

Agenda Item	5.2
Report No	PLN/003/19

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 22 January 2019

Report Title: 18/00948/FUL: Mr and Mrs Garton Jones
Land 70M SW of West Highland College UHI Struan Road Portree

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Change of use of land to allow the siting of 27 camping pods, 5 staff accommodation pods, Hub building, pool sauna, new access parking, internal road and footpaths.

Ward: 10 - Eilean A' Cheò

Development category: Local

Reason referred to Committee: More than five letters of representation from five different addresses.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to Grant planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the creation of a holiday accommodation complex which will consist of 27 individual accommodation pods, a hub building providing a reception, bar and restaurant facility, a separate recreational building and the formation of a service compound with staff parking and five staff accommodation pods in addition to a 51 space car park with pedestrian access links to the buildings and accommodation units.

The proposals also include the provision of a roadside pedestrian footway which will run from the entrance to the proposed car park to meet the current footway at the road junction on Struan Road that serves the Gaelic Primary School.

- 1.2 The hub building is of contemporary design. It has a simple rectangular footprint of 12.5m x 37m, or thereby. The external design is dominated by the curved roof and full height central glazed atrium, which at its fullest height is circa 8.7m above ground level. The building is orientated so that the predominately glazed principal elevation takes advantage of an easterly aspect and views towards Portree Bay and beyond. External materials will principally comprise of a combination of glass panels, natural stone and sedum roofing. The recreational building, which will house a sauna and plunge pool, has a smaller footprint and overall height of 6.5m carries through the design and appearance of the hub building. The 27 pods, which internally will provide a double/twin bedroom with en-suite facilities, have a footprint of 18m² and a ridge height of 3.2m. They are designed with curved roofs and will be finished externally in timber. The staff pods will have the same external appearance, with minor alterations to the internal layout.
- 1.3 The area of land which is identified for the provision of the car park is served by an existing access off Struan Road. This access relates to the historical and former use of the land as a golf course.
- 1.4 Pre Application Consultation: Informal advice offered on a proposal for campsite with 3 clusters of 10 pods. Need for preparatory surveys with respect to peat, flooding, protective species and traffic movements highlighted along with the need for a high standard of design.
- 1.5 Supporting Information: Report incorporating habitat survey, peat depth investigation and management plan. Flood risk management report. Visualisations of hub building. Supporting design statement.
- 1.6 Variations: Revised plans submitted with respect to the external appearance of the hub building 18.12.2018. Revised plans submitted with respect to means of access parking layout and footway provision 25.04.2018, 07.08.2018, 21.09.2018, 28.09.2018, 03.10.2018, 04.10.2018, 10.10.2018,12.10.2018, 25.11.2018 and 27.11.2018.

2. SITE DESCRIPTION

- 2.1 The site lies on the south side of Struan Road, north of the shinty club. Although historically used as a golf course during the inter-war years the land is currently grazed by sheep. The site consist of areas of grassland, areas of moorland, some small areas of wetter mire habitats, and native riparian woodland on either side of the watercourses, the most distinctive of which runs from west to east between the shinty pitch and the open moorland. There are also a number of former field boundary features and stone ruins scattered across the site. From the Struan road the land levels rise gently for the first 200 metres or thereby, thereafter the slope gradient increases up to exposed rock and a natural edge of the ridge.

3. PLANNING HISTORY

- 3.1 03.10.2017 17/03856/PREAPP Proposed campsite with 3 clusters of 10 pods

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown neighbour

Date Advertised: 16.03.2018

Representation deadline: 29.03.2018

Timeous representations: 10 representations from 10 individual addresses.

Late representations: 2 representations, including one with no address provided.

- 4.2 Material considerations raised are summarised as follows:

- a) Land may include historical artefacts, therefore an archaeological survey should be undertaken.
- b) Capacity of the road infrastructure in area to accommodate the additional traffic that will be generated by the scale of the development.
- c) Lack of pedestrian footway provision.
- d) Appropriateness of 'Pods as a sustainable form of visitor accommodation.
- e) Wider landscape impact of 'pod' style of accommodation unit across Skye and the associated public perception of Skye as a tourist destination.
- f) Design and visual impact of hub building and pods.
- g) Adequacy of mains water supply.
- h) Development should be classified as a 'major' development.
- i) Development fails to meet the ambitions of the local plan allocation.

- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **Historic Environment Team** : Confirm that there are no historic environment sensitivities and no mitigation is recommended with regard to this proposed development.

5.2 **Transport Planning Team:**

First Response: Further Information requested in relation of the following matters:

- Construction details and visibility splays at proposed junctions.
- Construction details of footway along Struan Road.
- Details of refuse collection
- Staff numbers
- Cycle parking proposals

Second Response: Visibility splays at second /service access requires to be 2.4m x 120m submitted plans indicate only 2.4m x 90 in a westerly direction. Proposed footway provision on submitted plans requires to be amended to take account of existing drainage infrastructure.

Third Response: Following the submission of revised plans further information requested in relation to the construction of the footway along Struan Road in addition to amendments to the internal road between the car park and hub building to provide a passing place. Recommend suspensive condition which will require the footway to be constructed prior to any other development commencing. Condition required for the submission and approval of a Construction Phase Traffic Management Plan. 'Portree' sign situated on the road verge west of the junction with Struan road will require to be relocated should it lie within the visibility splay.

Fourth Response: No objections. Additional information required in relation culvert proposed as part of footway provision.

5.3 **Flood Risk Management Team:**

First Response: Objection on the grounds of flood risks. Request Flood Risk Assessment is provided for the Lon na h-Atha. Request a condition that any culverts (for access purposes only) over the local drain should be designed to accommodate the 1 in 200 year plus climate change flows and details should be provided to the Planning Authority.

Second Response: Remove objection. Request conditions are attached ensuring 6m buffer is upheld along watercourses and finished floor levels of pods adjacent to the burn are set at 62.3m.

5.4 **Development Plans Team:** Advised that proposals will not prejudice the development of the remainder of the allocated site and is not in conflict with the allocation.

5.5 **SEPA:**

First Response: Objection on the grounds of lack of information on flood risk. Request Flood Risk Assessment is provided. For all other matters refer to standing advice applicable to this type of development.

Second response: Objection on grounds of lack of information on flood risk maintained. Additional information and plans required in Flood Risk Assessment and Management documentation.

Third response: Maintain objection on grounds of lack of information on flood risk. Further amendments required to Flood Risk Assessment and Management documentation.

Fourth Response: Objection removed.

5.6 **Scottish Water** : No objection

6. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

6.1 **Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 34 - Settlement Development Areas
- 44 - Tourist Accommodation
- 55 - Peat and Soils
- 56 - Travel
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.2 **West Highland and Islands Local Plan 2012 (as continued in force)**

Portree Site Allocation MU1- site area 10.9ha, Indicative housing capacity 20 units, Developer Requirements – Acceptable Uses - housing, public open space and hotel. Developer masterplan to demonstrate: structural wrap-around planting on west and north boundaries, sport pitch provision, dual tracking of Struan Road to site entrance, pedestrian connections to village centre, High school and Co-op, public transport connection, integration with village wide footpath network, development set back from Struan Road . Retain and integrate watercourses as natural features with the development.

6.3 **West Highlands and Island Local Development Plan (proposed) May 2017**

Portree Site Allocation PT08 – site area 10.9ha, Uses - housing, public open space and hotel. Indicative housing capacity 20 units, Developer Requirements: Minimum 6 metre buffer between watercourses and development; Integrate watercourses as recreational and natural features within the development; Landscaping, including tree planting, to provide shelter and designed to form part of the green network; Road widening and footpath provision along Struan Road to junction with Gaelic primary school; Development set-back from or diversion of overhead lines; Land Contamination Site Investigation may be required; Peat management plan to demonstrate how impacts on peat have been minimised; Vegetation survey to

demonstrate how impacts on wetlands have been avoided; High quality of architectural siting and design; Programme of archaeological works/mitigation may be required.

