

LRB-2023-59

23/01495/FLL - Change of use from flat to short-term let accommodation unit (in retrospect), 5 Garry Place, Toberargan Road, Pitlochry, PH16 5AH

**PAPERS SUBMITTED
BY THE
APPLICANT**

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)

Agent (if any)

Name

Name

Address

Address

Postcode

Postcode

Contact Telephone 1

Contact Telephone 1

Contact Telephone 2

Contact Telephone 2

Fax No

Fax No

E-mail*

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)
- 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 tick 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:

1. Our fellow owners and neighbors have said in writing they are happy with this
 2. We live at the moment in a tied house and plan to retire to Garry Place
 3. Of course tenants will benefit local economy by spending in rest, bars and local amenities

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

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.

see attached 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
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

We only answered the questions which were asked for on the previous correspondence.
The key thing is we live in a tied house.

✓

REF APP NO. 23/01495/FLL

We currently stay in a tied house. My husband and I are 63yrs and 67yrs respectively, the plan is to retire to Clanny Place in the near future.

My husband is a Gamekeeper on a modest income and the only way we managed to buy and keep the flat in the first place, was with my parents help. My parents lived in the flat for twenty years, helping with all the associated costs. After they passed away we incurred all these costs so short term lets provided essential help with the financial costs after my parents sad demise.

I was born and bred in Pittlochry with my sisters still residing there and we stay in the flat when visiting them and other family. We have spent nearly £2,000 in the process of getting this far with the application.

Licence fee	£530.00
PI Perm. & Arch. fees	816.00
EIPC cont.	552.00
	<u>£1898.00</u>

Our neighbours and fellow owners are very happy with the situation and confirmed this on the forms sent back to PKC. There have been no issues or complaints.

We also can't agree short term lets are not beneficial to the local economy as they of course spend money in local bars, restaurants, shops and use local amenities.

I hope you are sympathetic to our application as we are looking forward to our retirement. My husband (a member of Pittlochry Angling Club) is looking forward to fishing the area on a more regular basis.

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.

Neighbors letters enclosed
but previously submitted.

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 [REDACTED] Date 18.12.2023

To

Name (if Known):

Mrs Sonia Horne

Jane Walker

Address:

Sonias Highland Home, Flat 5 7 Garry Place , Toberargan Road , Pitlochry, United Kingdom, PH16 5AH

CERTIFICATE AND NOTICE UNDER REGULATION 15(1) OF THE PLANNING (SCOTLAND) ACT 1979 (AS AMENDED)

Notice under regulation 15(1) of application for planning permission for service on owners and tenants of agricultural land

Proposed development at [Note 1]

5 GARRY PLACE, TOBERARGAN ROAD, PITLOCHRY, PH16 5AH, Northing - 758259, Easting - 294118

TAKE NOTICE:

That application is being made to the

[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Horne

For planning permission to

[Note 4]

Changing the flat to short term lets.

2. If you wish to obtain further information on the application or to make representations about the application, you should contact the council at

[Note 5]

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

(The grant of planning permission does not affect owner's rights to retain or dispose of their property unless there is some provision to the contrary in an agreement or lease.)

Signed

Mrs Sonia Horne

On behalf of: *

JANE WALKER

Date

01/05/23

* delete where inappropriate

[Note 1] Insert address of location of proposed development.

[Note 2] Insert name of Council.

[Note 3] Insert name of applicant.

[Note 4] Insert description of proposed development.

[Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Horne

SARAH CROSS

Address:

Sonias Highland Home, Flat 5 7 Garry Place , Toberargan Road , Pitlochry, United Kingdom, PH16 5AH

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013
Notice under regulation 15(1) of application for planning permission for service on owners and tenants of agricultural land

Proposed development at [Note 1]

5 GARRY PLACE, TOBERARGAN ROAD, PITLOCHRY, PH16 5AH, Northing - 758259, Easting - 294118

TAKE NOTICE:

That application is being made to the

[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Horne

For planning permission to

[Note 4]

Changing the flat to short term lets.

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[Note 5]

Puljar House, 35 Kinnoull Street, Perth, PH1 5GD

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Signed

Mrs Sonia Horne

On behalf of: *

S.E. CROSS

Date

01/05/23

27.05.23

* delete where inappropriate

[Note 1] Insert address of location of proposed development.

[Note 2] Insert name of Council.

[Note 3] Insert name of applicant.

[Note 4] Insert description of proposed development.

[Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Home

Moira Duncan.

Address:

Sonias Highland Home, Flat 5 7 Garry Place, Toberargan Road, Pitlochry, United Kingdom, PH16 5AH

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

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[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Home

For planning permission to

[Note 4]

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[Note 5]

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

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Signed

Mrs Sonia Home

On behalf of *

MOIRA DUNCAN.

