

LRB-2023-47

23/00572/FLL – Change of use from flat to short-term let accommodation unit (in retrospect), 4a Bonnethill Road, Pitlochry, PH16 5BS

**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 MICHELLE MCMILLAN

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

PERTH AND KINROSS

Planning authority's application reference number

23/00572/FLL

Site address

4 A BONNET HILL ROAD
PITLOCHRY PH16 5BS

Description of proposed
development

CHANGE OF USE.

Date of application

27 APRIL 2023

Date of decision (if any)

21ST JULY 2023

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:

NO COMPLAINTS BY ANY SURROUNDING PROPERTIES.
AS PRIVATE ENTRANCE. DECISION MADE WITHOUT SITE VIEWING.
THEY ARE HAVE LONGER LETS, ANY GAPS THEN FILLED TOURISTS.

Site inspection

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

1. Can the site be viewed entirely from public land? ☒ Yes ☐ No
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒ Yes ☐ No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

I WOULD PREFER TO BE PRESENT FOR ANY
SITE INSPECTION.

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.

I am attaching my STATEMENT
as feel there is not enough room on
this form.

mmcm:llw 11/10/23.

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.

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.

3 x letters of support.

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

11/10/23

Appeal

I am appealing to you to review the refusal of my application by John Williamson on 21st July 2023, the application was made on 27th April this year.

I have adhered to all of the stipulations with regards to licences and certificates costing me somewhere in excess of £5000.

As you can understand this is my sole livelihood and only source of income which I have worked very hard for and this has caused my mental health to suffer with all the stress and worry.

The property is used by visiting staff at the theatre for most of the year

and any gaps in the diary I fill these with tourists. The reviews I have had from patrons have been impeccable and I feel that I have made a good impact on the tourism industry by welcoming guests from all over the world. Paul McLennan housing minister has previously stated "Quality and safety is the heart of the scheme" which I have achieved by meeting all the relevant licenses due processes required. Theatre staff have stated that the property is perfect for commuting and I have prebooked dates for most of the next year.

I have had no complaints from neighbours as to noise or any

disturbances. My property has its own private entrance and stairwell therefor does not disturb anyone in the surrounding areas. There have also been no objections to the licenses that I submitted and paid for in excess of £5000. I have not been asked to accompany anyone on visits to the property by any authorities and to the best of my knowledge the decision was made solely on data and information that I have provided, this has not taken into consideration that the property and business has been up and running for the last two years. I have provided letters from theatre management and guests who have

priously used the property.
I would gladly meet and show
around any review board so as they
can make a decision based on
Viewing the actual property and
viewing all the certificates and
reviews that I have had.
I would hope that you will
reconsider the decision in light of
this appeal as I feel that my property
is be beneficial to the working
people and the tourism industry in
Pitlochry.

Michelle Mcmillan
Appeal for property
4a Bonnethill Road
PH165BS

LETTERS of support

To whom it might concern,

I have stayed in the studio and the small apartment at 4 Bonnethill Rd on a number of occasions. I work at PFT as a designer and I have been very grateful to Michelle as she provides affordable, safe and comfortable accommodation for people such as myself who work at the theatre on a freelance basis. Pitlochry is a real problem for theatre freelancers as accommodation is so expensive. Michelle and her lovely flats have been a huge help to myself and other theatre workers.

I also feel that the studio and the apartment are too small to provide long term accommodation for anyone and therefore are ideal for short term rentals. I really hope for my sake and for my colleagues who also rent from Michelle that you will reconsider and grant her the license she needs and deserves.

Yours sincerely,

Jeanine Byrne
Lighting designer at PFT

Dear Perth and Kincross Council,

I am writing to you in the hopes that you will seriously reconsider your decision to not approve the license for 4a Bonnethill Road. I stayed at Michelle's apartment 4a on Bonnethill Road in Pitlochry for the whole month of February 2023 while I worked at the Pitlochry Festival Theatre on a work placement for my masters course in theatre directing. I'm so grateful to have found 4a/ Pitlochry Escapes as I was not able to find any other accommodation as there were not any other places available for long term which also were in my price range as I could not afford to stay at a hotel for a month. Not only was I lucky to have found that 4a was available and affordable to me but it was one of the most lovely places I've ever stayed and Michelle is an amazing hostess. The apartment is lovely, clean, and spacious and everything is new and decorated so well and comfortable. It truly felt like home away from home. The location was also ideal as a quick 10 minute walk to the theatre, where I worked Monday-Friday from 10-6. The Pitlochry Festival Theatre brings in the majority of tourists and a huge amount of work into Pitlochry and the artists that work there need accommodations to stay in.

Currently there are very few places in Pitlochry that offer affordable accommodation for the people working at the theatre. Michelle has helped fill that need with apartment 4a. It would be a huge disservice to not only tourists coming in who need a place to stay but also artists who are needing to work at the theatre and need short term accommodation if you are to deny Michelle her application. As far as I'm aware the theatre actually brings in the majority of summer tourists into Pitlochry so you will be doing the whole town a huge disservice. Michelle caters for all the artistic staff at Pitlochry Festival Theatre and has done so for the last few years. She works hard with all the artists like myself to accommodate year round to help us find affordable accommodation while we work at the theatre. Apartment 4A is full with theatre staff year round.

Sincerely,


Meggie Greivell

Fwd: LETTER OF SUPPORT

Pitlochry Escapes

Wed 16-Aug-23 10:29 AM

To: Ewan McIlwraith

----- Forwarded message -----

From: **Elizabeth Newman**

Date: Tue, 15 Aug 2023 at 08:54

Subject: LETTER OF SUPPORT

To: Pitlochry Escapes

Dear Michelle,

Please find below a note of support to be included in your response.

All good wishes,

E xxx

Pitlochry Festival Theatre
Port na Craig
Pitlochry
PH16 5DR

To whom it may concern,

We wanted to confirm that 4a Bonnethill Road, Pitlochry Escapes has been a vital resource for the artistic community in Pitlochry who work on longer fixed term and freelance contracts at Pitlochry Festival Theatre.

As you'll be aware, there are few options for artists in the local area and 4a is a welcoming, and comfortable option for those who are fortunate enough to stay there. It has also been a safe space for freelance artists with chronic illnesses who need support dogs as Michelle has been hugely accommodating and supportive. She has also hosted placement students, which has been vitally important for us to fulfil our mission to be a training theatre.

Michelle is repeatedly noted to be a fantastic host by her guests, which is very valuable to those who are away from home for weeks at a time. Pitlochry Escapes is also ideally located for those needing to commute to the theatre, sometimes at unsociable hours after performances or rehearsals, when a short walk is most appreciated.

Michelle works very hard to ensure an excellent quality of accommodation while they work here at the theatre and as such, she is fully booked year-round. If you would like to talk about Pitlochry Escapes and the working relationship with the Theatre, I'd be happy to discuss. I am reachable via email elizabeth.newman@pitlochryfestivaltheatre.com or by phone 07816509116.

Sincerely,

Elizabeth Newman
Artistic Director
Pitlochry Festival Theatre

Elizabeth Newman (she/her)
Artistic Director | Pitlochry Festival Theatre