

# KILLIECRANKIE FINCASTLE & TUMMEL COMMUNITY COUNCIL

**To: Economy, Development & Planning, Perth & Kinross Council**  
**[DevelopmentManagement@pkc.gov.uk](mailto:DevelopmentManagement@pkc.gov.uk)**

**From: Killiecrankie Fincastle & Tummel Community Council**  
**[info@kftcommunitycouncil.co.uk](mailto:info@kftcommunitycouncil.co.uk)**

**Date: 23 October 2025**

**Re: Application reference 25/01420/FLL**  
**Change of use of dwellinghouse to dwellinghouse/short term let**  
**accommodation unit at Schiehallion House, Strathtummel, PH16 5NT**

Killiecrankie Fincastle & Tummel Community Council wishes to object to the above application. We believe this proposal raises issues of genuine community interest as per the Regulations and guidance that we have received from you.

## **MATERIAL CHANGE OF USE**

1. The appearance of this application demonstrates that PKC's planning department considers this development a material change. The Community Council welcomes the opportunity to scrutinise plans which have already resulted in an unacceptable impact on Loch Tummel and the local community. A change of use to short term let accommodation will worsen the impact.
2. We note that the requirements for neighbour notification for this application were limited to two other properties. Both of these, Aldcharmaig and Aldcharmaig Bothy, are on the applicant's estate. The Community Council is commenting on the impact on the wider community including residents in the Tummel area and visitors to Loch Tummel.
3. This application was submitted within 6 weeks of PKC's Licensing Committee granting a Short Term Let Licence (STL) for the same premises.

The Community Council was not invited to comment on the STL application but recognises that the STL and a Change of Use application are mutually supportive as each aims to legitimise a transformation of approval for a comparatively discreet dwelling house into large scale, prominent, commercial premises. See history through planning applications 11/01871/FLL, 18/01875/FLL (revised design), 22/00566/FLL (revised design) and now 25/01420/FLL.

#### **NATIONAL AND LOCAL PLANNING POLICY**

4. The structure that now exists fails to comply with the aims of National Planning Framework 4 (NPF4) in regard to Natural Places. “Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported.” Moreover, a development proposal that is likely to have a significant effect on an existing Special Area of Conservation and is not directly connected with or necessary to its conservation management is required to be subject to an “appropriate assessment” of the implications for the conservation objectives.
5. The existing structure also falls foul of the Local Development Plan 2 (LDP2) several times. Policy 1A and 1B on Placemaking require a development to contribute positively to the quality of the surrounding built and natural environments. A proposal should also consider and respect site topography as well as the wider landscape. Policy 39 on Landscape requires a development to be compatible with the distinctive characteristics and features of Perthshire’s landscapes. Policy 40 on Forestry states that PKC will support proposals that protect existing trees and ensure the protection and good management of amenity trees and safeguard trees in Conservation Areas. There have been numerous breaches of LDP2. We can see no consideration of these aspects by the applicant. Neither can we see any evidence in previous decisions that any weight has been given to these factors by the planning authority. The Community Council believes that the property’s setting within Loch Tummel, an area that is protected for its natural attributes, should have been given much greater prominence in the planning system to date and certainly should be considered when such a material change is proposed.

#### **SPECIAL AREA OF CONSERVATION**

6. The River Tay Special Area of Conservation (SAC) has the highest wildlife accolade. Schiehallion House is situated within the River Tay SAC. PKC can only agree to development proposals after ascertaining that a development

will not adversely affect the integrity of the SAC. The original planning application for a single, discreet dwelling house may not have prompted the planning department to request information on the nature and scale of the proposal within the SAC. However, it is difficult to see how the various iterations of plans which have led to the construction of a huge, dominating structure have been approved without reference to SAC requirements.

7. One of the key special interests of the River Tay SAC is otters. A healthy population is present throughout the SAC. If the otter's food supply is depleted due to pollution or degradation of their habitat, then the number of otters along stretches of river will reduce. In addition, otters need suitable habitat such as vegetated riverbank, reed bed, woodland and islands for foraging, breeding and resting places. They need quiet conditions and can be prone to disturbance, resulting in them deserting an area.
8. The only environmental report that the Community Council can find in the planning history of Schiehallion House is dated July 2012. Although no signs of otters were found on site at the time of the visit, it is acknowledged that otters "were likely to be passing". The Community Council believes that the development of the site may have already had an impact on otters through extra pollution and noise. They may, for instance, have been disturbed or construction activity and excavation could have altered their habitat. The material change of use that is now proposed requires more information about how to avoid a detrimental impact on wildlife.
9. The Community Council believes that there is a hot tub in the gardens of the Schiehallion House property though cannot find a drawing or document to confirm. If there is a hot tub of any kind on site or there are plans to instal one for anticipated guests, we would expect the Scottish Environmental Protection Agency (SEPA) to carry out an assessment on the impact of the discharge from a hot tub on the integrity of the SAC. Not only do hot tubs raise questions of pollution but their use is often associated with additional noise at antisocial hours.

