

# 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

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

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 ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed  
development

Date of application

Date of decision (if any)

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 ☐
4. has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
5. 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:

We believe a site visit would clear up concerns in relation to two reasons given for refusal relative to trees. A review of the documents and drawings in conjunction with a site visit will clarify the site as an infill site.

### 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"/> |
|  | <input type="checkbox"/>            | <input type="checkbox"/> |

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

Yes x

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

NA

### 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.

All details are outlined in the attached report.

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.

The attached document contains additional photos and a copy of the submitted plans, elevations etc.

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

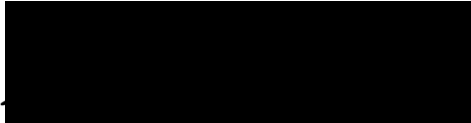
specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

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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

	
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Date

23/02/2025
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Notice of request for review.

**RE - 24/01518/FLL - Erection of a dwellinghouse Land 55 Metres South East Of Ashlea Middlebank Farm Errol Perth PH2 7SX**

Following the refusal of the above mentioned application on the 18<sup>th</sup> December 2024, we have been instructed by our client, Mr Jamie Ramsay to request a formal review of the decision. Drawings and details of the proposed dwelling are attached at the bottom of this document.

The application was refused on the following grounds.

**Reasons for Refusal**

1. The proposals are contrary to National Planning Framework 4 (2023), Policies, 9: Brownfield, Vacant & Derelict Land and Empty Buildings, 17: Rural Homes and Perth & Kinross Council Local Development Plan 2 (2019), Policy 19: Housing in the Countryside and associated Supplementary Guidance (2020), as the development does not meet any of the relevant criteria which would enable support of new residential units within the countryside.
2. The proposals are contrary to National Planning Framework 4 (2023) Policy 14: Design, Quality & Place and Perth & Kinross Council Local Development Plan 2 (2019) Placemaking Policies: 1A & 1B (parts a, b, c, d and f), Policy 39: Landscape; and associated supplementary guidance (2020), as the proposals by reason of tree removal, site location, juxtaposition and lack of cohesion with existing buildings and absence of any landscape containment, would not contribute positively to the quality of the surrounding area, resulting in adverse visual amenity and landscape impacts.
3. The proposals are contrary to NPF4 Policy 1, 3 & 5 and Perth & Kinross Council Local Development Plan 2 (2019) Policies 40A, 40B and 50 which seeks to protect prime agricultural land, trees, biodiversity and wildlife habitats and requires a detailed tree and ecology survey to be undertaken in order to demonstrate the presence and any potential impacts on trees and protected species which may be contained within such habitats. No tree or ecology survey has been submitted with the application.

**Justification**

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

In order of reasons for refusal, we wish for the following to be considered.

**Reason 1.**

Under the Perth and Kinross Housing in the country side policy, the following is stated.

***The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:***

- (a) Building Groups.**
- (b) Infill sites.**
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.**
- (d) Renovation or replacement of houses.**
- (e) Conversion or replacement of redundant non-domestic buildings.**
- (f) Development on rural brownfield land.**

We believe the application as submitted falls into at least 3 of the categories A, B & C.

Under category A, the following is stated.

### **1. Building Groups**

**Consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s). Note: An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature. Small ancillary premises such as domestic garages and outbuildings will not be classed as buildings for the purposes of this policy.**

**Proposals which contribute towards ribbon development will not be supported.**

Justification – The site is bound on 3 elevations by existing buildings. To the west, there is a golf driving range and reception building / cafeteria. To the north west, is a large industrial unit, directly north, there are two residential dwellings and to the east, a large commercial unit. The proposed dwelling sits within the gap between this building group, proposing not to extend the southerly boundary of the existing building group. The proposal in its shown location does not constitute ribbon development. All the buildings mentioned above are within 45m of the new dwelling.