6.4 Highland Council Supplementary Planning Policy Guidance

Flood Risk and Drainage Impact Assessment (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

A Successful, Sustainable Place - Supporting Business and Employment.

A Natural, Resilient Place - Managing Flood Risk and Drainage.

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) siting and design.
- c) access and parking
- d) flood risk and management
- e) peat management
- f) any other material considerations.

Development plan/other planning policy

8.4 The site lies within the settlement development area for Portree as defined in the adopted West Highlands and Islands Local Plan and is contained within the allocated site ref MU1. This allocation provides for 10.9 hectares of land to be developed. Included in the suggested appropriate uses is a hotel, in addition to housing and public open space. The allocation and suggested uses are repeated in the West Highlands and Island Local Development Plan, abbreviated to the WestPlan which is currently with the Planning and Environmental Appeals Division (DPEA) of the Scottish Government for Examination with an expected date for completion of the examination process of 6 April 2019.

- 8.5 It is considered that the proposed development meets the spirit of the development plan policy which covers this allocated site with respect to the use of part of the site as a hotel. The 27 pods are the equivalent of bedrooms with en-suite bathrooms with the hub building providing restaurant and bar facilities as would be found in a conventional hotel. The layout of the development; consisting of four clusters of pods accessed by pedestrian paths with the central hub and facilities buildings allows for open space to be maintained around the development. There is no indication that the pod clusters or other buildings are to be enclosed by fencing therefore whilst the land will remain in private ownership, public access to the surrounding area shall be maintained. The Development Plans Team have verbally confirm that the proposed development remains compatible with allocation in the Development Plan and that developed in the manner proposed it will not unduly prejudice the development of the remaining part of the allocation.
- 8.6 The other HwLDP policies listed at 6.1 of this report are also relevant and the application requires to be assessed against these. Policy 44 set out that that proposal for tourist accommodation within settlement boundaries will be supported where it can be demonstrated that the proposals can be accommodated without adverse impacts upon neighbouring uses, compliance with the relevant criteria of Policy 28 sustainable development and will not prejudice the residential housing land supply. Policy 28 requires development to be considered in terms of siting, design and the impact on landscape qualities as well as their compatibility with public service provision and the impact on individual and community residential amenity.

Siting and Design

- 8.7 It is acknowledged and understood that any development within the allocated site will bring change into the area by the introduction of manmade development in an area which has seen no development for several decades and within which there are only the remains/ruins of crofts. The 4 groups of pods have been sited within the land allocation, where there is either a natural plateau or there are existing historical manmade features such as stone dykes on the hillside. Each cluster of pods has an individual scattered layout; a linear pattern of development has been avoided as far as practicable. The hub and recreational building are sited on the lower and more gentle slopes of the allocated site. The site compound and staff accommodation area utilises a natural hollow in the landform. The car park will be formed out of an area of land adjacent to Struan Road which has been the subject of engineering operations in the past to form a level site. Overall it is considered that the siting of the various elements which comprise the development responds positively to the landforms and topography across the site, although it is acknowledged that the hub and recreational buildings will be prominent features in the landscape.
- 8.8 As prominent features in the landscape the hub and recreational building require to be of high quality design appropriate for the location. The applicant approach has been to design a unique building with curved walls and ridges using a simple palette of traditional external materials consisting of natural stone, large glazing panels and a 'living' green roof. It is considered that this contemporary and individualistic design satisfies the requirements of the development plan to secure

high quality design on the site. A number of comments have been received about the style of accommodation units proposed as well as their proliferation across Skye. It is recognised that the provision of individual units of accommodation is at the heart of the business concept for the site and it is accepted that the scale, massing and design of the pods are consistent with similar developments seen elsewhere across the Highlands and Islands as well as at the applicant's other holiday complex known as the 'Cowshed' in Uig. As set out above, given their siting, over time, the pods should not be seen as prominent features in the landscape. As regards the current trend of this form of holiday accommodation, this is considered to be principally led by market demand. The evidence and information submitted in support of the application indicates that there is a desire by the applicant to provide a bespoke and quality development for the tourism market.