#### **CONSIDERATION OF PROTECTED SPECIES**

10. Tummel residents regularly see ospreys fishing in the loch. They are protected under the Wildlife and Countryside Act 1981 (schedule 1). Otters are protected by Habitat Regulations 1994 (Schedule 2). Nature Scot advises that proposals that may impact on protected species, including ospreys and otters, require the most careful scrutiny. A developer may need to apply to

Nature Scot for a licence for any activity that has the potential to disturb a protected species.

11. NatureScot says that an otter survey should be carried out for any proposal within 200m of suitable habitat. These surveys have to be done by a qualified person and the survey report must be submitted as part of the planning application. If otters could be affected by the proposal, the report must include a protection plan.

## NATIONAL SCENIC AREA

12. The Community Council is eager to preserve the natural environment and all the Special Qualities that have contributed to having Loch Tummel designated a National Scenic Area (NSA). NPF4 claims that a Local Development Plan should protect, restore and enhance natural assets. A development proposal that affects an NSA must not compromise the overall integrity of the area or have any significant adverse effect on the qualities for which the area has been designated. The Special Qualities of the Loch Tummel NSA are:

- A breathtakingly beautiful landscape both lowland and highland;
- Loch Tummel, the heart of the NSA;
- Rich and varied woodlands;
- Peacefulness and tranquillity;
- The celebrated Queen's View;
- Spectacular and famous mountain gorge – the Pass of Killiecrankie;
- The picturesque Linn of Tummel.

PKC's own Landscape Supplementary Guidance of 2020 states that PKC will promote the use of the proposed Local Landscape Areas for management measures taking into account the statement of the Special Qualities. The aim is to maintain or enhance the Special Qualities within the proposed Local Landscape Areas. Loch Tummel is one such landscape unit.

Protection of the Loch Tummel NSA is enforced through the planning system of PKC. The Community Council believes that the development of Schiehallion House has not aligned with the principles set out above. There is scant evidence that the impact on landscape, soundscape or characteristics of the natural environment has ever been evaluated in the development of the site. Regarding the current application, a large commercial property for rent threatens peacefulness and tranquillity.

13. The presence of holiday groups would be most evident from the other side of the loch as there is now no natural screening of the main building. Back in May 2011, there was a proposed site plan (PL20 C) which specifies the removal of two trees but otherwise indicates “existing trees to be retained”. No landscaping plan has been submitted with any subsequent planning application. Yet all trees between Schiehallion House and the loch have been removed. The construction is now highly conspicuous, making a significant, negative visual impact on the north shore of the loch.
14. Allowing such a large development to switch to commercial use will increase the amount of human-generated noise, the Community Council believes. The absence of soundscape conservation will result in an unacceptable impact on local amenity and the character of the area. That is contrary to PKC’s own planning guidance (November 2023) on Change of Use to Short-Term Let.
15. Tourism can and should incorporate soundscape conservation to promote responsible visitor behaviour that respects and protects the acoustic environment, enhances the visitor experience while minimising the disturbance to wildlife and the local community. In these circumstances, the Special Quality of “peacefulness and tranquillity” is not incidental. Every care must be taken not to heighten the acoustic burden. Motorboating, amplified music and party groups are real threats that are incompatible with the above-mentioned conservation principles. It is up to PKC to ensure that noise and speed do not become features of Loch Tummel. Failure to limit these now will lead to more difficulties in the future. Protecting the soundscape now means a sustainable future for tourism, based on the original designated and protected qualities of the area. Otherwise, there will be a struggle to restore the special characteristics of an environmentally sensitive area against the vested interests that will have established themselves through promoting noisy and disturbing activities.

