

**4(iv)(a)**

LRB-2023-32

**LRB-2023-32 - 23/00453/FLL – Erection of a dwellinghouse,  
land 35 metres east of Gateside Cottage, Forteviot**

**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)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

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:

A site visit will help parties involved to understand the natural environment such as the substantial hedge boundaries.

**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:

The site has a gate to gain access of which can be left unlocked with 24hrs notice

**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.

We request a review of this application for the following reasons:

1. We believe our proposals are in line with design, proportions and site layout of at least one existing neighbouring approved property.
2. We believe that the building grouping setup is complied with.
3. The land to be used has been under private ownership and used without commercial gain for a number of years and therefore the area of land proposed for the dwelling need not be considered lost agricultural land.
4. The planning refusal notes the existing agricultural shed; however it is of domestic size and has been used for domestic scale items- e.g. grass mowing equipment.
5. Satellite imagery provides additional evidence that the most recent land use has been for domestic purposes rather than commercial agricultural enterprise.
6. The existing boundaries are mature substantial hedging – double hedge rows in many cases. This highlights that the proposed site in question is not fully exposed and at the same time will immediately provide privacy and a natural curtilage to the property.

A visit to the property helps illustrate this along with along with general topography.

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.

Item 6 above aims to reiterate the mature hedging of which its current growth highlights the natural boundary.  
 We also wish to highlight recent approvals for other dwellings in the nearby area e.g. within 300m, see drawing A574-08A

**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.

In addition to the documents linked to the online planning portal I wish to reference the following items which have been submitted to PKC but are not available online:

A574-DOC-31A - Photos

I also attach new drawing A574-08A showing recent approvals in the area.

**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



Date

20-08-2023

REF: A574-DOC-31A  
20 March 2023

MCADS

Matthew Cowan  
MCADS  
28 King Street  
Perth  
PH2 8JB

**07736 858 814**  
01738 587 816  
mail@MCADS.co.uk  
www.MCADS.co.uk

**PHOTOS WITH DESCRIPTIONS:  
ERECTION OF NEW DWELLING ON  
LAND AT GATESIDE COTTAGE,  
FORTEVIOT, PERTHSHIRE**



**Legal / Copyright / Disclaimer**

This document has been prepared for the confidential use of applicant only and cannot be reproduced in whole or part. Nor can this be used by and third party for any use whatsoever, without MCADS express written authorisation. MCADS accepts no liability for the use of information in this document.



## Photos

In our design statement (Document ref; A574-DOC-20) it make reference to this document to illustrate various components of the site; context, building density, topography, natural features, skyline. Photos have a description and reference as below and using Drawing A574-05 will allow the photo orientation and position to be better understood.

Photos have been grouped into four areas; 1. General site photos 2. Access to the site. 3. the remaining paddock area. 4. Other items

### S01 – Photo looking North West

Showing full area of red line boundary (not delineated)



### S02 – Photo looking North West

Showing Western most part of site towards entrance





**S03 – Photo looking West**

Showing boundary between paddock and Gateside Cottage then Myretown House



**S04 – Photo looking North West**

Showing North West boundary against road





**S05 – Photo looking North**  
Showing main part of site.



**S06 – Photo looking North**  
Showing junction of Northern boundaries





**S07 – Photo looking North**

Showing North East boundary with propertoes in the background



**S08 – Photo looking North West**

Showing boundary with fence and hedge





**S09 – Photo looking East**

Showing area of red line boundary site



**S10 – Photo looking South**

Showing boundaries to South West and 'Myretown Wood' in the background





### S11 – Photo looking West

Showing boundaries and neighbouring properties



### A1 – Photo looking South East

Showing existing entrance to site





**A2 – Photo looking North East**  
Showing view up road



**A3 – Photo looking North East**  
Showing view partly obscured by fence and hedge – (which is to be adjusted)





**A4 – Photo looking South West**  
Showing view down road



**A5 – Photo looking West**  
Showing entrance area from site





**M1 – Photo looking North East**

Showing gate from Gateside Cottage into paddock



**M2 – Photo looking North**

Showing legal boundary of fence (red line boundary) with hedge set back





**M3 – Photo looking North West**

Showing agricultural building and shed to be demolished



**M4 – Photo looking West**

Showing delineated patch of ground formerly used for growing of various items





**P1 – Photo looking North West**  
Showing paddock in foreground



**P2 – Photo looking North East**  
Showing South East boundary of paddock





**P3 – Photo looking North**

Showing North East boundary of paddock



**P4 – Photo looking South East**

Showing core paddock area being left





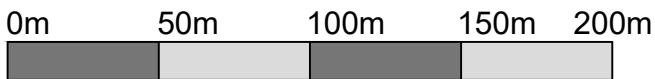
## P5 – Photo looking South

Showing South Western boundary of paddock



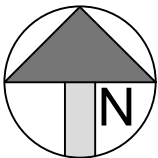



Rev A: Formatting update 29-08-23



Scale  
1:2500

Note: Green shading shows recent dwelling approvals (last 5 years approx)



<b>Matthew Cowan Architectural Design Services</b>		
Job	New Dwelling on Land at Gateside Cottage, Forteviot, Perth, PH2 9BU	Ref: A574 - 08A
Drawing	Site Location - showing recent approvals	Date 28/08/23
Stage	Planning	 07736 858 814 01738 587 816 MCADS.co.uk 28 King Street Perth PH2 8JB
Client	Mr. & Mrs. Roberts	
		Scale 1/2500
		Size A4

