



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100746934-006

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Ashlea"/>
First Name: *	<input type="text" value="Mark"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Urquhart"/>	Address 1 (Street): *	<input type="text" value="The Row"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Oxton"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Lauder"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TD2 6PH"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land 50 Metres South West of Russaig House, Errol"/>
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Northing	<input type="text" value="724200"/>	Easting	<input type="text" value="328058"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of dwellinghouse and garage/ancillary accommodation unit at Land 50 Metres South West Of Russaig House Errol

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

This submission seeks a review of Condition 9 attached to Planning Permission 26/00324/FLL. While the Applicant accepts the removal of the bedroom window on the east elevation, it is considered that retention of the balcony opening would not adversely affect neighbouring amenity, having regard to the separation distances, site layout, landscaping proposals and surrounding context. Please refer to the attached covering letter for full details and justification.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

- Appeal Cover Letter - 5364-D-04C First Floor Plan - 5364-D-05C Elevations - 5364-D-300 Site Plan

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

26/00324/FLL

What date was the application submitted to the planning authority? *

13/03/2026

What date was the decision issued by the planning authority? *

24/04/2026

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

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

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Bob Hynd

Declaration Date: 12/06/2026

Payment Details

Pay Direct

Created: 12/06/2026 16:22



Ref : 5364

12th May 2026

Perth and Kinross Local Review Body

Dear Sirs,

26/00324/FLL - Erection of dwellinghouse and garage/ancillary accommodation unit at Land 50 Metres South West Of Russaig House Errol

We are writing in relation to the planning permission Ref. 26/00324/FLL granted for the proposed new dwelling at Seasyde, and specifically to Condition 9 requiring the omission of the bedroom window and balcony opening on the east elevation. The condition is as follows:

Condition 9: The large window at first floor level on the east elevation serving the main bedroom is not approved. The balcony window on facing east is also not approved. Prior to the commencement of the development hereby approved, a revised elevation and floor plan which shows a) the removal of the balcony window in its entirety, and b) a high level window arrangement which reduces the potential for direct overlooking to 'Russaig House' and its curtilage, shall be submitted to and approved in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full with no other alterations permitted to the eastern elevation thereafter.

While we fully understand the intention of the condition to safeguard neighbouring residential amenity, in our view, in its current form, it is unduly restrictive, particularly in relation to the balcony opening, and does not fully reflect the site context or established pattern of development. Please refer to our justification below:

1. Separation Distances and Site Relationship

Although the Perth and Kinross Local Development Plan and associated guidance do not prescribe fixed separation distances, established practice within the authority typically seeks:

- 18-25m between the rear elevations of houses to ensure privacy, sunlight, and daylight within residential developments
- a minimum of circa 9 metres from first-floor windows to boundaries

The proposed dwelling exceeds these typical parameters. As shown on the attached site plan, it is positioned approximately 12.5 metres to the eastern boundary, and 17.8 metres to the western boundary. Elevation-to-elevation distances are 26.7m to the east and 29.8m to the west. However, the proposed dwelling is arranged in a staggered relationship with the neighbouring properties. As a result,

there is no direct window-to-window overlooking. The orientation and positioning of the openings mean that any views are oblique rather than direct.

On this basis, we consider that the proposal satisfies the underlying principles of protecting residential amenity.

2. Nature of the Balcony

It is also important to note that typically in planning legislation, separating distances refer to distances to windows of habitable rooms. However, the balcony does not constitute a habitable internal space. Its use is comparable to that of the private garden ground, from which views towards neighbouring properties may also occur.

3. Proposed Landscaping

The proposal includes boundary planting comprising trees and hedging, designed to provide mutual screening between the proposed and neighbouring properties.

4. Established Pattern of Development

We would also draw attention to the relationship of neighbouring properties, which have been approved with closer proximity to boundaries and without comparable restrictions:

- Seabank (21/02156/FLL) includes bedroom windows, extensive corner glazing, and a covered patio area approximately 10.2 metres from the boundary
- Russaig House (15/00702/FLL) includes living room windows approximately 9.7 metres from the boundary, and bedroom windows approximately 11 metres from the boundary

The application site forms part of a wider development originally comprising of four residential plots, located between Seabank and Russaig House. Given that adjacent developments were permitted with closer window-to-boundary relationships, in our view, this suggests a degree of inconsistency in how the sites have been assessed, and results in a relatively greater constraint being placed on this plot compared to its immediate context.

