

**LRB-2023-51**

**23/01599/FLL - Change of use from flat to a short-term let accommodation unit (in retrospect), 81 Balhousie Street, Perth, PH1 5BG**

**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:

I am more than happy to show this property to any officer and I will also include my supporting statement.

**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.

Full statement will be included in the email in PDF format as there's not enough space.

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.

I've included a matter of a exact same property, in the same area ,which was approved for exacly the same planning application by Perth and Kinross Council.This is explained in the supporting document.

**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.

Full supporting statement in PDF format.

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.

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**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

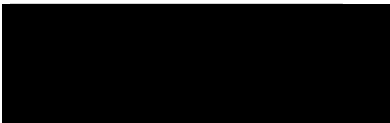
- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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.

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**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

From:

Bartłomiej Szmajdzinski



To:

The Secretary

Local Review Body

Perth and Kinross Council

Committee Services

Council Building

2 High Street

Perth

PH1 5PH

Application Reference: 23/01599/FLL

Dear Members of the Perth and Kinross Council,

I am writing to formally appeal the recent decision to refuse planning permission for the short-term usage of 81 Balhousie Street, PH1 5BG. I understand and respect the importance of the planning process and the council's commitment to maintaining the integrity of our community. However, I believe that there are compelling reasons to reconsider the refusal for short-term usage on my property.

My property has been fully renovated by myself from inhibited conditions which took over 7 months and a significant amount was spent to bring the property up to good standards. Whole property was rewired, new central heating was installed, new triple glazed windows, new flooring, bathroom, kitchen, walls has been replastered with full internal, floor and ceiling insulation. This is making the property very energy efficient and noise proof is on a very high level, I got very good relationship with neighbours and not a single one complained about any noise, they usually can't even tell if there's someone inside. We got each other's phone numbers, and we are friends on Facebook.

I've been operating this business since May 2022 and has been very successful, our booking rate from last year was 95%. I've helped many workers with finding accommodation, around 40-55% of

my bookings were working people. Even to this day I got one person, structural engineer working on the new A9 bridge. He will be staying with me for another 8 months. He stays at my other Self-Catering Apartment which was approved by Perth Council couple weeks ago. We have fantastic reviews on websites like Airbnb and Booking.com. I'm also improving standards of properties in Perth, and bringing lots of business to Perth restaurants, I'm friend with many restaurants' owners in Perth and always very proud to recommend them.

Current interest rates are making my property impossible to rent out to long term tenant, as the running costs would be more than the rent, also current sale market for properties like mine is very slow in Perth which make Short Term Let, my only possibility at this moment.

My goal is to buy properties which are in inhabitable conditions and give them another life, this will not only be short term rentals, but also long-term rentals and hotels, only if Perth and Kinross Council will give me a chance to develop my biggest passion – properties. I'm currently employed with local Estate and Lettings Agency (Premier Properties in Perth) - this gave me a lot of local knowledge. I'm only planning to operate in Perth area and my goals will be to give another life to properties like - The old City of Perth Co-operative Society building on Scott Street in Perth. In my opinion this could be a great hotel potential and I would be more than happy to take this project on board with funding support.

The property on Balhousie Street also helped insurance companies finding temporary accommodation to people in needs, when they're house was flooded.

I feel decision made by Perth and Kinross Council to reject my application if not fair, considering my property had no objections from any neighbours, have private driveway for two cars and have private entrance door. Another property which is very close to my one, at 7 Malvina Place, PH1 5DY in Perth was approved which again make my case not fair. The property on Malvina Place had one objection from the upstairs neighbour and is further away from the city centre. Balhousie Street is a mixed of residential properties with commercial properties like the Dental practise, nursery and Premier Inn convenient shop, when Malvina Place is only a residential street. My property is also booked for around 95% of the time and the one on Malvina only for around 50%. I can make a supporting report if needed.

I respectfully request that the Perth and Kinross Council reconsider the decision to refuse planning permission for the short-term usage of 81 Balhousie Street, PH1 5BG. I am more than willing to work collaboratively with the council to address any concerns and ensure that the proposed development aligns with the best interests of the community. I am also more than happy to help Perth Council with local empty properties, I could work on many renovations' projects, I got some good experience and also a lot of great contacts with local tradesmen's. We can make Perth City great again!

Thank you for your time and consideration. I look forward to the opportunity to discuss this matter further and provide any additional information necessary for a comprehensive and informed review.

Sincerely,

Bartlomiej Szmajdzinski