**Under category B, the following is stated.**

### **2. Infill Sites**

**The development of up to 2 new houses in gaps between established houses or a house and another substantial building at least equivalent in size to a traditional cottage may be acceptable where:**

- ☐ The plot(s) created are comparable in size to the neighbouring residential property(s) and have a similar size of road frontage**
- ☐ The proportion of each plot occupied by new building should be no greater than that exhibited by the existing house(s)**
- ☐ There are no uses in the vicinity which would prevent the achievement of an adequate standard of amenity for the proposed house(s), and the amenity of the existing house(s) is maintained**
- ☐ The size and design of the infill houses should be in sympathy with**

***the existing house(s)***

***☐ The full extent of the gap must be included within the new plot(s)***

***☐ It complies with the siting criteria set out under category 3.***

***Proposals in any location, which contribute towards ribbon development will not be supported, nor will proposals which would result in the extension of a settlement boundary.***

Justification – As stated above, the site is bound by buildings either side with a maximum distance of 72m between the existing built form. The building size proposed is not excessive and of a similar footprint to the existing residential properties. The plot size is equally comparable. The use of natural materials such as stone and larch cladding under a natural slate roof will ensure the house sits respectfully within its surroundings. The proposed site / dwelling occupies the extent of the gap.

### ***3. New Houses in the Open Countryside***

***Favourable consideration will be given to proposals for the construction of new houses in the open countryside where they fall into at least one of the following categories:***

#### ***3.1 Existing Gardens:***

***a) Established gardens once associated with a country/estate house, which provide an appropriate landscape setting, but where development would not fundamentally affect the qualities and integrity of the site.***

***b) Walled gardens where development would not affect the integrity of the structure or the garden, and may assist in the preservation of the wall.***

#### ***3.2 Flood Risk:***

***a) Relocation of an existing house from within a flood risk area to the best and nearest alternative site, provided the flood risk house is demolished, the site made good, and any ad-hoc protection measures associated with the at-risk property removed, following the occupation of the replacement house.***

#### ***3.3 Economic Activity***

***a) A house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s). Where the house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. Permission may be restricted by an occupancy condition to remain as essential worker housing in perpetuity, or convert to an agreed tenure of affordable housing when the employment use is no longer required.***

***b) Proposals for new country estates with ancillary accommodation may be permitted where they are of outstanding architectural quality and create a new designed landscape. In addition they must demonstrate that they will bring associated employment and long term economic benefits to communities in the surrounding area.***

Justification – Under section 3.3 (economic activity). Mr Ramsay owns a large area of land surrounding the site which; is used for agricultural purposes (see attached plans, additional



land owned by Mr Ramsay is outlined in blue). In addition, Mr Ramsay's brother owns the neighbouring Golf driving range and additional farm land which both brothers actively work and operate as an existing business. Currently, the applicant is having to commute a significant distance to operate this business.

## **Reason 2.**

We believe the comments made in relation to the design is subjective and should be considered in the larger context of the state and visual appearance of some of the surrounding buildings. The proposed house will assist in enhancing the aesthetic of the existing building group, particularly when viewed from the south of the site. The refusal also makes reference to the removal of trees. As can be seen from the attached photos, there are no trees on the site, those that are within close proximity to the site along the western boundary are outwith any tree root protection area and are of a size that pose no risk to the development. A site visit by the planning officer may have cleared this misunderstanding up and it was clearly stated on the submitted planning application form that there were no trees on the site or any that required removing or would be affected by the proposal.



Photo of site from north boundary looking towards southern boundary (no trees within the site)





View from east looking west. Existing golf driving range is located behind the trees in the back ground.





View from south east corner of the plot looking north west. Existing trees can be seen outwith the plot. Industrial sheds and neighbouring golf driving range can be seen on the back ground



View looking north (plot on the left side). Existing residential dwellings can be seen. The proposed house has been positioned so as not to obstruct the southerly views and sun path of the existing residents.





View looking west along the southern boundary of the site. Driving range café can be seen in the back ground.





View looking north from within the site. The site is bound by post and rail / wire fence.

### Reason 3 –

The planning officer stated the following – “***No tree or ecology survey has been submitted with the application.***”. As mentioned above, there are no trees on the site and the trees outwith the boundary are of a size / age and position that they are unaffected by the proposed dwelling. Any subsequent approval could be conditioned to address concerns where valid.

