

**LRB-2023-36**

**23/00962/FLL - Change of use of flat to form short-term let accommodation unit (in principle), 21 Raeburn Park, Perth, PH2 0ER**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100630136-003

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: richard hall architects

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:

Other

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

Other Title:

MR & MRS

Building Name:

First Name: \*

KATIE

Building Number:

Last Name: \*

HALL

Address 1  
(Street): \*

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Extension Number:

Country: \*

Mobile Number:

Postcode: \*

Fax Number:

Email Address: \*

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

21 RAEBURN PARK

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 0ER

Please identify/describe the location of the site or sites

Northing

723070

Easting

311056

## 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)

CHANGE OF USE OF FLAT TO FORM SHORT-TERM LET ACCOMMODATION UNIT (IN RETROSPECT)

## 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.

PLEASE SEE ATTACHED SUPPORTING STATEMENT

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)

A SUPPORTING STATEMENT SETTING OUT OUR APPEAL

## Application Details

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

23/00962/FLL

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

09/06/2023

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

29/09/2023

## 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 richard hall

Declaration Date: 05/10/2023

NOTICE OF REVIEW

FOR

**CHANGE OF USE OF FLAT  
TO FORM SHORT-TERM LET  
ACCOMMODATION UNIT  
(IN RETROSPECT)**

AT

**21 RAEBURN PARK  
PERTH 0ER**

# **SUPPORTING STATEMENT**

**richard hall architects**

**Version 1**

**4 October 2023**



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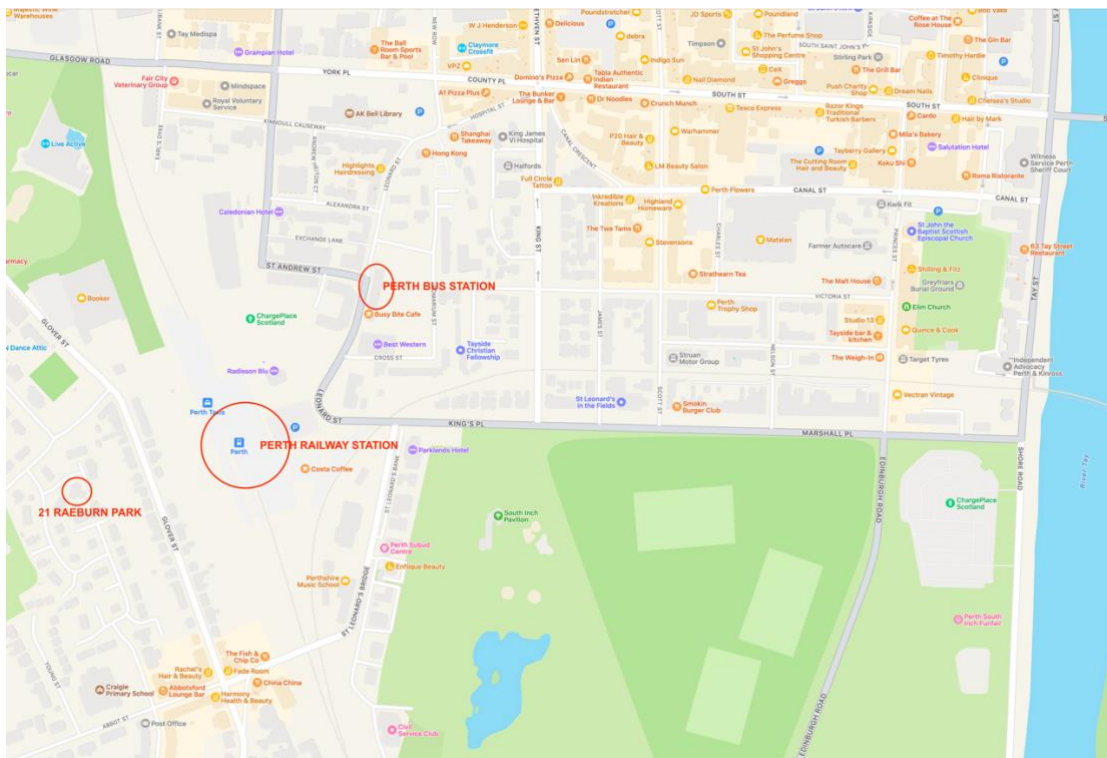
- 1.0 INTRODUCTION
- 2.0 EXISTING SITE & SETTING
- 3.0 RESPONSE TO REFUSAL
- 4.0 SUMMARY POINTS

