

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

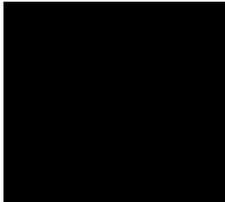
IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name Miss Helen Gray

Address



Postcode

Contact Telephone 1

Contact Telephone 2

E-mail*

Agent

Name Ami Coulter/HebHomes

Address 1.07 McLellan Works
274 Sauchiehall Street
Glasgow

Postcode G2 3EH

Contact Telephone 1

Contact Telephone 2

E-mail* ami@hebhomes.com

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

Planning Authority

Perth and Kinross

Planning authority's application reference number 25/01500/FLL

Site address Land 80 Metres West Of 1 Kinnochtry Holdings, Kinnochtry, Coupar Angus,
Blairgowrie PH13 9PN

Description of proposed development

Erection of dwellinghouse and siting of a caravan (in part retrospect)

Date of application 10/10/2025

Date of decision (if any) 10/12/2025

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

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:

The gated access from the public road is padlocked if there is no-one on site.

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.

Please see separate document.

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.

n/a

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.

All contained within statement.

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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed: Helen S Gray

Date: 01/02/26

STATEMENT TO ACCOMPANY NOTICE OF REVIEW

I am seeking a review of my application (Ref: 25/01500/FLL) as I believe that the reasons given for refusal of my application are largely incorrect and/or can be overturned with further explanation and photographic evidence that I will lay out in this statement.

I purchased my agricultural smallholding (originally known as No.1 Kinnochtry Holdings) in June 2024 and since then I have submitted three different planning applications, all of which have been refused for various reasons, in an effort to secure planning consent to build a modest dwelling, in keeping with the local character of the area, for my own occupation.

I believe that I, and my small rural business, have been failed by the Perth and Kinross planning department on multiple levels with decisions being made that seem to go directly against Scottish government policy to support small rural businesses and improve rural housing availability. Despite several invitations there were no site visits carried out by the planning officer, and no direct engagement with myself or my project manager, apart from to correct an error in the map labelling, during any of my applications. I believe that I paid for a service in my applications that I did not receive on any level.

I will address each Reason for Refusal of application 25/01500/FLL in turn detailing the matters I require to be taken into account in determining the review.

