

Review Decision Notice

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

Site Address: Land 60 metres south west of Forest House, Dunkeld, PH8 0JA

Description: Residential development (in principle)

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

Application Ref: 24/01927/IPL

Application Drawings: 24/01927/1 - 24/01927/5

Date of Review Decision Notice – 18 December 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 13 October 2025. The Review Body comprised Councillor B Brawn, Councillor K Harvey and Bailie C McLaren.

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

Also attending:
M Pasternak (Legal and Governance).

2. Proposal

2.1 The proposal is for a residential development (in principle), land 60 metres south west of Forest House, Dunkeld PH8 0JA. The application was refused consent in terms of a decision letter dated 14 March 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 14 March 2025;
- (iv) the Notice of Review and supporting documents;

- (v) consultation responses 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 members of the PKLRB were unanimous in concluding that the proposal was contrary to the Development Plan, both in relation to NPF4 and the Perth & Kinross Local Development plan 2 (2019). They did not consider the site constituted a building group as required in terms of one of the permitted exemptions in the Housing in the Countryside policy. On balance, they regarded the site as now being greenfield rather than brownfield land. The general desire for rural housing was not considered sufficient to approve the application in contravention of development plan policies. The members of the PKLRB did not agree with the appointed officer's fourth reason for refusal but they noted that the site incorporated an area of ancient woodland and, as such, that it was contrary to NPF4 for that separate reason. They considered that this was an appropriate fourth reason for refusal. There was nothing else they identified which justified the approval of the proposal as a Development Plan departure.
- 4.3 Accordingly, the PKLRB refused the review application for the following reasons:
 - (1) The proposals are contrary to Policy 17, Rural Homes, of National Planning Framework 4 (2023) as they fail to meet any of the 8 criteria listed within Policy 17 (part a).
 - (2) The proposals relate to greenfield site which is not allocated for development or explicitly supported by policies within the Local Development Plan. The development is therefore contrary to Policy 6 (part b), Brownfield, Vacant and Derelict Land and Empty Buildings of National Planning Framework 4 (2023).
 - (3) The proposals are contrary to Policy 19, Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and associated Supplementary Guidance (2020) as the development does not satisfactorily comply with any of the categories (1) Building Groups,

(2) Infill Sites, (3) New Houses in the Open Countryside, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non-Domestic Buildings, and (6) Rural Brownfield Land.

- (4). The proposals are contrary to Policy of National Planning Framework 4 (2023) Forestry, woodland and trees, Policy 6 which provides that development proposals will not be supported where they will result in:
- (i) Any loss of ancient woodland.

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.