## 1.0 INTRODUCTION

- 1.01 This Supporting Statement outlines our appeal against the Refusal of Planning Permission for the change of use of a flat to a short-term let accommodation unit (in retrospect) at 21 Raeburn Park, Perth PH2 0ER.
- 1.02 The reasons for Refusal in the Decision Notice are as follows:
1. The proposed retrospective change of use is contrary to Policy 30, Tourism e) of National Planning Framework 4 (2023) as the proposal will result in:
    - i) An unacceptable impact on local amenity and character of the area; and
    - ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.
  2. Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.
- 1.03 No objections were received from the public, and particularly no objections were received from the immediate neighbours within the building.
- 1.04 The flat has been operating as a short-term let since September 2022, and has received, and continues to receive, numerous glowing reports from guests. No objections have ever been raised during this time from any of the neighbours, with whom, the operator continues to have a positive working relationship.

## 2.0 EXISTING SITE AND SETTING

- 2.01 The application flat is situated on the ground floor of a flatted building, which contains a total of 9 flats, with 3 on each floor. The flat has its own designated parking space.
- 2.02 Raeburn Park is conveniently placed within easy walking distance of the Railway Station and the Bus Station. It is conveniently placed within easy walking distance of the centre of Perth, giving easy walking access to Perth's shopping streets, restaurants and bars, theatres and cinema, parks and walkways, and indoor and outdoor sporting facilities.



*Figure 1. map showing close proximity of 21 Raeburn Park to Perth city centre, Perth Railway Station and Perth Bus Station.*

- 2.03 The flat is part of a modern development and as such benefits from contemporary Building regulations regarding insulation and noise separation. There have been no issues during the time the flat has been let out where noise has ever been raised as an issue, either from the guests, or from neighbours.
- 2.04 The flat has been running successfully as a short-term let since September 2022. An application has also been lodged for a License, under the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, so all necessary permissions would be in place, within the required time scales.

- 2.05 The apartment is advertised on booking.com and Airbnb as a “cheery ground floor flat”, and a themed interior design attracts guests. These International websites attract visitors and guests from all over the world, from the USA and Canada to Australia and the Far East, and Europe in between. These international guests expect high standards of cleanliness and set a benchmark for how the property is presented. Guests from nearer are more regular customers, but the same high standards of presentation are maintained for all visitors.
- 2.06 It is essential to note that all visitors accommodated in the application flat, are here to explore Perth and require to stock up on provisions. International visitors are more attracted to the boutique and specialist food shops of Perth, rather than the large supermarkets, and Perth’s small businesses benefit from their custom.
- 2.07 To maintain the property to the high standards required for international guests, requires the service of 2 professional cleaners, who provide full housekeeping and cleaning services, including bed changing, washing and ironing of bedding etc. and provision of seasonal dressing for Easter, Christmas, etc.

**The application flat therefore provides direct employment for 2 cleaners, as well as the extensive management time required for the professional host.**

### 3.0 RESPONSE TO REFUSAL

3.01 There were 2 Consultation responses to the application.

1. **Environmental Health** declared **NO** objection to the application but asked for an Informative to be added to any Permission requiring a License to operate the short-term let. This has already been applied for and therefore the property already complies with this requirement.

2. **Housing Strategy** did not declare an objection to the proposals. The response simply stated the wording of NPF4 Policy 30, which says: *Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*

- i. *An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. *The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.*

Housing Strategy also added that the *Local Housing Strategy 2022-27 includes an action to develop planning policy through the Local Development Plan 3 where appropriate for STL Control Areas. The postcode district level of saturation of potential short-term lets for PH2 is 1.1% and below the level at which it may be considered appropriate to introduce a control area in order to help manage high concentrations of STLs where it affects the availability of residential housing or the character of a neighbourhood.*

3.02 NPF4 Policy 30 *i.* states that support will not be given to short-term lets **IF** it brings an unacceptable impact on local amenity. It is clear from the time-period the application flat has been running, that it has had absolutely no impact on local amenity as there have been NO objections raised by the immediate neighbours, or by anyone in the area. Contrary to this, the application flat has attracted very high ratings in reviews left by guests.