Reasons for Refusal

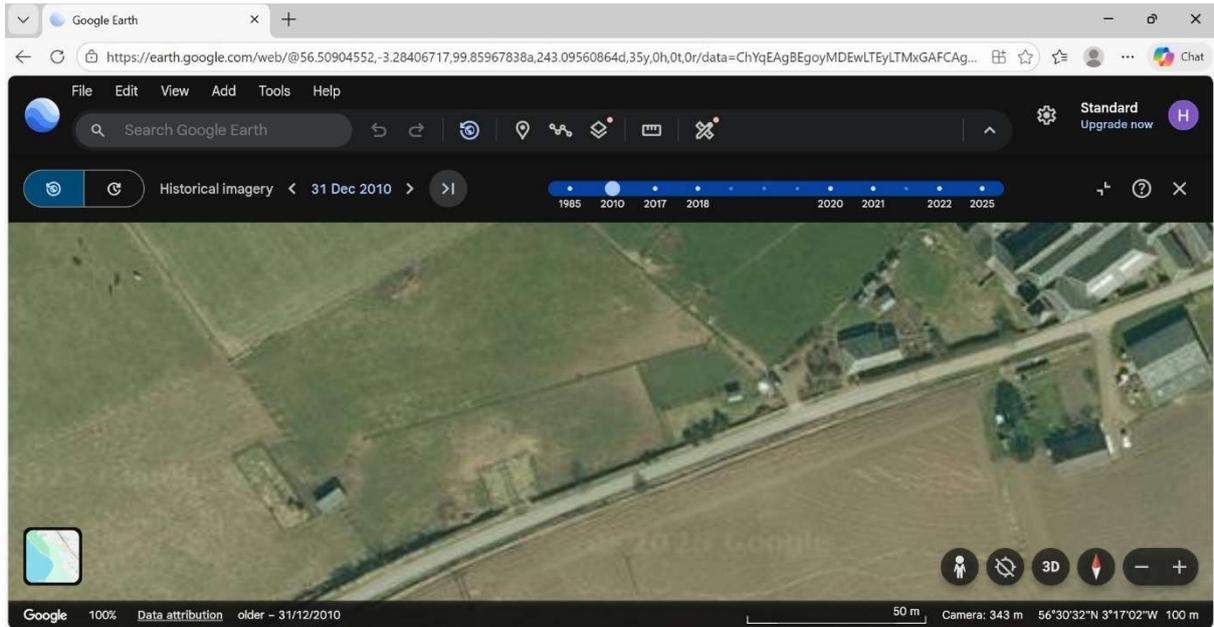
- 1. “The proposal is on a greenfield site that is not allocated for development and development on the site is not explicitly supported by policies in the Local Development Plan. It is therefore contrary to Policy 9 b), Brownfield, Vacant and Derelict Land and Empty Buildings of National Planning Framework 4 (2023).”***
 - The application clearly made the case that the proposal is supported by the Local Development Plan Policy 19, Housing in the Countryside, under the building groups category.
 - The site for development is situated in a rural area and Policy 9 b) of NPF4 states that *“proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP”*. As stated above and under response to reasons for refusal no. 3 below, the proposal is supported by LDP2 Policy 19, Housing in the Countryside, and therefore NPF4 Policy 9b also provides direct support towards the proposal.
- 2. “The proposal is contrary to Policy 17 Rural Homes of National Planning Framework 4 (2023) as it fails to meet any of the 8 criteria listed within Policy 17a). The site is not allocated for development in the Local Development Plan and there is not an essential need for a worker to live permanently at or near their place of work.”***
 - If, as stated above and below, the proposal is accepted as being in accordance with LDP2 Policy 19, then the cross reference assessment to NPF4 Policy 9 would mean that the NPF4 Policy 17 reason for refusal is not applicable and does not stand.
 - Further, Policy 17a of NPF4 states that *“Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area...”*. The Delegated Report produced by the

Planning Officer confirms that the development is suitably scaled and designed to be in keeping with the character of the area.

