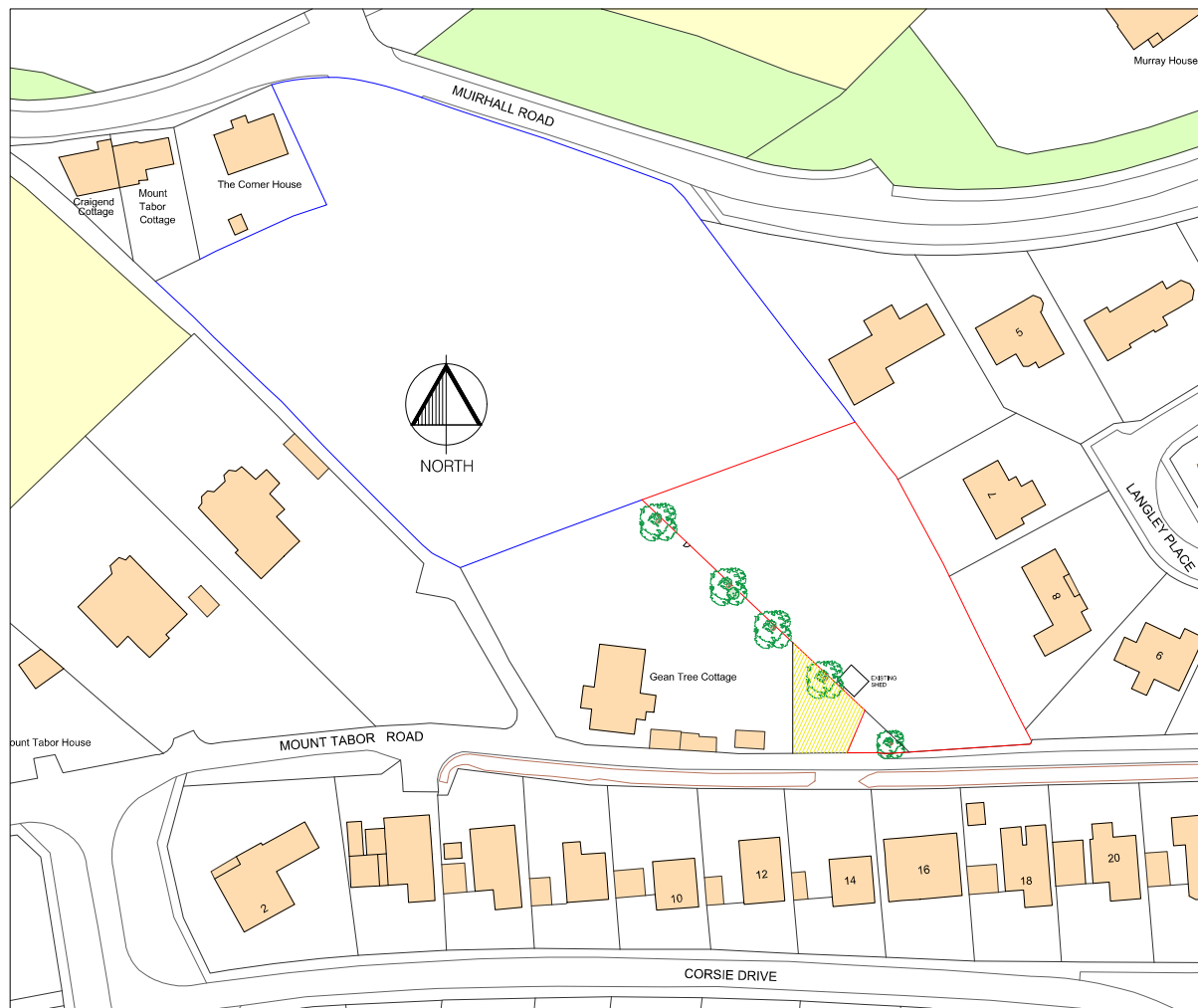
DWG No. EXL1/ 2302 / 24

DATE
March 2024

SCALE
-

REVISION
-

REV.	DATE	ACTION
1		



SITE PLAN 1-500
SCALE BAR



LOOKING EAST AT ENTRANCE TO SITE FROM MOUNT TABOR ROAD.