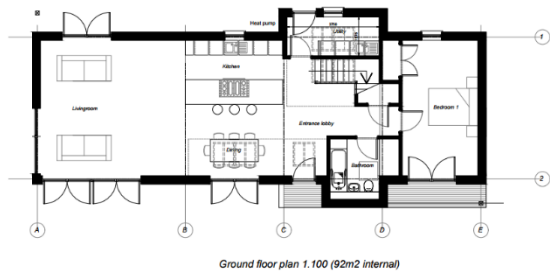
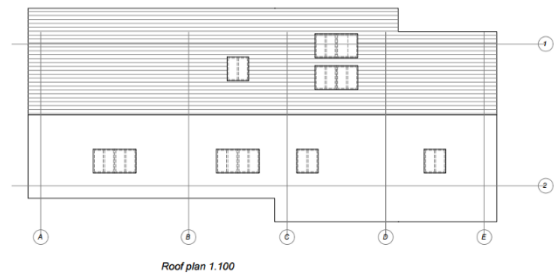
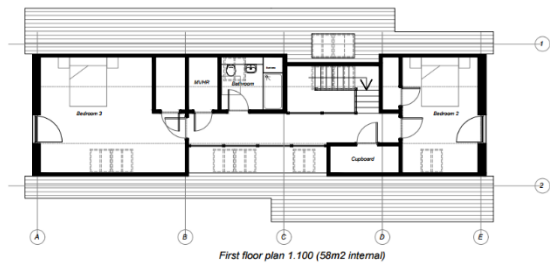
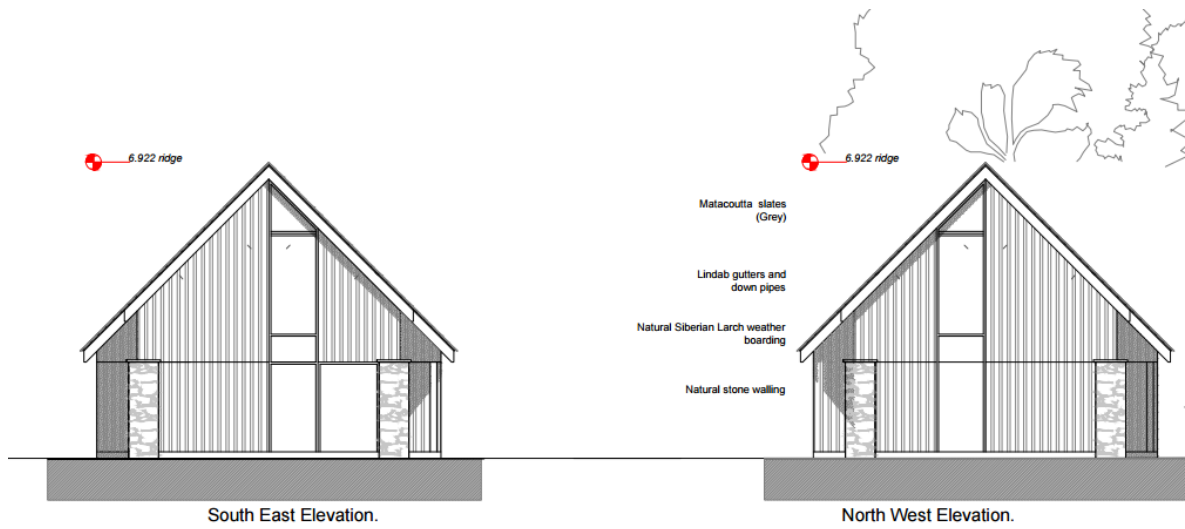
In addition to the above objection to the refusal, we feel it is important that determination of this application should be considered in parallel to an approved application under similar circumstances. An application for a dwelling house was approved on open farmland adjoining the applicants land in February 2024 (23/01977/FLL) which was out with any existing building group. Whilst its appreciated that conditions were applied to the ongoing occupancy of this approved dwelling (which; Mr Ramsay wouldn't necessarily want to be applied), the principle of this approval should be considered, particularly in context of our proposal sitting within an existing building group.