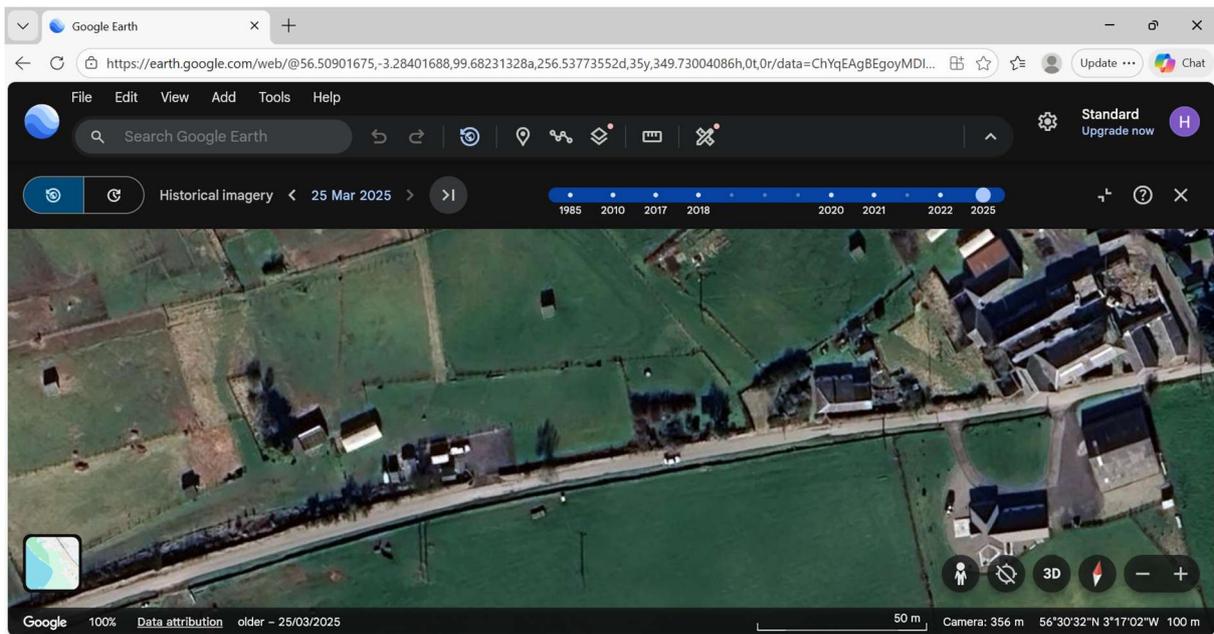
- Although the planning officer considers that the development fails to meet any of the 8 criteria listed in Policy 17a), I would argue that the development does meet criteria (viii) *“reinstates a former dwelling house...”* as the wider land owned by me, which the site forms part of, constitutes a recognised agricultural holding which originally included a dwelling house (which lies adjoining the site and is still known as No.1 Kinnochtry Holdings even though it only refers to a residential property now). The original dwelling house was sold off separately to the land in 2021 and therefore this proposal is just looking to reinstate a dwelling house linked to the agricultural holding.
- Previous planning applications also provided arguments as to why a new dwelling is required *“to support the sustainable management of a viable rural business orcroft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work”* (criteria vii). Following refusal of my second application I sought input from SAC Consulting on the labour requirements (see Appendix 1) and they confirmed that, although the labour requirement based on area and livestock calculations was only 0.33 units, any report produced by them would also reference the need for on-site accommodation based on other elements of the business, including business sustainability and expansion, efficiency, animal health and welfare, security and the fact that there was no opportunity for me to buy a property with the land due to the house that was previously on the holding having been sold off. When this was put to the planning officer, they simply responded that *“studies from SAC would be unlikely to help”*, so I did not feel it was worth obtaining the full report from the SAC. However, I still believe there is a strong case for a new dwelling to support the rural business for all the reasons detailed above and in the SAC response at Appendix 1.

3. *“The proposal is contrary to Policy 19, Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) as it fails to comply with any of the 6 categories listed in the policy. In terms of category 1 Building Groups the site is not a readily definable site adjacent to a building group. Development would not add to the existing building group in a satisfactory manner due to the lack of sufficiently long established, identifiable boundaries or a suitable level of enclosure provided by natural features.”*

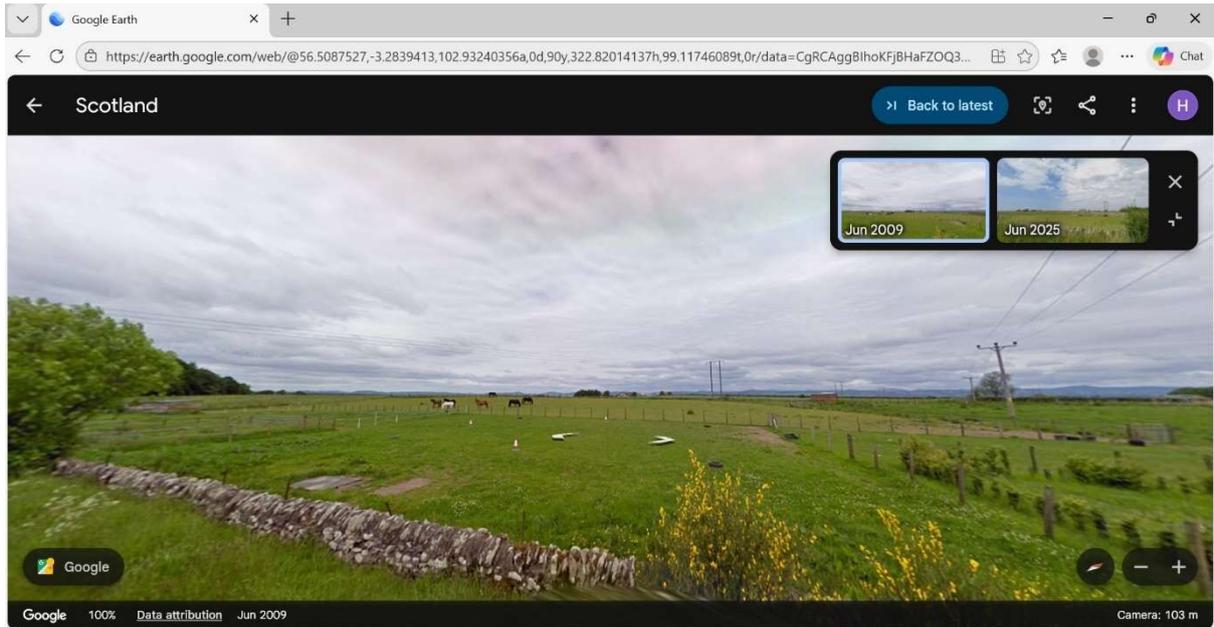
- The proposal has been shown in the application to comply with category 1 “Building Groups” of Policy 19, Housing in the Countryside.
- The site is a readily definable site adjacent to the building group. Even where boundaries only comprise a fence, all boundaries are long established as can be evidenced from the Google Earth images below dating back to 2009 and 2010, along with the 2025 images for comparison, which clearly show all the existing boundary fences and hedges in place at that time and evidence that they have not changed in over 15 years.



