

Review Decision Notice

Decision by Perth and Kinross Local Review Body (the PKLRB)

Site Address: Land 190 metres south-east of Gardeners Cottage, Eastwood House, Boat Road, Dunkeld, PH8 0HY

Description: Formation of vehicular access and associated works

Application for Review by Mr P Langford against decision by an appointed officer of Perth and Kinross Council.

Application Ref: 25/00133/FLL

Application Drawings: 25/00133/1 - 25/00133/14

Date of Review Decision Notice – 6 November 2025

Decision

The PKLRB upholds the decision to refuse planning permission for the reasons given below and dismisses the review.

1. Introduction

1.1 The above application for review was considered by the PKLRB at a meeting held on Monday 22 September 2025. The Review Body comprised Councillor B Brawn, Councillor G Stewart and Bailie M Williamson.

1.2 The following persons were also present at the meeting:
C MacLeod, Legal Adviser; L Tierney, Planning Adviser; and A Brown, Democratic Support Officer.

Also attending:

M Pasternak and R Ramsay (both Legal and Governance); and C McLaren (Planning).

2. Proposal

2.1 The proposal is for the Formation of vehicular access and associated works, land 190 metres south-east of Gardeners Cottage, Eastwood House, Boat Road, Dunkeld, PH8 0HY. The application was refused consent in terms of a decision letter dated 11 April 2025.

3. Preliminaries

3.1 The PKLRB was provided with copies of the following documents:

(i) the drawings specified above;

- (ii) the Appointed Officer's Report of Handling;
- (iii) the refusal notice dated 11 April 2025;
- (iv) the Notice of Review and supporting documents;
- (v) consultation response to the planning application.

- 3.2 The Planning Adviser described the proposals, the locality of the site, explained the reasons for refusal, and the grounds for the Notice of Review.
- 3.3 The PKLRB was shown projected photographs taken by the Planning Adviser, who had visited the site. These showed the application site from various angles.
- 3.4 Having regard to the material before them, the PKLRB resolved that the review of the decision to refuse could be determined without further procedure.

4. Findings and Conclusions

- 4.1 Having regard to the Development Plan and other material considerations set out in the Report of Handling and other papers before it, the PKLRB concluded by unanimous decision that the review application be refused.
- 4.2 The PKLRB considered that the proposal would result in the loss of ancient woodland. The PKLRB concluded that as a portion of ancient woodland would be lost, the proposal is contrary to Policy 6(b)(i) of National Planning Framework 4 (2023). The PKLRB further considered that the proposal is contrary to Policy 40A(b) of the Perth and Kinross Local Development Plan 2 (2019), as it fails to protect existing woodlands, especially those with high natural historic and cultural heritage value. The proposal is also contrary to Perth and Kinross Council's supplementary planning guidance "Forestry and Woodland Strategy 2020," as it fails to preserve and enhance ancient woodlands.
- 4.3 Accordingly, the PKLRB refused the review application for the following reasons:
- 1. The proposals result in the loss of ancient woodland, contrary to Policy 6(b)(i) of National Planning Framework 4 2023 which states that Development proposals will not be supported where they result in any loss of ancient woodlands.
 - 2. The proposal results in the loss of ancient woodland, contrary to Policy 40A(b) of Perth and Kinross Local Development Plan 2 (2019), which seeks to protect existing woodlands, especially those with high natural historic and cultural heritage value. Furthermore, the proposal is contrary to Perth and Kinross Council's supplementary planning guidance "Forestry and Woodland Strategy 2020", which seeks to preserve and enhance ancient woodlands in recognition of their status as our most valuable heritage and biodiversity asset.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

4.4 The Review Application was accordingly dismissed.



Lisa Simpson
Clerk to the Local Review Body

Town and Country Planning (Scotland) Act 1997

Notification to be sent to applicant on determination by the Planning Authority of an application following a review conducted under Section 43A(8)

Notice Under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision notice.

- 2 If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.