Access and Parking

- 8.9 The initial access arrangements proposed two separate accesses; one which would involve upgrading the existing access to the customers of the holiday complex and a second new access which would act as a service and staff access leading to the site compound. Following the initial consultation comments from the Transport Planning Team the proposal for a service access was removed as the location of the proposed junction could not achieve adequate visibility and therefore the access was considered a road safety hazard. The Transport Planning Team has confirmed that the proposals to upgrade the existing access are acceptable and notwithstanding the comments received from third parties have raised no concerns with respect to the capacity of the road network to accommodate this additional development. With respect to the development plan requirement to widen Struan Road and provide a footpath, the latter of these will be delivered from the car park entrance to the end of the existing footway on the west side of Struan Road as part of this development. The detailed specifications for the construction of this footway will be the subject of Roads Construction Consent under the Roads Scotland Act. The widening of Struan Road, around the junction with the access into the Gaelic primary school is likely to come forward as part of a junction improvement required under a separate development for affordable housing to the east of the college, current planning application ref 18/01310/FUL. It is considered reasonable that any future developers of the remainder of the allocated site will be responsible for widening the public road beyond the car park entrance along the road frontage of the allocation site.
- 8.10 The level of car parking is considered to be commensurate with the development proposed and to satisfy current guideline standards. Accessible parking is to be provided at the rear of the hub building with all other visitor parking being in a communal car park at the site entrance. There will be no vehicular access to the pods. The siting of the car park raises no significant issues with respect to its position or visual impact.
- 8.11 Access to the pods will be by footpath. It is proposed that these will be constructed in accordance with best practice guidance provided by Scottish Natural Heritage. The paths will therefore be informal with a permeable gravel finish. Similarly, the vehicular access track from the car park to the hub building and from there to the service compound will have a permeable running surface with soft edges. It is

considered appropriate that the width of the vehicle access track is no greater than 3.5m. This matter will be the subject of a planning condition as the submitted plans do not indicate a consistent width for the track between the car park and the hub building. The section of vehicle access track running between the hub building and the compound will be 3.0m. The footpaths width need be no greater than 2m, this will also be controlled through a planning conditions. Overall the access arrangements are welcomed as the removal for the need for cars to access the individual pods and provide parking at each location will reduce the visual impact of the development as a whole and the amount of engineering operations that would be associated with the access arrangements.

Flood Risk and Management

- 8.12 Residential accommodation, including camping pods are classed as a 'most vulnerable use' under SEPA's guidance on Flood Risk and Land Use Vulnerability. Scottish Government Policy states that "*...the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional floodplain and medium to high risk areas...*". It further defines that "*...for planning purposes the functional floodplain will generally have a greater than 0.5% (1 :200) probability of flooding in any year...*". Therefore built development should not take place on the functional floodplain. The initial submission lacked sufficient information to adequately demonstrate that none of the development would be at risk of flooding from the Lon na h-Atha which runs to the south of the site or any of the other small watercourses that cross the site. Following the submission of a Flood Risk Assessment and revised plans the objection from SEPA and the Council's Flood Risk Management Team were removed. The applicant was able to demonstrate that the location of the pods would not affect the functional flood plain and that a 6m buffer from any watercourse can be maintained. The latter issue will be covered by a condition to ensure that this is maintained in perpetuity.

Peat Management

- 8.13 Policy 55 of the Highland-wide Local Development Plan requires development proposals to demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. The local plan allocation requirements for the development of the site refer to the need to consider peat management. A peat survey and management plan is contained within the supporting documentation. The survey indicates that one area of deep peat, defined as greater than 50cm in depth, is located in the area where the car park is proposed. It extends to approximately 20 cubic metres. In accordance with the best practice guidance regarding the management of peat provided by SEPA, as it is not considered practicable to move the car park in order to avoid disturbing this small area of deeper peat, where necessary the peat will be removed to a borrow pit adjacent to the hub building where it will be landscaped with topsoil and reseeded as necessary.

