

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) | <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 checked="" 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 tick more than one box if you wish the review to be conducted by a combination of procedures.

- | | |
|---|-------------------------------------|
| 1. Further written submissions | <input type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input checked="" 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:

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 type="checkbox"/> | <input checked="" 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:

It's a block of flats with secured entrance, I'm happy to let you in at anytime or pass the keys.

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.

Dear Local Review Body.

I will attach additional PDF document with my statement.

I would also like to add that it took Perth & Kinross Council 3 months and 10 days to review our application instead the statutory time limit for determination of 2 months. Considering the property is currently empty, with 200% council tax, mortgage payments and factor fees, this costed us lots of money, time and stress.

My supporting statement will be included in the email.

Best Regards
Bartek

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.

I will attach PDF supporting statement with my view, this will be included in the email.

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

04/09/2025

To: The Secretary
Local Review Body
Perth and Kinross Council
Committee Services
Council Building
2 High Street
Perth
PH1 5PH

Re: Appeal Against Refusal of Planning Permission for Short-Term Let
Address: 4B Kings Court, South William Street, Perth, PH2 8LA

Dear Sir/Madam,

I am writing to formally appeal the decision to refuse planning permission for the use of the above property as a short-term let. I respectfully request that the decision be reconsidered.

The reason I bought this property was to rent it to workers/tourists/insurance companies (That's what me and my partner do full time) I was specifically looking for a flat in the city centre as I'm aware it would be pretty much impossible to get planning permission in residential areas like Monart road, Vasart court etc. I was very confident that this flat will get planning as the street is a mix of commercial & residential properties with business like gym, tire shop, carpet shop only 15 meters away from the building.

There are many other flats very close by with exactly the same shared entrance as our one, every single flat was accepted, for example 108E Scott Street was approved but it's actually further away from the city center, there's even a flat on South William Street, number 34 which was approved, there are much more examples I could list. The only difference is that we got more objections from the Neighbours. A similar example would be a flat at Flat G Fiscals House 3 South Street Perth PH2 8NJ that also had 8-10 objections and is also in a block of flats that was approved. I found it very unfair, that my flat was refused, I respectfully request that the refusal of planning permission be overturned and that approval is granted.

4B Kings Court flat was bought by myself and my partner in March 2025, 5 months ago. We were the only people that view it as it was in very bad condition, uninhabitable as there were thousands of bugs under the carpets, skirting boards, floor boards and pretty much everything was falling apart. We've hired professionals to carry-out the works which included – new electrical system, new heating system, new windows, new kitchen, new floors, new bathroom, new doors etc. More than £40,000 was spent to bring it up to the current standard.

Objections from the neighbours: I respect all of the objections from the neighbours, I've had a look through all of the objections we received and I'm very confident we can find solution to all of them.

Random people: Each guest is verified by us, we take damage deposits, check IDs when we meet them in PERSON, we then pass them the keys, we won't be putting a key lockbox at this building to make sure each guest is verified in person, we will then explain the rules and guidance. The property is done up to very high standard and therefore in my opinion and experience the quality of people staying in the flat will be top notch. The guests will NOT have access to communal areas like the garden.

Noise: The property will have noise detector, we have very hard rules against parties or excessive noise, in my experience from my other properties we never had this issue. We also added extra floor insulation and are on the top floor, which means the noise should be very minimal.

Stealing things from the close: We've noticed few child strollers under the communal staircase, they belong to two of our objectors, they have pointed this in their objections. We've spoken to the factor of the building (James & Gibb) and they agreed with us that those strolls should be removed as it's a fire risk and potential fire fuel. Therefore, this objection is not relevant.

There are few other similar objections, we have similar property at 64H South Street in Perth, after 2 years of short term lets, our property is still in perfect condition, we have great contact with the Neighbours, our guests are not causing any issues and there's no damaged done to the communal close. It's actually opposite, we take care of the close by cleaning the windows, floors and walls. As we want to keep it in very good condition, just as much as other residents. It's important as this makes our guests more welcome.

The main reason for such a big number of objections is a lady called Jackie Mason from 1B (Ground floors) She's been harassing us during the renovation by aggressive text messages and police threats due to the noise. Which is absolutely normal during such a big renovation. She also tried to convince all of the Neighbours to write appeals against us.

We tried to sell this flat, as I've lost motivation and hope, but unfortunately, we had no great success due to lack of interest in city center flats in Perth. The property now sits empty which is costing us mortgage payments and building factors payments. We specifically renovated it to short term let use, and hope the decision is overturn, so we can rent it to great people. I'm very passionate about properties and very ambitious to make Perth much greater place for both – Tourists and Locals. I only buy properties that are in terrible condition, that no-one want's, to then give them new live. In the future I want to expand to luxurious hotels. I can promise that agreeing for me to continue my business will be very beneficial to Perth future.

We live only 2 minutes by car from South William Street and will be fully managing it.

The rest of benefits:

1. Contribution to Local Economy

Short-term lets play an important role in supporting Perth's visitor economy by providing flexible accommodation options for tourists, business travellers, and visiting families. Guests staying at 4B Kings Court would contribute directly to local businesses including shops, cafés, and restaurants in South William Street and the surrounding city centre. The hotels in Perth are very dated and improvements are made, our properties are done up to very high standard.

2. Appropriate Location & Suitability of Property

The property is situated in a central location within Perth, in close proximity to transport links and amenities, making it highly suitable for short-term visitors. The flat is self-contained, well-maintained, and compliant with relevant safety regulations, ensuring that it is fit for purpose without detriment to neighbouring residents.

4. No Significant Adverse Impact on Housing Supply

The property at 4B Kings Court is not removing family housing from the local market in any meaningful sense, as it is a single flat within a mixed-use city centre setting. Its use as a short-term let would have negligible impact on overall housing availability in Perth.

5. Policy Context & Precedent

The Scottish Government's short-term let framework recognises the value of such accommodation while requiring appropriate safeguards. Many similar properties in central Perth have been granted permission, and I believe 4B Kings Court meets the same criteria of suitability and responsible management.

6. Willingness to Accept Conditions

If concerns remain, I would be open to the imposition of planning conditions, such as limits on occupancy, noise management requirements, or a temporary consent period, to allow the Council to review the operation of the short-term let in practice.

Conclusion

In light of the above, I respectfully request that the refusal of planning permission be overturned and that approval is granted for the use of 4B Kings Court as a short-term let. The property is well-managed, contributes positively to the local economy, and does not materially harm residential amenity or housing supply.

I thank you for your reconsideration and look forward to your response.

Yours faithfully,

Bartek Szmajdzinski

Bart Properties Ltd