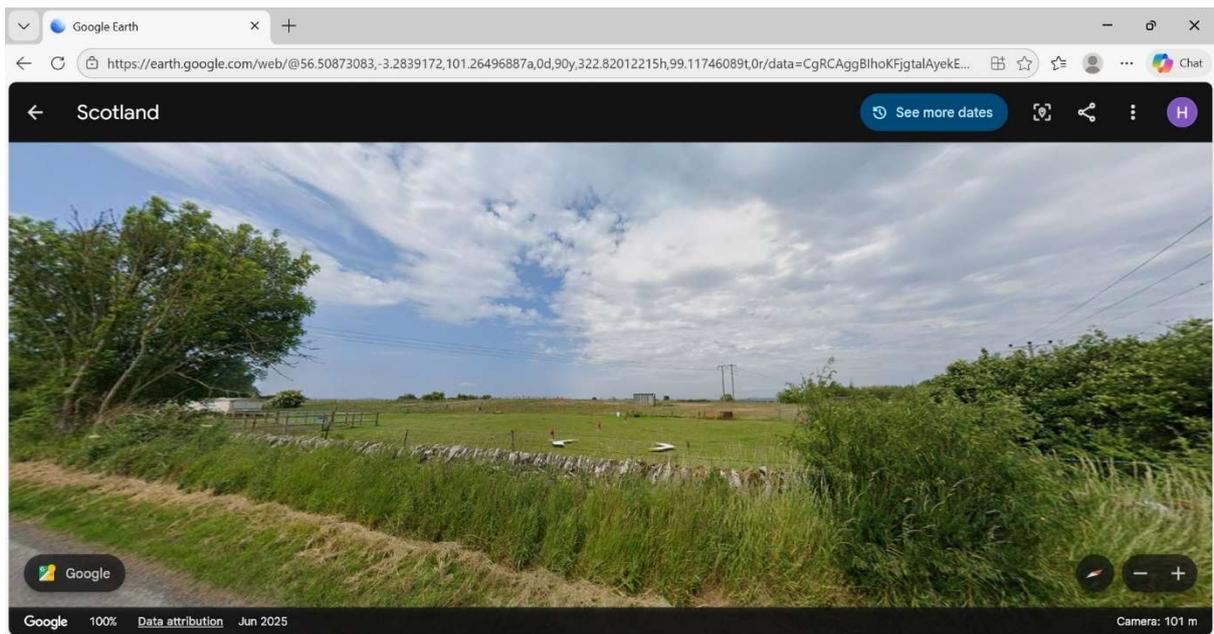
Google Earth aerial view of the site dated December 2010, showing the site and neighbouring properties.



Same Google Earth aerial view of the site dated March 2025, for comparison.