3.03 NPF4 Policy 30 *ii.* balances the loss of residential accommodation to short-term let (STL) accommodation against a demonstrable benefit to the local economy. The application flat is in high demand, and is mostly full, throughout the calendar year. There are always events in the area that attract short term visitors. These include sports people coming for events (curling, cycling, fishing for example), weekenders attending concerts in the Perth Festival Theatre, families coming for weddings and family visits, holiday makers, guests staying for work commitments, etc. etc. etc. All of these guests use the local shops, bars and restaurants – it is more likely that a guest will eat out, rather than cook – and recommendations are left in the application flat for places to visit. With such a full booking list, the application flat provides proportionally, a significantly higher usage of local bars and restaurants. This is something Perth's bars and restaurants desperately need, in these restricted times of the "cost of living crises". Perth desperately needs all the customers it can get, into its shops, pubs, bars and restaurants, entertainment, and sporting venues.

It is also more likely that visitors have more time to visit the local corner shop, or the boutiques and specialist food shops of Perth, rather than using big supermarkets, helping to support these small businesses.

**It is clear then, that the loss of the application flat as residential accommodation, is totally “outweighed by the demonstrable local economic benefit” it brings.**

- 3.04 The Local Housing Strategy 2022-27 includes an action to develop policy to limit the numbers of short-term let properties in residential areas. The Consultation response states clearly that the saturation of short-term lets (STL) for the PH2 area is only 1.1%, and therefore below the level at which it may be considered appropriate to introduce a control area.

**The application flat therefore is outwith any restriction under this strategy.**

- 3.05 The application flat is within a 5 minute walk from the Railway Station and the Bus Station, making it ideal for visitors coming on public transport. It also has a dedicated parking space, making it ideal for visitors coming by car from further afield. As the application flat is only a five minute walk to the centre of Perth, it is unlikely guests would take a car into town, the parking space being the easiest option. The parking space actually encourages guests to leave their car, rather than taking up a valuable parking space in the Perth City Centre. The parking space is also ideal for those guests who want to hire a car, for day trips further north (which is popular) and this also helps to feed into the Perth Tourist economy further afield.
- 3.06 The application flat has a high occupancy rate and is therefore cleaned top to bottom, on a very regular basis i.e 2-3 times a week. The public access space is also cleaned to maintain the high presentation level promised in the advertising.

**The requirement for very regular cleaning at turnover, means the property is being maintained at the highest level, making a significant contribution to local amenity.**

- 3.07 The application flat benefits from the requirements of contemporary Building Regulations with regards to thermal and sound insulation. The plan layout of each floor of the property is divided into 3 flats, each the point of a tee, which means the party walls are limited, and therefore reduces the possibility of sound transmission between adjoining properties. Also, the plan has been arranged so the lounge and kitchen areas of each flat is furthest from its neighbour, again limiting transmission of any noise. The plan layout of the public area means that guests do not pass any other flat entrance door – the application flat door is the first door after the entrance door, so no disturbance to the other flats on the ground floor is caused.

**The application flat therefore meets the requirements for protecting personal amenity with respect to any noise nuisance.**

- 3.08 The Refusal also stated *Due to the shared entry arrangements and the flatted nature of the property, the proposal would result in an increased potential for noise nuisance and general disturbance to occur that would impact adversely on the character and amenity of the local area, particularly the residential amenity of those living permanently in the residential block. The proposal is therefore contrary to National Planning Framework 4 (2023) Policy 14c): Design, Quality and Place and Perth and Kinross Local Development Plan 2 (2019), policies 1A and 1B: Placemaking and policy 17 d) Residential Areas which all seek to safeguard residential amenity and ensure that proposals contribute positively to the surrounding environment.*