Date

01/05/23

27.5.23.

* delete where inappropriate

[Note 1] Insert address of location of proposed development.

[Note 2] Insert name of Council.

[Note 3] Insert name of applicant.

[Note 4] Insert description of proposed development.

[Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Horne

GARY MUNDAY

Address:

~~Sonja's Highland Home~~, Flat 6 7 Garry Place, Toberargan Road, Pitlochry, United Kingdom, PH16 5AH

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013
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TAKE NOTICE:

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[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Horne

For planning permission to

[Note 4]

Changing the flat to short term lets.

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[Note 5]

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

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Signed

~~Mrs Sonia Horne~~

On behalf of *

Date

~~04/06/98~~

3/7/2023

* delete where inappropriate

- [Note 1] Insert address of location of proposed development.
- [Note 2] Insert name of Council.
- [Note 3] Insert name of applicant.
- [Note 4] Insert description of proposed development.
- [Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Home *Elzbieta Szewo*

Address:

Sonias Highland Home, Flat 5 7 Garry Place, Toberaman Road, Pitlochry, United Kingdom, PH16 5AH

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

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Proposed development at [Note 1]

5 GARRY PLACE, TOBERARGAN ROAD, PITLOCHRY, PH16 5AH, Northing - 758259, Easting - 294118

TAKE NOTICE:

That application is being made to the

[Note 2] Perth and Kinross Council

by

[Note 3] Mrs Sonia Home

For planning permission to

[Note 4] Changing the flat to short term lets.

2. If you wish to obtain further information on the application or to make representations about the application, you should contact the council at

[Note 5] Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

(The grant of planning permission does not affect owner's rights to retain or dispose of their property unless there is some provision to the contrary in an agreement or lease.

Signed Mrs Sonia Home *ELZBIETA SZEWEDO*

On behalf of: *

Date 01/05/23 *27/05/2023*

* delete where inappropriate

- [Note 1] Insert address of location of proposed development.
- [Note 2] Insert name of Council.
- [Note 3] Insert name of applicant.
- [Note 4] Insert description of proposed development.
- [Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Horne

PETR FOREJT

Address:

Sonias Highland Home, Flat 5 7 Garry Place , Toberargan Road , Pitlochry, United Kingdom, PH16 5AH



CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013
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[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Horne

For planning permission to

[Note 4]

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[Note 5]

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Signed

Mrs Sonia Horne

On behalf of *

FOREJT PETR

Date

01/05/23

26/05/2023

* delete where inappropriate

[Note 1] Insert address of location of proposed development.

[Note 2] Insert name of Council.

[Note 3] Insert name of applicant.

[Note 4] Insert description of proposed development.

[Note 5] Insert address of Council.

To

Name (if Known):

Mrs Sonia Home

RYAN GOODWIN

Address:

Sonias Highland Home, Flat 5 7 Garry Place , Toberargan Road , Pitlochry, United Kingdom, PH16 5AH



CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013
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TAKE NOTICE:

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[Note 2]

Perth and Kinross Council

by

[Note 3]

Mrs Sonia Home

For planning permission to

[Note 4]

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[Note 5]

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

(The grant of planning permission does not affect owner's rights to retain or dispose of their property unless there is some provision to the contrary in an agreement or lease.

Signed

Mrs Sonia Home



On behalf of: *

RYAN GOODWIN

Date

01/05/23

26/5/23

* delete where inappropriate

- [Note 1] Insert address of location of proposed development.
- [Note 2] Insert name of Council.
- [Note 3] Insert name of applicant.
- [Note 4] Insert description of proposed development.
- [Note 5] Insert address of Council.

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or --

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mrs Jane Walker

Address:

[REDACTED]

Date of Service of Notice: *

29/05/2023

Name:

Miss Sarah Cross

Address:

[REDACTED]

Date of Service of Notice: *

26/05/2023

Name:

Mrs Moira Duncan

Address:

[REDACTED]

Date of Service of Notice: *

29/05/2023

Name:

Ms Elzbieta Szwedo

Address:

[REDACTED]

Date of Service of Notice: *

27/05/2023

Name:

Mr Peter Forejt

Address:

[REDACTED]

Date of Service of Notice: *

26/05/2023

Name:

Mr Ryan Goodwin

Address:

[Redacted Address]

Date of Service of Notice: *

26/05/2023

Name:

Mr Gary Munday

Address:

[Redacted Address]

Date of Service of Notice: *

03/07/2023

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or -

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

[Redacted Name]

Address:

[Redacted Address]

Date of Service of Notice: *

[Redacted Date]

Signed:

Mrs Sonia Horne

On behalf of:

Date:

12/07/2023

Please tick here to certify this Certificate. *