LOOKING WEST ALONG MOUNT TABOR ROAD.



SOUTH BOUNDARY FROM CENTRE OF PLOT



PART EAST BOUNDARY AND No. 8 LANGLEY PLACE



EAST BOUNDARY AND No. 7 LANGLEY PLACE



LOOKING NORTH DOWN CENTRE OF PLOT



SOUTH-EAST CORNER OF PLOT



LOOKING NORTH DOWN EAST BOUNDARY



LOOKING SOUTH TO EAST BOUNDARY AND EXISTING GATE



LOOKING EAST FROM NORTH-WEST CORNER OF PLOT



No. 8 LANGLEY PLACE



No. 7 LANGLEY PLACE



LOOKING DOWN EAST BOUNDARY



EXISTING SHED TO WEST BOUNDARY



LOOKING NORTH DOWN WEST BOUNDARY



LOOKING DOWN WEST BOUNDARY



LOOKING NORTH DOWN PLOT



LOOKING NORTH-EAST DOWN PLOT

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TITLE
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Perth

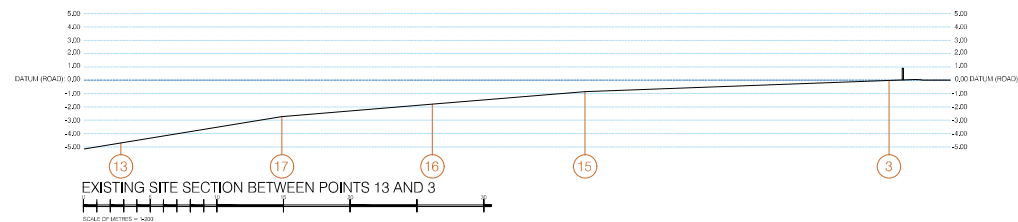
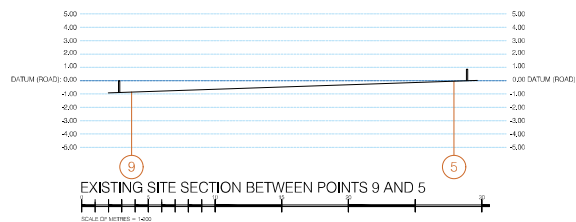
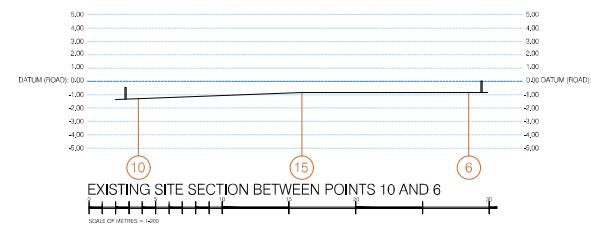
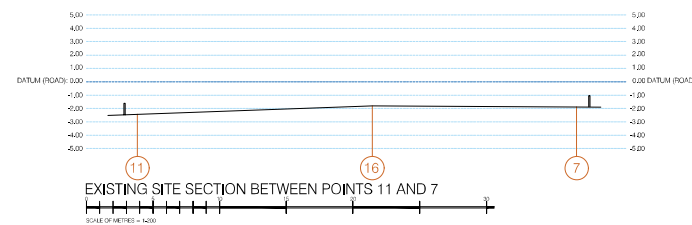
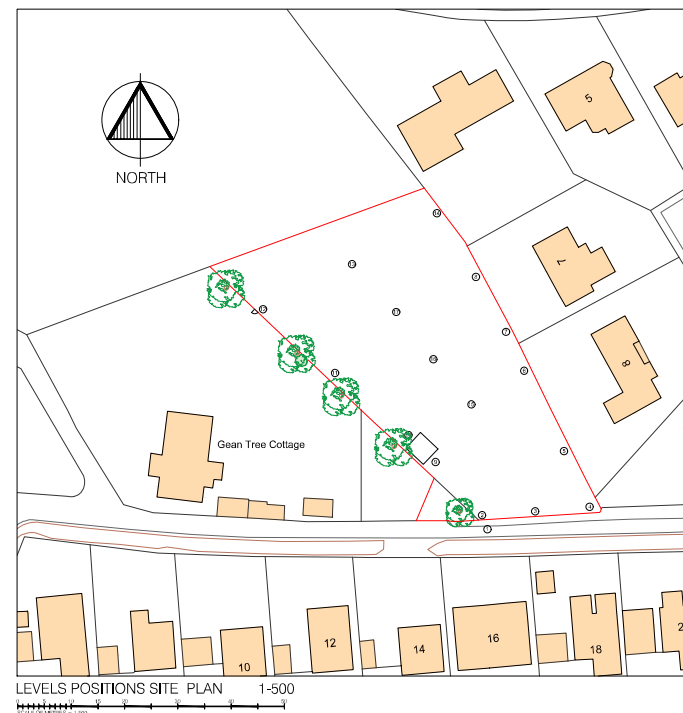
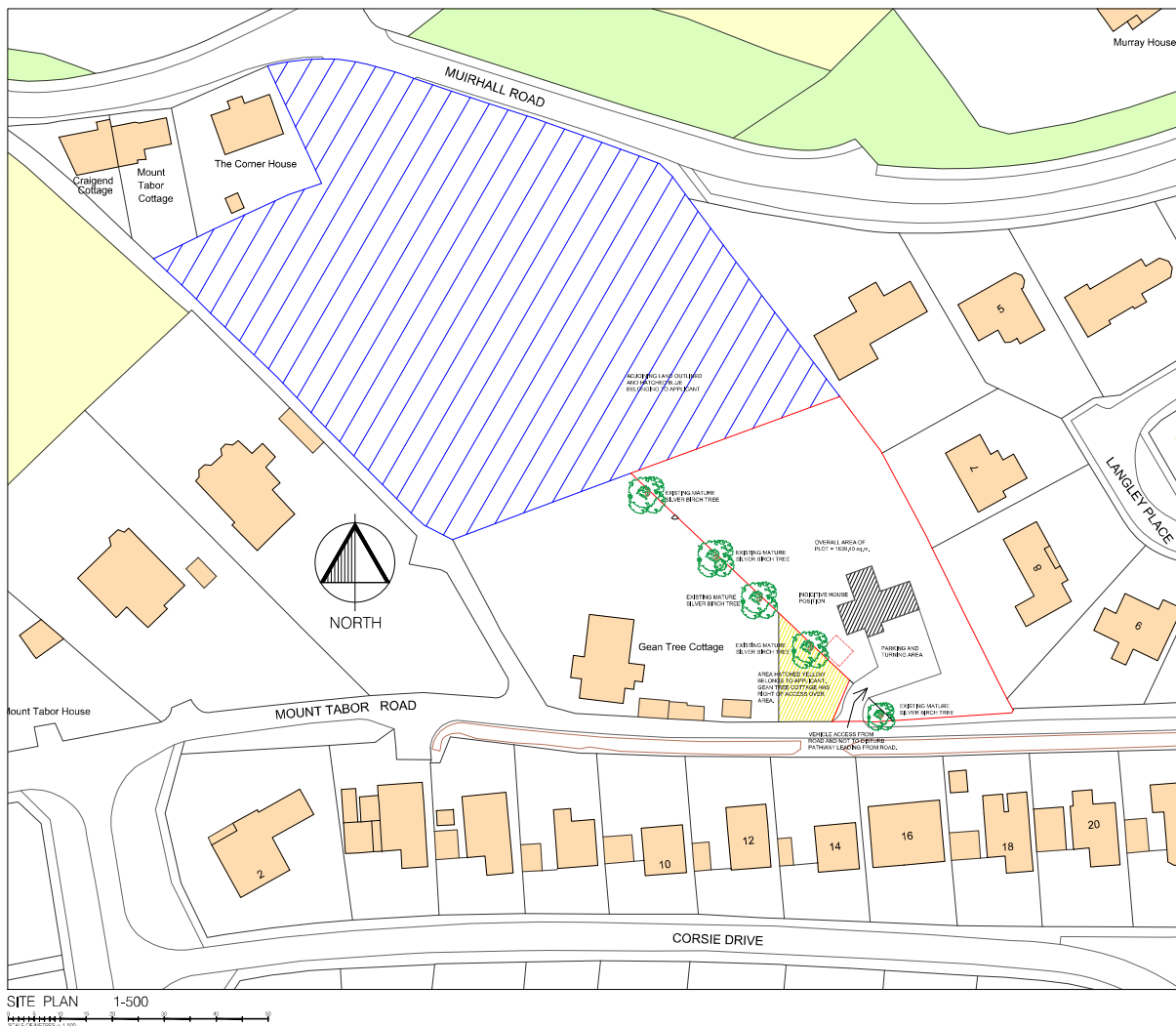
CLIENT
Mr A. McKay