#### **SHORT TERM LET LICENCE**

16. Four conditions were attached to the recently approved STL. All conditions are germane to the application for a Change of Use from residential to short term let accommodation. We understand that an STL can be revoked if there is a failure to comply with the licence conditions. This application for Change of Use is meaningless without an STL or without reference to the conditions already imposed.
17. Given the grand scale of the building and amenities which have been constructed for 10 guests, it is reasonable to assume that groups who pay for deluxe, lochside accommodation with a terrace and private gardens would

expect to avail themselves of everything on offer. It is unclear how guests are to be encouraged to remain indoors after 10pm as stipulated in Condition B.11. 1 of the STL. The fact that this is a condition of approval of the STL suggests that it is anticipated that guests would want to socialise outdoors after dark. Neighbours disturbed by holidaymakers would have no remedy but to report any nuisance to PKC.

18. Condition B.11. 1 also bans amplified music to be played in the garden grounds. Holidaymakers may or may not comply with this requirement at night but as they are on vacation, it is probable that a group would make noise during the day. Holidaymakers' noise could be random, sudden, continuous or chaotic. There is no natural acoustic barrier between Schiehallion House, its grounds and the residents on the south side of Loch Tummel. A change of use to short term let accommodation raises the risk of noise impact and noise nuisance for those living opposite Schiehallion House. There is no possible mitigation of noise impact.
19. Schiehallion House received approval (Ref 25/00890/FLL) for the installation of a new jetty (in part retrospect) in September 2025. It is situated west of Borenich Point. One of the attractions of the property to potential paying guests would be the ability to launch a motorboat from its private jetty. It is hard to see how this could be discouraged let alone prevented without some clumsy intrusion. Condition B.11. 2 requires guests to comply with the rules of the Loch Tummel Riparian Proprietors' Association (LTRPA). However, as with Condition B.11. 1, non-compliance will be left to those who have been disturbed or inconvenienced to report after the event.
20. The Community Council is currently engaged in getting the widest possible recognition of the agreement on the use of motorised boats which the LTRPA struck decades ago. The agreement established that all boats west of Borenich Point are required not to plane i.e. keep speed at a level below which the bow lifts out the water. Effectively, this restricts speed to below 6 knots and prohibits water skiing, jet skis and the recreational use of speed boats. The restriction does not apply to the sailing club rescue boat(s), an emergency or approaching bad weather. The LTRPA was founded in 1975 when the 'Hydro Board' had control of activities on the surface of the loch. Control has passed to SSE which continues to recognise the role of the LTRPA.
21. Residents around Loch Tummel wish to continue to respect the agreement to preserve the current environment. Not only do motorboats go faster than sailboats but they create wakes. A motorboat west of Borenich Point would interfere with current, quiet activities such as sailing, swimming and fishing

and would again increase the noise impact for those on the water or surrounding land.

22. If this change of use were to herald the start of “motorisation” of Loch Tummel, it would not only contravene the principle of the National Scenic Area designation but lead to PKC having to introduce more regulation about buoys, speed-zoning etc. The Community Council prefers to limit facilities for motorboats now to keep the *status quo*.

## HISTORY OF PLANNING APPROVAL

23. There is a clear pattern of retrospective planning approval chasing Schiehallion House’s development. This latest application for change of use follows the same pattern. The change in the south elevation is perhaps the most egregious example. According to the revised design for a dwellinghouse which was approved 3 years ago (Ref 22/00566/FLL), the south elevation was to be built as per plan 2743B\_PL\_400. However, the structure that exists today bears scant similarity to that proposal. Documents submitted with this Change of Use application includes plan 2743B\_CoU\_400 A which is misleadingly labelled “proposed elevations”. It is, in fact, a representation of the outsize south elevation that is already in place. The structure has taken shape with an untimely catalogue of opaque planning revisions. Permitting a Change of Use to allow a substantial, new, residential dwellinghouse to operate on a commercial basis would only compound past omissions and mistakes.
24. The Community Council notes that the Change of Use application coins a new term of ‘hybrid dwellinghouse/short term let’ . As the property already has approval as a dwellinghouse, it is misleading to call this a change. The applicant wants the planning department to endorse the recently granted STL so that a large scale, inappropriate, prominent, commercial operation can be imposed in a protected beauty spot.
25. The Community Council is in favour of responsible tourism. However, this application is incompatible with an environmentally sensitive area that should be able to rely on the protection offered by designations such as Special Area of Conservation and National Scenic Area. Loch Tummel is a peaceful place for wildlife and quiet recreation. The environment that is valued by the local community is being threatened by the arrival of holiday groups to what appears to be a purpose-built commercial site.