

## Review Decision Notice

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Decision by Perth and Kinross Local Review Body (the PKLRB)

Site Address: 1 Orchard Way, Inchtute, Perth, PH14 9QB

Description: Installation of an amateur radio mast and aerial

Application for Review by Mr J Grieve against decision by an appointed officer of Perth and Kinross Council.

Application Ref: 25/00100/FLL

Application Drawings: 25/00100/1 - 25/00100/10

**Date of Review Decision Notice – 18 December 2025**

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### Decision

The PKLRB overturned the decision to refuse planning permission for the reasons given below and allowed the review, subject to the imposition of appropriate conditions.

### 1 Introduction

1.1 The above application for review was considered by the PKLRB at a meeting held on 13 October 2025. The Review Body comprised Councillor B Brawn, Councillor K Harvey and Bailie C McLaren.

1.2 The following persons were also present at the meeting:  
G Fogg, Legal Adviser; L Tierney, Planning Adviser; and A Brown, Democratic Support Officer.

Also attending:  
M Pasternak (Legal and Governance).

### 2 Proposal

2.1 The proposal is for the installation of an amateur radio mast and aerial, 1 Orchard Way, Inchtute, PH14 9QB. The application was refused consent in terms of a decision letter dated 1 May 2025.

### 3 Preliminaries

3.1 The PKLRB was provided with copies of the following documents:

- (i) the drawings specified above;
- (ii) the Appointed Officer's Report of Handling;

- (iii) the refusal notice dated 1 May 2025;
- (iv) the Notice of Review and supporting documents;
- (v) consultation responses and representations to the planning application;
- (vi) representation to the Notice of Review.

- 3.2 The Planning Adviser described the proposals, the locality of the site, explained the reasons for refusal, and the grounds for the Notice of Review.
- 3.3 The PKLRB was shown projected photographs taken by the Planning Adviser, who had visited the site. These showed the application site from various angles.
- 3.4 Having regard to the material before them, the PKLRB resolved that the review of the decision to refuse could be determined without further procedure.

#### **4 Findings and Conclusions**

- 4.1 The PKLRB, by unanimous decision, decided that although this proposal entailed some degree of policy breach, given that it is a corner site with woodland nearby there would be minimal visual impact on neighbouring properties. They considered that the impact would reduce over time as others became familiar with its presence. They also noted the intention to lower the mast at the times when it was not being used which would further reduce its impact. It was considered that planning permission should be granted on this occasion but with the consent limited to a temporary period of 10 years.
- 4.2 Having regard to the Development Plan and other material considerations set out in the Report of Handling and other papers before it, the PKLRB determined to uphold the application and grant planning permission subject to the following conditions:

- (1) This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.

Reason - This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.

- (2) Planning permission is hereby granted for a limited period of 10 years from the date of this decision notice.

Reason - Due to the nature of the proposal.



**Lisa Simpson**  
**Clerk to the Local Review Body**

## **Informatives**

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken. Please use the form attached herewith.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position. Please use the form attached herewith.
3. An application for Building Warrant may be required.

## **Town and Country Planning (Scotland) Act 1997**

### **Notification to be sent to applicant on determination by the Planning Authority of an application following a review conducted under Section 43A(8)**

### **Notice Under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.**

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision notice.
  
- 2 If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland ) Act 1997.

# Notice of Initiation of Development



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KINROSS  
COUNCIL**

## Town and Country Planning (Scotland) Act 1997 (as amended)

A person who has been granted planning permission and intends to start development is required to inform the planning authority of the onsite start date before the development commences. This ensures that the planning authority is aware that development is underway, and can follow up on any suspensive conditions attached to a planning permission. Failure to do so will be a breach of planning control under section 123(1) of the above Act and enforcement action could be taken. Please complete the form below and return to Development Management.

<b>Application reference number</b>	25/00100/FLL
<b>Date works are to commence</b>	
<b>Have you submitted information in relation to suspensive conditions?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>Name &amp; address of applicant, site agent or developer</b>	
<b>Email</b>	
<b>Telephone number</b>	

**Send to:**

[DevelopmentManagement@pkc.gov.uk](mailto:DevelopmentManagement@pkc.gov.uk)

**Development Management  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD**

### HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to process the application. The information will be published on the internet as part of the Council's Planning Portal.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

For further information, please look at our website [www.pkc.gov.uk/dataprotection](http://www.pkc.gov.uk/dataprotection); email [dataprotection@pkc.gov.uk](mailto:dataprotection@pkc.gov.uk) or phone 01738 477933.

# Notice of Completion of Development



**PERTH &  
KINROSS  
COUNCIL**

## Town and Country Planning (Scotland) Act 1997 (as amended)

A person who completes a development for which planning permission has been given must give notice of completion to the planning authority. If the planning permission is for a phased development, notice of the completion of each phase must be submitted. Please complete the form below and return to Development Management.

<b>Application reference number</b>	25/00100/FLL
<b>Date works were completed</b>	
<b>Name &amp; address of applicant, site agent or developer</b>	
<b>Email</b>	
<b>Telephone number</b>	

**Send to:**

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For further information, please look at our website [www.pkc.gov.uk/dataprotection](http://www.pkc.gov.uk/dataprotection); email [dataprotection@pkc.gov.uk](mailto:dataprotection@pkc.gov.uk) or phone 01738 477933.