Google Streetview image of the site dated June 2009



Google Streetview image of the site dated June 2025 for comparison

- The site adjoins the garden ground of the neighbouring residential property to the east (“No.1 Kinnochtry Holdings”, that once formed part of the wider landholding) with a hedge and fence forming a substantial boundary. To the west of the site the post and rail fence, delineating the edge of livery business parking area, can be clearly seen on the images. To the south there is the natural feature of the original dry stone wall and the public road, and to the north the long established boundary fenceline can also be seen on the Google Earth images, dating back over 15 years. The site also benefits from the natural feature of the upwards sloping ground to the north of the site which screens the site almost completely from the residential properties to the north.

- The siting has been carefully considered to ensure the dwelling consolidates the existing building group by using well defined boundaries and its relationship with the public road rather than extending development into the open countryside. The site lies naturally between residential properties to the east and my livery business car park, yard and agricultural buildings to the west which prevents the building group extending any further into the open countryside. The plan below shows how the proposed dwelling (in green) would sit comfortably **within** the building group (outlined with a dashed red line).



4. *“Development of the site would be contrary to policy 1A, Placemaking, of Perth and Kinross Local Development Plan and policy 14a) Design of National Planning Framework 4 as it would not contribute positively to the quality of the surrounding built and natural environment. It would extend built development into a site detached from the main building group and would add further piecemeal development in an area subject to development pressure further contributing to the urbanisation of a rural area.”*

- I disagree that the development of the site would not contribute positively to the quality of the surrounding built and natural environment. Policy 1A of the LDP states that: *“All development should be planned and designed with reference to climate change, mitigation and adaptation.”*. The development has been designed to incorporate solar PV panels to provide renewable and low carbon energy, an air source heat pump (ASHP) heating system, a mechanical heat recovery ventilation system improving air quality in a highly insulated envelope, optimised orientation and large windows to maximise solar gain and the use of Scottish timber cladding. The home will also achieve high levels of energy efficiency through the HebHomes CPS construction system, which delivers efficient airtightness and insulation values.
- Policy 1A further states that *“The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.”*. The design of the development reflects the local character being single

storey and using a mix of render and timber cladding. The density and siting of the development respects the traditional spacing of existing nearby residential properties and creates a link between neighbouring structures and my existing agricultural buildings and yard area. The proposals incorporate new native tree and hedge planting and wildflower meadows to enhance biodiversity, as well as retaining existing elements that add to the biodiversity of the area, all of which contribute to the Council's goal to halt biodiversity loss and help combat climate change. These will also be linked into planting and landscape proposals for the wider agricultural holding as part of the requirements of the Whole Farm Plan coming into effect in 2026.

- NPF4 Policy 14 states that:

"a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale;

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

- I am a single woman and many of the business clients are also women and this proposal would allow me to live close to my small business and agricultural smallholding, promoting safety and security for myself and all those visiting the smallholding.
- I also work from home as a chartered surveyor and this proposal would allow me to combine those working practices with running the livery business more efficiently and sustainably, eliminating the need for additional commuting, and fostering sustainable living and working practices for both roles.

Pleasant: Supporting attractive natural and built spaces.

- The proposal offers a dwelling that is suitably scaled, sited and designed to be in keeping with the character of the area, which has already been acknowledged by the Planning Officer.
- The proposal intends to keep all existing natural landscape features and enhance them with new native tree/hedge planting and wildflower meadows.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

- As mentioned above, this proposal would support sustainable living and working practices and eliminate the need for additional commuting by me between the agricultural smallholding and any other off-site dwelling.