## Plans & Elevations.



<p>            U.S. Agency for International Development          Office of the Inspector General          Washington, D.C. 20548-0001          Tel: 202-725-6000          Fax: 202-725-6001          Email: oig@usaid.gov          Website: www.usaid.gov       </p>	<p>            U.S. Agency for International Development          Office of the Inspector General          Washington, D.C. 20548-0001          Tel: 202-725-6000          Fax: 202-725-6001          Email: oig@usaid.gov          Website: www.usaid.gov       </p>	<p>            U.S. Agency for International Development          Office of the Inspector General          Washington, D.C. 20548-0001          Tel: 202-725-6000          Fax: 202-725-6001          Email: oig@usaid.gov          Website: www.usaid.gov       </p>
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OS Extract 1.2500

This drawing is the copyright of O'Shea Architecture and should not be copied or reproduced without written consent. All dimensions are to be checked on site prior to fabrication and the Designer notified of any discrepancy.

project Proposed HGV service and repair garage					OSA ARCHITECTURAL & INTERIOR DESIGN SERVICES <small>188 Topp, Oakleigh, Victoria, Postcodes 3166/3170 TEL: 0395 622886</small>	
client Jamie Ramsay						
title Site location Plan					drawing no	rev
scale 1:2500	date 16/01/2012	drawn POS	chk'd	24 08 03		xx

Mr Alastair Ramsay

12/02/25

To the Planning Officer

I am writing to you to show support of the planning application for Jamie Ramsay for the development of a house at Land 55 metres south of Ashlea, Middlebank Farm, Errol, Perthshire, PH2 7SX

We as a family have invested in the Middlebank driving range and having Jamie on site this would aid our business with more flexibility with opening hours and security for the business. We also bought [REDACTED] next to the driving range, again allowing the planning to go ahead would allow our daughter to have her uncle just round the corner we are a small family and this would give our daughter the best chance to have a close bond with her closest relative.

We have plans to have some livestock here and again this would only work with Jamie being on site as it would be a joint effort between us.

Alastair Ramsay, *AA*

Signature: \_\_\_\_\_

Date: \_\_\_\_ 12/02/25

[REDACTED]

Jamie Ramsay

12/02/25

Dear Neighbour,

I hope this letter finds you well. I am writing to inform you of a planning application I am submitting for the construction of a house on land located 55 meters south of Ashlea, Middlebank Farm, Errol, Perthshire, PH2 7SX. As part of the planning process, it is helpful to gather support from the local owners and residents

I would greatly appreciate it if you could kindly show your support for my application by signing this letter and providing your address. This would help demonstrate local backing for the proposed development. Your support is incredibly valuable in helping move the process forward.

Please find the necessary details for your support below:

I, MICHAEL SAUDS, confirm my support for Jamie Ramsay's planning application for the development of a house at Land 55 metres south of Ashlea, Middlebank Farm, Errol, Perthshire, PH2 7SX.

Signature: \_\_\_\_\_

Date: 18/2/25

Full Address: \_\_\_\_\_

Jamie Ramsay

12/02/25

Dear Neighbour,

I hope this letter finds you well. I am writing to inform you of a planning application I am submitting for the construction of a house on land located 55 meters south of Ashlea, Middlebank Farm, Errol, Perthshire, PH2 7SX. As part of the planning process, it is helpful to gather support from the local owners and residents

I would greatly appreciate it if you could kindly show your support for my application by signing this letter and providing your address. This would help demonstrate local backing for the proposed development. Your support is incredibly valuable in helping move the process forward.

Please find the necessary details for your support below:

I, DOUGLAS LAWRIE, confirm my support for Jamie Ramsay's planning application for the development of a house at Land 55 metres south of Ashlea, Middlebank Farm, Errol, Perthshire, PH2 7SX.

Signature: \_\_\_\_\_

Date: 17 - 02 - 2025

Full Address: \_\_\_\_\_