

Review Decision Notice

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

Site Address: Land 90 metres east of 13 Park Grove, Spittalfield, Perth, PH1 4LH

Description: Residential development and associated works (in principle)

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

Application Ref: 24/00391/IPL

Application Drawings: 24/00391/01 - 24/00391/04 and 24/00391/07 - 24/00391/16

Date of Review Decision Notice – 25 February 2026

Decision

The PKLRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review.

1 Introduction

1.1 The above application for planning permission was considered by the PKLRB at a meeting held on 26 January 2026. The Review Body comprised Councillor B Brawn, Councillor K Harvey and Councillor R Watters.

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

Also attending:

M Pasternak (Democratic Services) and C McLaren (Communities).

2 Proposal

2.1 The proposal is for a residential development and associated works (in principle), land 90 metres east of 13 Park Grove, Spittalfield, Perth, PH1 4LH. The application was refused consent in terms of a decision letter dated 22 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 22 May 2025;
- (iv) the Notice of Review and supporting documents;
- (v) consultation responses to the planning application.

- 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 Having regard to the Development Plan and other material considerations set out in the Report of Handling and other papers before it, the PKLRB concluded by unanimous decision that the review application be refused.
- 4.2 The PKLRB considered that the proposal would not contribute to a comprehensive redevelopment of the site, and that it would result in piecemeal development. The PKLRB determined that the proposal did not integrate with neighbouring residential development and that the lack of connectivity would not contribute positively to the amenity of the surrounding area, contrary to National Planning Framework 4 Policy 14: Design, Quality and Place and Local Development Plan 2 Policy 1: Placemaking and associated Supplementary Guidance. The PKLRB further concluded that the ancient woodland requires to be protected, and it was considered that this proposal is contrary to National Planning Framework 4: Forestry, Woodland and Trees Policy 6b i) because of the proximity of housing and garden ground to ancient woodland and the potential adverse impact on their ecological condition.
- 4.3 Accordingly, the PKLRB refused the review application for the following reasons:
- (1) The proposal is contrary to the spatial strategy for this allocated site (Ref MU6) of the Perth and Kinross Local Development Plan 2 which seeks a small mixed-use development of employment uses and housing on the site of a former bus depot. The proposal relates solely to a section of the allocated site (Ref MU6) and does not relate to a comprehensive redevelopment of the site nor is any commercial development proposed.
 - (2) The proposal is for five large detached dwellinghouses on five large lots which does not respect the wider residential density in the village to the west. Further, the proposal does not integrate or connect with neighbouring residential development. The proposal is poorly

designed, and the design and density does not respect the character and amenity of the place or create and improve links to the surrounding area. The proposal is contrary to National Planning Framework 4 Policy 14: Design, Quality and Place and Local Development Plan 2 Policy 1: Placemaking and associated Supplementary Guidance.

- (3) The proposed development is contrary to National Planning Framework 4: Forestry, Woodland and Trees Policy 6b) i) because of the proximity of housing and garden ground to ancient woodland and the potential adverse impact on their ecological condition.
- (4) The existing vehicular access does not have the capacity to accommodate the development, and the proposal will have an adverse impact on road safety and operational performance. The proposal is contrary to National Planning Framework 4 Policy 13: Sustainable Transport and Local Development Plan 2 Policy 60A and 60B: Transport Standards and Accessibility Requirements.

Justification

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

- 4.4 The Review Application was accordingly dismissed.



Lisa Simpson
Clerk to the Local Review Body

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.