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

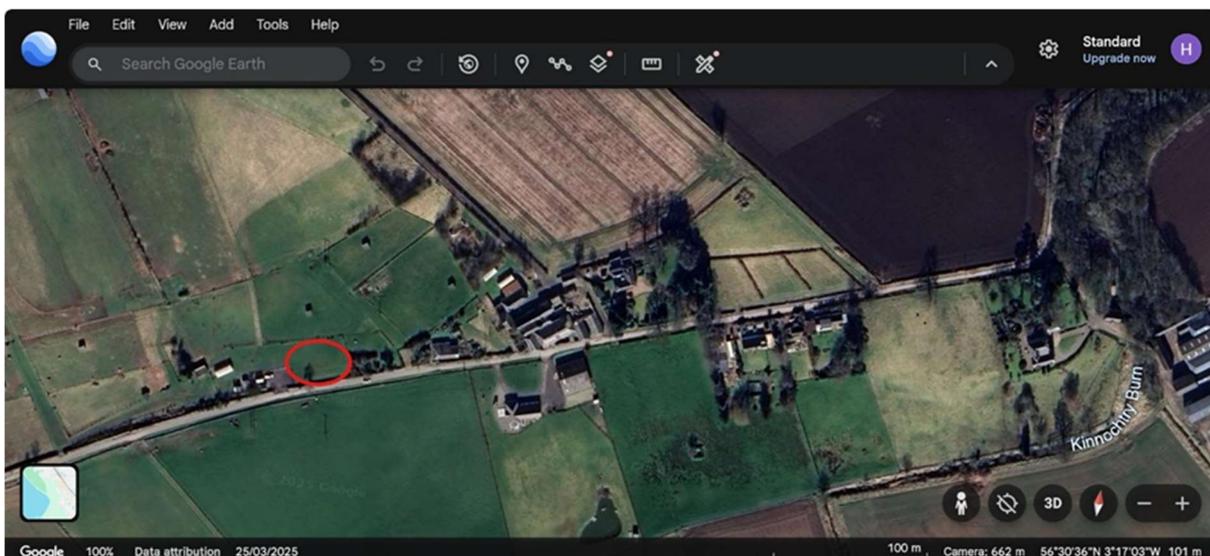
- The design reflects traditional Scottish rural architecture in the longhouse design while incorporating modern, energy-efficient technologies. The immediate area is characterised by single-storey buildings, and the proposed house has been carefully designed to respect that prevailing scale and form. The design ensures that the building nestles naturally into the landform, avoiding intrusion onto higher ground and complements neighbouring properties through its form and use of natural materials, and contributes positively to the vitality and sustainability of the local rural community.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

- I have long established family, social and business ties to the area and have chosen to build a dwelling on my own land to enable me to stay in the area and reduce my impact on wider landscape and travel networks. Siting and land take have been carefully considered and minimised and also designed to avoid disrupting the flow and efficiency of the wider agricultural practices and livery business.
- The development has been designed to incorporate high levels of energy efficiency, solar PV panels and other sustainable systems to ensure climate resilience. The proposal also makes a commitment to further native planting and development of wildflower meadows to enhance and encourage biodiversity and nature.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

- The proposal already incorporates space for working from home practices.
 - The single storey design of the proposal means that standard mobility requirements are met with no stepped access and the building type remains easily adaptable to be fully accessible if required.
 - The proposal also shows a commitment to the long-term sustainability and investment in the wider agricultural smallholding and rural business.
- The site is adjoining the garden ground of the neighbouring residential property and is therefore not detached from the main building group in any way. There is a high voltage overhead power line above that neighbouring area of garden ground, which restricts any development of that area and ensures that no 'infill site' is being created. The distance from the neighbouring residential building also reflects the established spacing pattern of the wider hamlet of Kinnochtry (see below aerial view).



Aerial view of Kinnochtry showing existing spacing of buildings (proposal site circled in red)

- Finally, I strongly dispute that this proposal would contribute to the “urbanisation of a rural area” as the property will be linked to a long established small rural business and active historical agricultural smallholding and is intended to provide a home for the landowner who already has long established personal and business ties to the area.