Other material considerations

Water Supply and Drainage

- 8.14 Comment has been made by a number of third parties regarding the impact that the development will have on the public water supply. The developer will require consent from Scottish Water to connect to public water and drainage network. In response to a consultation on the application Scottish Water have offered no objections however they have highlighted that they are unable to confirm capacity at this time at the Portree Torvaig Water Treatment Works and advise the application to submit a pre- development enquiry.

Classification of Application.

- 8.15 Comment has been made by third party contributors that the development should have been treated as a 'major' development as defined by the Town and Country Planning (Scotland) Act 1997 which defines three categories in the Hierarchy of Development to which all development require to be allocated. As a result there is concern that the applicant has not carried out sufficient public consultation.
- 8.16 The threshold for 'major' applications for the type of development proposed (Other Development as defined in Circular 5/2009) relates to proposals where the site area exceeds 2 hectares. In this case, the site boundary has been drawn around the areas of land where development will occur and does not include the areas of open space between the various elements of the development. Less than two hectares of land are enclosed within the site boundary and consequently it does not meet the criteria to be defined as major development. The application was advertised in the local press in accordance with statutory requirements.

Economic Benefit

- 8.17 It is suggested by some third party contributors that the development will have little benefit to the wide economy of Skye, once completed. Whilst market competition is not a material planning consideration, the provision of additional accommodation aimed at the tourist market is considered likely to generate additional spending in the wider area to the benefit of the wider economy.

Neighbouring Uses

- 8.18 The closest developments lie to the south and east of the site and consist of the shinty club, the West Highland and Islands college UHI and the Gaelic primary school. Comment has been made by some third parties about the transient nature of customers of the development and the proximity to the primary school insinuating that there maybe a risk to children. Such views have no foundation. The proposed use accords with the allocation identified in the development plan. The mix of uses being identified for the allocated land has been through a comprehensive assessment exercise as part of the preparation and adoption of both the adopted and proposed local development plans, a process which will have taken into consideration the proximity to and compatibility with neighbouring uses.

Open space

- 8.19 Comments have been made by third party contributors about the current use of the hillside for recreational purposes including by the school for cross country purposes. It is not considered that the development as proposed will restrict access to the wider open countryside to such a degree that the current public uses would no longer be able to be undertaken.

Non-material considerations

- 8.20 Third party contributors have made comments about the applicant being a London based property developer. The issue of who is identified as being the applicant is not a material planning consideration and is outwith the scope of the planning assessment.

Matters to be secured by Section 75 Agreement

- 8.21 None

9. CONCLUSION

- 9.1 National and local planning policy is supportive of the tourist related development where impacts are not significant. The proposed development lies within an allocated site and represents a form of development which the development plan policy identifies as being an acceptable land use. The hub and recreation buildings which represent the most significant built development are considered to be of a good standard of design. The development as a whole is not considered to have a significant landscape impact. Flood risk and impacts on peat have been identified and suitable mitigation measures proposed. Improvements will be made to the public pedestrian network and access arrangements to the benefit of the wide community.
- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended that planning permission be **GRANTED**

subject to the following: Conditions and Reasons

1. No other development shall commence until the improvements to the access junction with Struan road and the construction of the roadside footway have been completed to the satisfaction of the Planning Authority.

Reason: In the interest of road safety and to ensure the timeous delivery of public infrastructure in accordance with the requirements of the development plan.

2. No development, site excavation or groundwork shall commence until a Construction Phase Traffic Management Plan has been submitted to and agreed in writing by the Planning Authority. Thereafter the traffic management shall be undertaken in accordance with the approved details. Details within the plan shall address the following matters:

- construction staff parking,
- number and frequency of heavy goods vehicles movements; including those required for any earthworks.
- measures to control the movement of heavy goods vehicles to avoid all nearby school opening and finishing times.
- The developer shall enter into a Section 96 agreement with the Highland Council to cover any abnormal wear and tear of Struan Road between the entrance into the site and the junction with the entrance to the Gaelic primary school. This will include a requirement for pre and post construction surveys and photographs to be undertaken and agreed with the Council and for the provision of a suitable bond, as necessary.
- Measures to control dust on the public road including an agreed dry threshold when spraying will be considered.