**It has been demonstrated since the opening of the short-term let in September 2022, that there have been no issues of disturbance, general or otherwise. The opening of the short term let unit has increased the cleaning and maintenance of the property and has therefore significantly increased the general amenity for those living permanently in the residential block.**

Policy 1A of the Perth & Kinross LDP 2 (2019) states *Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.*

*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 application flat is contributing significantly and positively to the quality of the surrounding built environment through the high level of cleaning and maintenance.**

Policy 1B of the Perth & Kinross LDP 2 (2019) states *All proposals should meet all the following placemaking criteria:*

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- (d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- (f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*
- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- (h) Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.*
- (i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- (j) Sustainable design and construction.*

**There is nothing within this policy that places any restriction on the compatibility of the short-term let accommodation unit within the residential block at Raeburn Park.**



- 3.09 Policy 17D of the Perth & Kinross LDP 2 (2019) states *The Plan identifies areas of residential and compatible uses inside settlement boundaries where existing residential amenity will be protected and, where possible, improved. Changes away from ancillary uses such as employment land, local shops and community facilities, for example pubs and restaurants will be resisted unless there is demonstrable market evidence that the existing use is no longer viable as a commercial venture or community-run enterprise.*

*Generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:*

*(a) Infill residential development at a density which represents the most efficient use of the site while respecting its environs.*

*(b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.*

*(c) Proposals which will improve the character and environment of the area or village.*

*(d) **Business, homeworking, tourism or leisure activities.***

*(e) Proposals for improvements to community and educational facilities.*

**This Policy actually encourages proposals which will increase tourism, as long as it is compatible with the amenity and character of the area, which has been demonstrated in this Supporting Statement.**

- 3.10 National Planning Framework 4, Policy 14c) states *Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.*

The Intent of Policy 14 is to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principles.

The Outcomes of Policy 14, are quality places, spaces and environments, and places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.

**The application flat is not detrimental to the amenity of the residential block within which it sits, as demonstrated above, and therefore meets the requirements of this Policy.**

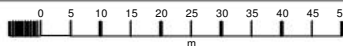
## 4.0 SUMMARY POINTS

- 4.01 This application was refused on the grounds that the loss of residential property at this location outweighed the economic benefit. It is clear from the level of occupancy, the high number of visitors it brings to Perth and Perthshire, using the local shops, clubs, pubs, restaurants, cinema and theatres, parks and walks, sporting venues, rivers for fishing, cycling and walking, brings huge economic benefit that clearly outweighs the loss of one residential unit.
- 4.02 This application was also refused on the grounds that the short-term let flat could potentially impact the residential amenity of those living permanently in the residential block. To the contrary, the construction and layout of the plan, passively reduces the likelihood of any noise transmission, and the very regular cleaning and maintenance of the application flat, brings significant benefit to the amenity of the residential block.
- 4.03 The application flat, not only generates considerable contributions to the local economy, but also generates employment for 2 housekeepers.
- 4.04 The high level rating, given in reviews by guests, attracts further visitors to Perth, self-perpetuating further contributions to the local economy and maintains the employment of the 2 housekeepers. This property contributes positively to the tourist attraction of Perth and should be supported.
- 4.04 For the reasons given in this Supporting Statement we therefore ask that this application be approved.