Further matters to be taken into account in determining the review

1. In the Delegated Report the planning officer also raised concerns about visual amenity stating that *“There will be some adverse visual impact of the proposed dwellinghouse as the site is detached from the main building group and has an open appearance. The main building group is generally well screened by existing vegetation. This proposal would be a prominent new built feature in a relatively flat open landscape.”* I have addressed, and disputed, the claim that the site is detached from the main building group above. I further strongly disagree that *“the proposal would be a prominent new built feature in a relatively flat open landscape”*. If the planning officer had visited the site they would have noted the following points:
 - The site is not visible to any other surrounding residential property, being well screened by existing vegetation - it overlooks no-one and is not overlooked by any other property.
 - The land slopes gently, but significantly, upwards to the rear of the site which screens the site from the neighbouring properties to the north.
 - Due to the naturally undulating topography of the area surrounding the site, any new building on the site would only be visible for approximately 100 metres to anyone travelling along the public road directly adjacent to the site. This openness to the public road is an existing element of the site to allow safe use and visibility for users of the entrance and car park adjacent. This visibility splay will remain open as per regulation with additional screening for the property placed outside of this zone. Further screening is also provided by the existing agricultural sheds to the west, the dry stone wall to the south and existing trees and vegetation in several directions.
 - In addition to this, the level of the site sits slightly below the level of the adjacent public road, further reducing the visual impact of any new built feature.
2. The application has the support of everyone in the local community, as evidenced by the lack of objections to the application and the letter of support submitted by a neighbouring landowner, and they are as frustrated as I am that my planning application was refused. This development is far more appealing to the local community than other planning applications consented in the vicinity recently for new plots, with artificial boundaries, that are then just sold on by developers. This proposal is for a local person, who is already a valued part of the local community running a small rural business and who is looking for an affordable way to remain living and working in the community where their small business is established.
3. The livery business operating on the smallholding provides an important service and supports the local economy and suppliers. With no residential property on site the business is unable to offer certain services, and clients have already made clear that they will take their business elsewhere, primarily due to security and animal welfare concerns, and therefore the business will likely have to close with the consequent impacts on the local economy and community.

APPENDIX 1 – EMAIL CORRESPONDENCE FROM SAC CONSULTING

From: Mhairi Dalgliesh [REDACTED]
Sent: Wednesday, June 4, 2025 1:30:53 PM
To: Helen Gray [REDACTED]
Subject: RE: Mhairi Dalgliesh, SAC Consulting

Hi Helen

Thank you for the documents you sent across.

Based on the land area and stocking figures, I have prepared the following table of your labour requirement. This table uses Standard Labour Data for Agricultural and Horticultural Activities, sourced from Defra UK Farm Classification Document (October 2014) and the Standard Work Capacity is taken as 1,900 hours/person/year. This is calculated on the assumption that one person would work 39 hours per week and takes illness and public holidays etc. into account.

The calculation proves a labour requirement of 0.33 units.

The report would also reference the need for on-site accommodation based on the following elements of the business:

Business Sustainability and Expansion

Efficiency

Animal Health and Welfare

Security

Alternative Accommodation- making reference to the fact that the house that was previously on the holding having been sold off and there was no opportunity for you to buy a property with the land.

Pt. 1 Kinnochtry Holdings

LABOUR PROFILE CALCULATION

	AREA Ha	HOURS (/Ha/Yr)	TOTAL (Hours)
CROPS			
=====	=====	=====	=====
Grassland	7.28	3.1	22.6
		CROP HOURS	<u>22.6</u>
LIVESTOCK	HEAD No.	HOURS (/Hd/Yr)	TOTAL (Hours)
=====	=====	=====	=====
HORSES	12	40	480.0
GOATS	10	12	120.0

LIVESTOCK HOURS	600.0
TOTAL HOURS	622.6
<u>Labour Units</u>	<u>0.33</u>

The cost of the report would be £800

If you are happy to proceed, taking into account the above information, please let me know and we can get work underway and then send you through a draft report to confirm all details about the business and location are correct.

Kind regards



Mhairi Dalgliesh

Agricultural Consultant
SAC Consulting (Part of SRUC)

1st Floor, Sandpiper House, Ruthvenfield Road, Inveralmond Industrial Estate, Perth, PH1 3EE | T: 01738 636 611 |
M: 07765 707 671 | mhairi.dalgliesh@sac.co.uk | sac.co.uk

Our offices are open and we are able to welcome visitors to see us. As our teams are out and about more often, please continue to pre-book an appointment to ensure the person you want to see is available and on-site

[Read our Terms and Conditions](#)

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