Reason: To ensure good traffic management in the interests of public safety and with sensitivity to the established amenity of the area.

3. Visibility splays of not less than 2.4m x 90m shall be provided in both directions at the junction of the access with the existing road prior to the commencement of the development and thereafter maintained free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.

Reason: In the interest of road safety

4. Any culverts (for access purposes only) over the local drain shall be designed to accommodate the 1 in 200 year plus climate change flows. Full details shall be submitted prior to the commencement of work for the consideration and written approval of the Planning Authority.

Reason: In the interest of public safety and flood risk.

5. No development shall commence until detailed specifications for the construction of all footpaths and vehicular access tracks has been submitted to and agreed in writing by the Planning Authority. Thereafter the footpaths and tracks shall be undertaken in accordance with the approved details. The specifications shall address the following matters:

- Design, including width of paths and tracks. No vehicular track shall be greater than 3.5m in width. No pedestrian track shall be greater than 2.0m in width,
- Construction methods,
- Long term maintenance and management programme

Reason To minimise the visual prominence of the paths and vehicular tracks and to ensure that their construction follows best practice.

6 No development or work shall commence until full details of the stone to be used on the hub and recreational buildings; details of all fencing, external lighting and signage(including samples where necessary) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of visual amenity and in recognition of the visual prominence of the site on the settlement edge of Portree which requires high quality of finish to safeguard its wider setting with high quality finishes.

7. The 6m no development buffer zone from the Lon na h-Atha burn as identified on the plans hereby approved shall be maintained in perpetuity.

Reason: To ensure the maintenance of the riparian buffer strip.

8. All pods adjacent to the Lon na h-Atha burn shall have a finished floor levels set at no less than 62.3m. AOD

Reason: In the interest of public health and flood risk

9. All tree planting shall be carried out in accordance with the scheme and plans approved as part of this permission. All planting, shall be carried out in the first planting season following the commencement of the development, unless otherwise stated in the approved scheme. All trees shall be supported with a stake and tie and protected against damage using a spiral guard.

Any trees which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development

10. Prior to the first occupation of the development hereby approved, the visitor parking shall be provided in accordance with the details hereby approved. Thereafter, all car parking spaces shall be maintained for this use in perpetuity

Reason: In order to ensure that the level of off-street parking is adequate.

11. The use of the land hereby approved shall not enure other than in respect of the layout and design of the 27 accommodation units and 5 staff accommodation units shown on the approved plans.

Reason: The planning assessment of the individual accommodation units has been based on the layout and design of pods shown on the approved plans only and in order to enable the planning authority to consider any replacement accommodation units that fall within the definition of a caravan in the interest of visual amenity.

12. The 5 staff accommodation units shall be used for seasonal workers accommodation purposes only and shall not be used as a principal private residence or be occupied for more 10 months in any one calendar year.

Reason: In recognition of the temporary nature of the development and in accordance with the use applied for.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.