5. Proposed Way Forward

Following discussion with the Applicant, we are proposing a balanced approach to resolving this matter. The Applicant has agreed to omit the bedroom window on the east elevation, in accordance with the intent of the condition. However, based on the information provided above, we would like to retain the proposed balcony opening in the east elevation.

To accommodate this, the Applicant is willing to further enhance the proposed boundary planting, if required, in line with the PKC Placemaking Guide, which supports the use of landscaping to manage overlooking and privacy. The Applicant is also keen to agree to specific species, densities, or heights that would be most appropriate.

In our view, this approach would maintain residential amenity while allowing the Applicant to benefit from key views eastwards over the River Tay, consistent with the level of amenity currently enjoyed by the neighbouring properties.

We trust that the information provided is sufficient for you to progress our request for a review. However, we would be pleased to provide any further information required or to discuss this matter further.

Yours faithfully
For LEADINGHAM JAMESON ROGERS + HYND

Julija Poligalova

Bin storage area to be formed with 600x600mm concrete paving slabs

Common Beech (Fagus Sylvatica) hedge along the boundary

Common Beech (Fagus Sylvatica) hedge along the boundary

type 1 hardcore access driveway minimum 3.7m wide between kerbs capable of accommodating an axle load of 14 tonnes

11075

9758

Russaig House

28069

12520

two windows subject to this appeal are located on the first floor of the proposed dwelling.

17752

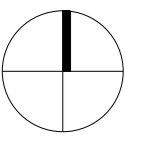
29615

note: windows facing site boundaries highlighted with red circles

10201

Seabank

Application site boundary indicated in red Area 0.926 ha (9260m²)



Scale in metres at 1:250

Rev BUILDING WARRANT - PHASE 1

PROJECT TITLE: Proposed House
CLIENT: M Urquhart & W Barbour
LOCATION: Plot 1B at Seasyde, Errol
DRAWING TITLE: Proposed Site Plan
SCALE: 1:250 @ A1 DATE: May/28 DRAWN BY: JP

5364-D-300

LJRH Chartered Architects
18 South Tay Street, Dundee, DD1 1PD
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NORTH WEST (FRONT) ELEVATION



NORTH EAST (SIDE) ELEVATION

Outline Specification:

- Walls:** White render, natural stone, vertical timber cladding
- Roofs:** Slate grey clay tiles
- Windows:** aluminium clad timber framed units, colour to be anthracite, Black framed Velux rooflights
- Rainwater Goods:** Marley Flowline gutters and downpipes, colour to be black



C - Jun'26 - North East Elevation amended JP
 B - Mar'26 - Garage/ Workshop attached to the house JP
 A - Feb'26 - Amendments to elevations JP
 Rev

DESIGN

Proposed House

CLIENT:
 M Urquhart & W Barbour

LOCATION:
 Plot 1B at Seasyde, Errol

DWG TITLE:
 Elevations

SCALE: 1:100 @ A2 DATE: Nov'25 DRAWN BY: JP

DRAWING NO:

5364-D-05C

LJRH Chartered Architects
 18 South Tay Street, Dundee, DD1 1PD

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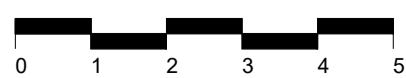
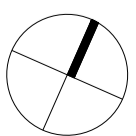




FIRST FLOOR PLAN

House First Floor Area = 138m² (Excluding Master Bedroom Balcony and Voids over Living Room and Entrance Hall)

Ancillary Accommodation Area = 79m²



Scale in metres at 1:100

C - Jun'26 - Master Bedroom window omitted JP
 B - Mar'26 - Garage/ Workshop attached to the house JP
 A - Feb'26 - Amendments to ancillary accommodation JP
 Rev

DESIGN

PROJECT TITLE:

Proposed House

CLIENT:

M Urquhart & W Barbour

LOCATION:

Plot 1B at Seasyde, Errol

DWG TITLE:

First Floor Plan

SCALE: 1:100 @ A2 DATE: Nov'25 DRAWN BY: JP

DRAWING NO:

5364-D-04C

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