DESCRIPTION
Site Plans & Site Sections
DRAWING TYPE
Working Drawing 1 PP

DWG No.
WD1PP/2302/24

DATE
March 2024

REV.	DATE	ACTION
•		





J.W. Souttar
ARCHITECTURAL SERVICES
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Proposed Dwelling house at Site at Mount Tabor Road, Kinnoull, Perth

We understand that there have been a number of applications and various correspondence between applicants and Perth and Kinross Planning department, in attempts to obtain Planning consent for the erection of dwelling houses on the site, and we have read most of the available submissions and outcomes.

We have been asked by our client to apply for one dwelling house on the South-East side of the site, with the entrance off Mount Tabor road.

My client understands the reasons for the previous refusals which are mainly based on the use of open space and the majority of the applications were for the whole site.

The applicant has lived in the Kinnoull area of Perth for several years and in other parts of the fair city for several years previous to that, and has walked his dog along Mount Tabor road on a regular basis. He realises that the area of ground is a private paddock and has been used for nothing more than a horse paddock for at least ten years.

The applicant is not a developer and wishes to erect one dwelling house for their own use at the top (South-East) end of the site, accessed through an existing gated entrance point which is served via Mount Tabor Road. Beyond the existing entrance to the proposed Site, Mount Tabor Road narrows / ends, and provides access to a public footpath.

The Proposal

The site proposed is located at the South-East area of the overall site and is bounded on three sides with historical boundaries. It is also surrounded on three sides with residential properties. The proposed site would be in keeping with the size of the surrounding plots and be constrained within the existing site boundary fences.

There are services close by to provide connections to drainage, water and electric, which would mean a minimum amount of disruption to the surrounding roads / paths.

LDP2 and NFP4 Policies

1A & 1B of LDP2 and 16 of NPF4

The proposed dwelling site will be located to the South-East area of the overall site identified in the local plan as open space. It will be located between existing properties at Langley Place and Mount Tabor Road and will retain all its historical boundaries, with all hedges and trees retained. Further planting on the retained open space and landscaping on the proposed dwelling site would further enhance the area.

The extensive enhancing of the open space area of the site, the area the public can view from Muirhall Road, will improve the area from grass Paddock to a wild meadow and small tree plantations, improving the visual impact and greatly enhancing the bio-diversity of the area.

The proposed dwelling would be designed to be as 'green' and environmentally friendly as possible, with the provision of Photovoltaic panels and battery storage, and Air source heat pump to provide the heating and hot water, insulated well above building standard requirements and utilising materials that are eco-friendly.

The design of the house would complement those properties surrounding it.

Overall the enhancing of the open space, additional planting and landscaping and provision of a modern dwellinghouse would greatly enhance the visual amenity of the area at the same time aiding in the efforts against climate change.

5 of LDP2

As the proposal is for a single dwellinghouse, the impact on the local infrastructure will be minimal to none.

14A of LDP2

Parts a, c, d are not applicable to this proposal.

Part b relates to utilising a minor part of the existing site which is classed as open space. At this time there is no recreational use of the Site as it is privately owned and cannot be accessed by the public. There is no dog walking or any other use of the site at all, with the main use previously being a private Paddock.

Previous applications and representations to the LDP have been made on the site to remove the 'open space' provision over to 'white land'.

We are not looking to do this, but to utilise the smaller South-East area of the site at the top of the hill, for the proposed dwellinghouse plot. The remaining area of the site to the North will be retained as open space.