# 21 RAEBURN PARK, PERTH



## LOCATION PLAN



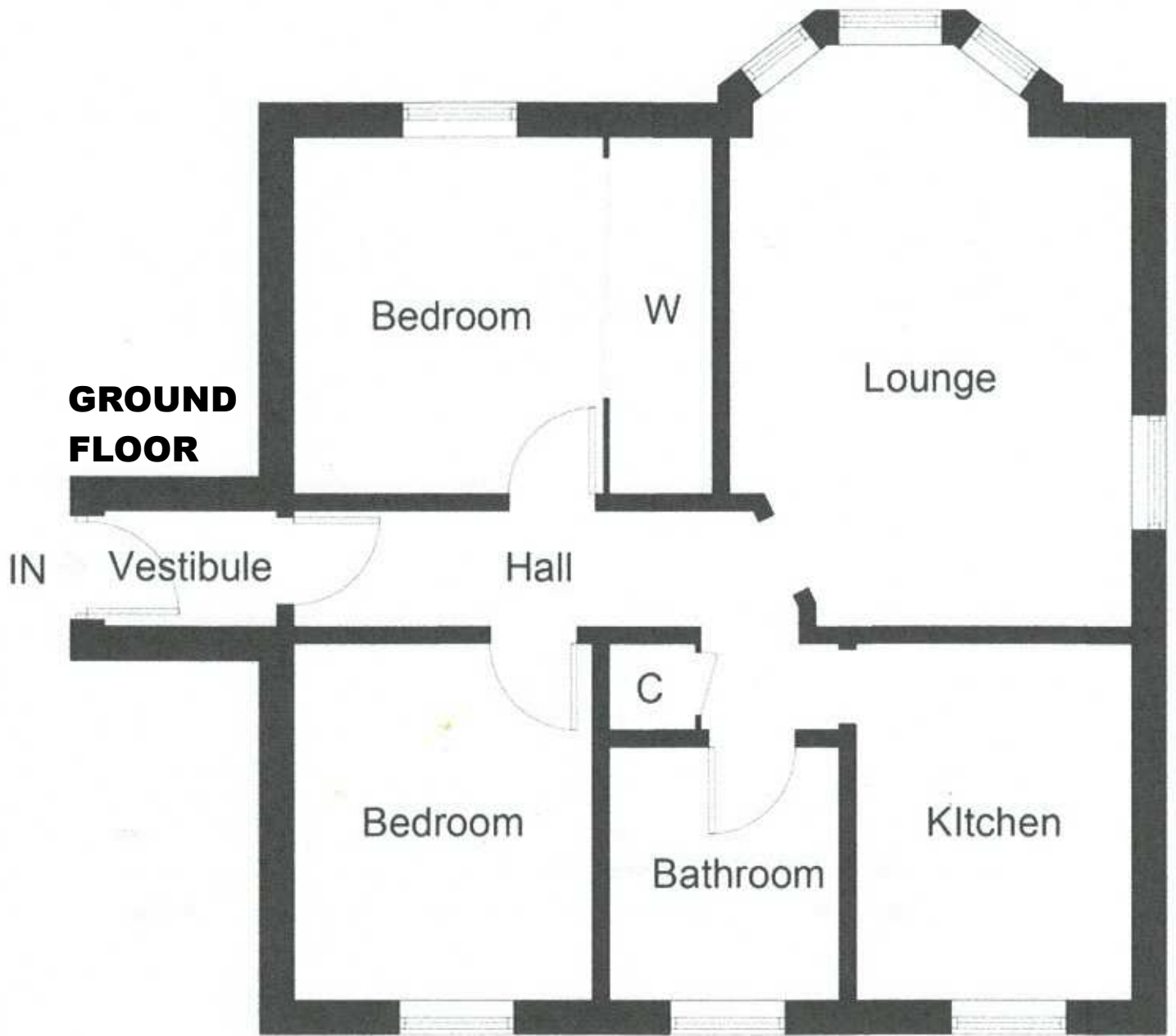
OS MasterMap 1250/2500/10000 scale  
 Friday, June 9, 2023, ID: M4P-01108331  
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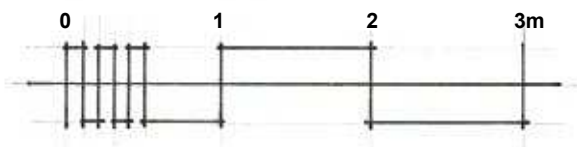


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**GROUND  
FLOOR**

**floor plan 1:50 @ A4**



change of use  
21 raeburn park  
perth PH2 0ER  
FLOOR PLAN

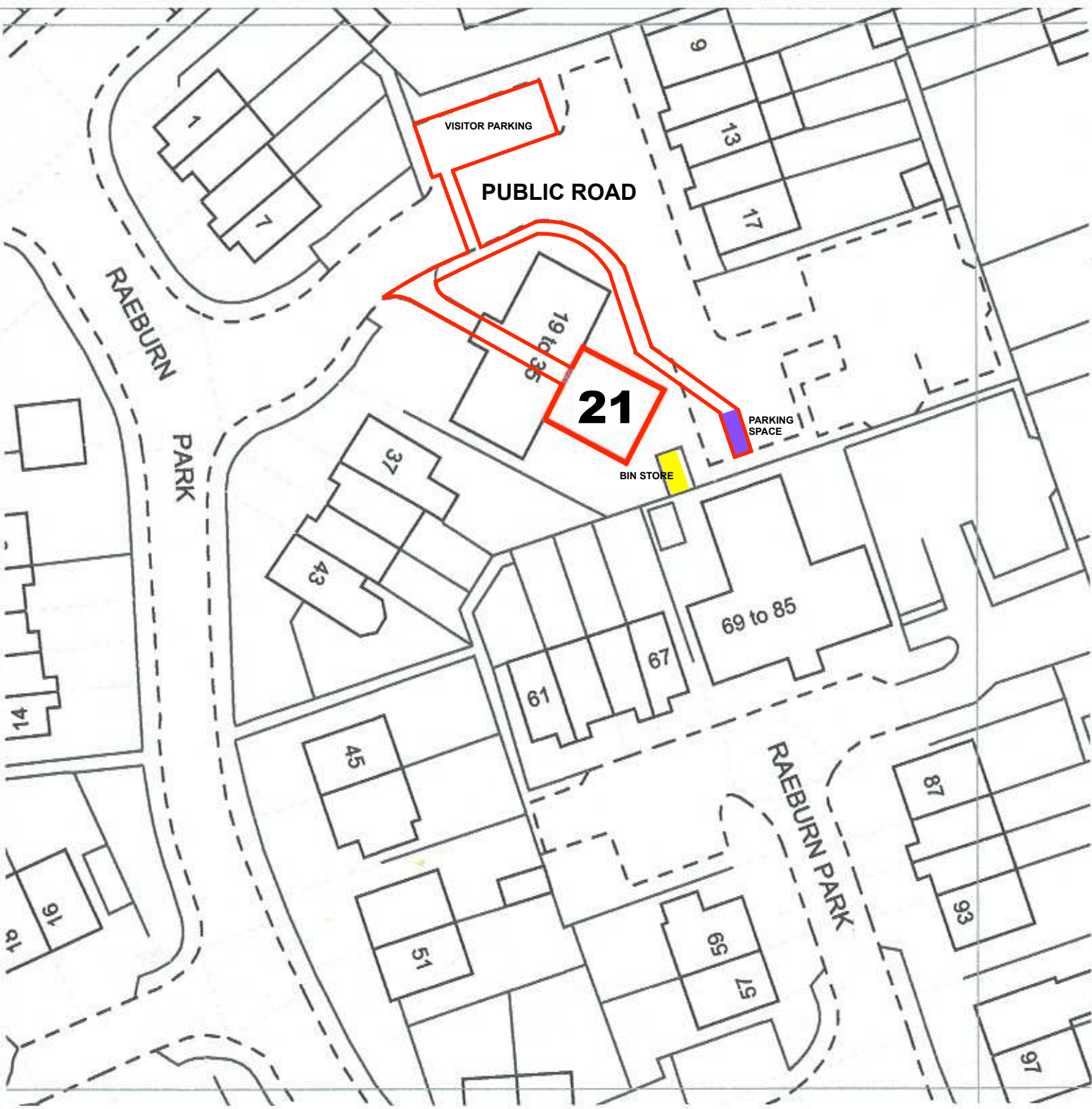
**PL01**

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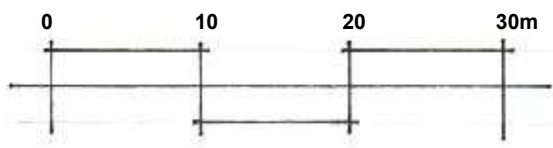
E. rick@hallarchitects.co.uk

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**block plan 1:500 @ A4**

**north**



change of use  
 21 raeburn park  
 perth PH2 0ER  
**BLOCK PLAN**

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**PL02**

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