This area at this time is a grassed paddock and the proposal will be to enhance this area with tree planting to form small plantations and wild flower, shrubs, bushes planted to the rest of the area to form a wild meadow. There will also be dedicated planting of native hedging around the property such as beech, Hazel, hawthorn and Blackthorn etc.

The additional planting will provide breeding areas for all types of insects, birds and animals, which can only enhance the environment of the surrounding properties and area and enhance and improve the habitats of all wildlife.

The area to the North of the proposed dwellinghouse site will be maintained as open space. This can be conditioned should planning approval be granted for the dwellinghouse.

We would also point out that the location of Millenium Park, directly adjacent to to the retained open space area of the site, provides further open space and also recreational use by the public.

17 of LDP2

Parts b, d, e are not applicable to this application.

The proposal is to utilise the South-East corner of the overall site for the dwellinghouse. This is technically an infill site located between the existing properties at Mount Tabor Road and the properties at Langley Place.

The proposed site at present was utilised as a private Paddock and is not accessible for the public.

The Plot sits behind large mature trees to the South and West boundaries. There are also mature hedges to these boundaries therefore the Plot is not visible from Mount Tabor Road or the footpath leading from it. There is no public footpath, dog walking, etc on the site.

The proposed Plot is only visible from Muirhall Road, at the North of the overall site although the Plot is at the top of the hill therefore not easily viewed.

With planting to the proposed North boundary of the proposed Plot, this will make the dwelling not visible from any point at the North, West or South boundaries.

As stated previously the area retained as open space will be enhanced with tree and wild flower / shrub planting, providing a better environment for insects, birds and animals.

The proposal will surely provide a better use for the overall site and in turn improve the character of the surrounding area.

41 of LDP2 and 3 of NPF4

With the proposed dwellinghouse Plot located to the South-East corner of the existing open space area, no trees or hedges will be removed or affected by the proposal.

Further tree planting to form small plantations and wild flowers / plants to form a wild meadow are proposed on the remainder of the site outwith the proposed Plot.

The new boundary to the North of the proposed Plot will be planted with a native hedge and trees.

The Plot will be planted with local shrubs and plants, grass to the lawns and landscaped around the dwelling, driveway and paths.

Overall the above proposed planting will improve the overall visual appearance of the site and also environmentally upgrade the open space for all wildlife, with natural habitats restored, protected and enhanced.

60A of LDP2

The proposal will have little to no affect on the transport standards / infrastructure.

Access to the proposed site is along Mount Tabor Road to an existing vehicle gated access to the proposed Plot. Any alterations, pavement crossings, etc will be as the Council Roads Standards and those of the NRDG 2015.

14 of NPF4

The proposal will be of high design to compliment the surrounding properties and also be designed to be sustainable and promote healthy living.

The proposed dwelling will be built with eco-friendly insulation and building components ensuring it will be distinctive and sustainable.

The heating and hot water systems will be served with Photovoltaic electric producing panels with battery back up and an air source heat pump.

Overall the proposed dwellinghouse will be well beyond the minimum requirements for building warrant regulations for heat loss and energy.

The dwelling house will be designed to ensure the windows are facing mainly North-West and South-East to avoid any overlooking of the neighbouring properties, and also to avoid any loss of amenity to the proposed and surrounding properties.

Overall the dwellinghouse will provide a modern, well designed, well insulated, energy conscious place to live.

With the enhancing of the open space and wildlife habitat on the open space below the site, overall the proposal will improve nature and the local environment.

Private Water and Drainage Infrastructure

All private water supplies / infrastructure in the area of the proposed site would be identified and protected during the construction phase of the project.

The proposed dwellinghouse would be connected to the public drainage system and public water supply.

Surface water from the dwellinghouse would be to engineered designed soakaways within the Plot and designed to ensure no water is shed onto the remainder of the site or neighbouring properties / land.

Flooding

The proposal would not cause any flooding issues or be affected by any flooding.

Conclusion

We would ask that the Planning department consider the proposed application in a form that will enhance the open area and not be looked upon as in any form as being detrimental, as new properties in the correct setting and built in a proper manner can be beneficial not only to immediate neighbours but the whole surrounding area.