2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements

may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

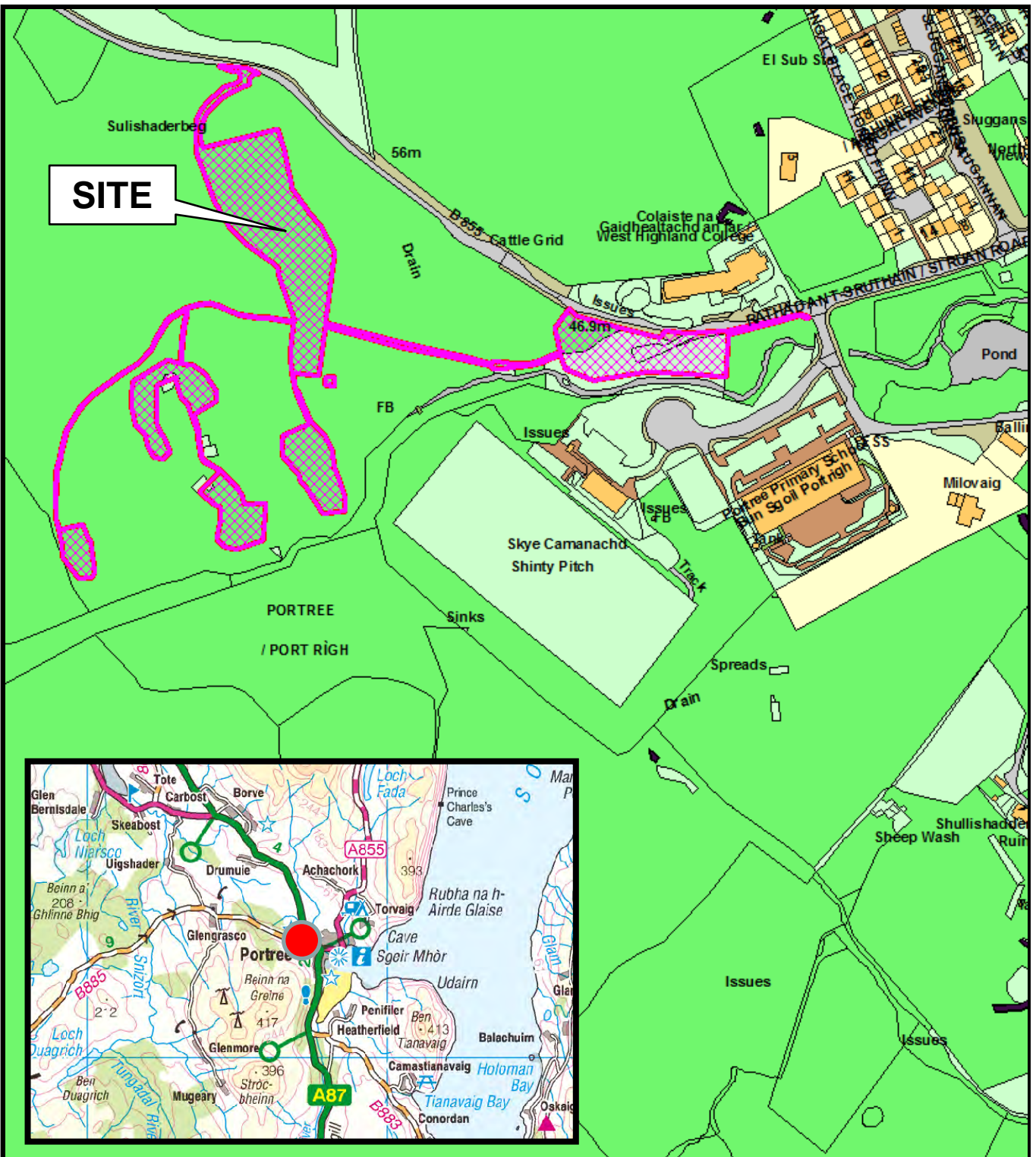
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt,

it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Signature: Dafydd Jones
Designation: Area Planning Manager – North
Author: Erica McArthur
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 - Site layout Plan
Plan 3 - Elevations – Hub building
Plan 4 - Elevations - Recreational building
Plan 5 - Elevation and Floor Plan - pods
Plan 6 - Ground Floor Plan - Hub building
Plan 7 - Mezzanine Floor Plan – Hub building
Plan 8 - Floor plan recreational building
Plan 9 - Footway plan
Plan 10 - Junction Improvement



The Highland Council
Comhairle na Gàidhealtachd

Planning & Development Service

18/00948/FUL

**Change of use of land for siting of 27 camping pods, 5 staff accommodation pods, erection of associated buildings, formation of car park, access track and site compound
 Land at Struan Road, Portree**

N





North

Compound note:
Services compound for storage of bins, ground care equipment, etc located in low lying hollow 50m from hub.
Services compound to be 28m x 15m & enclosed with 2m high timber clad fence & gates, finished colour natural untreated timber.

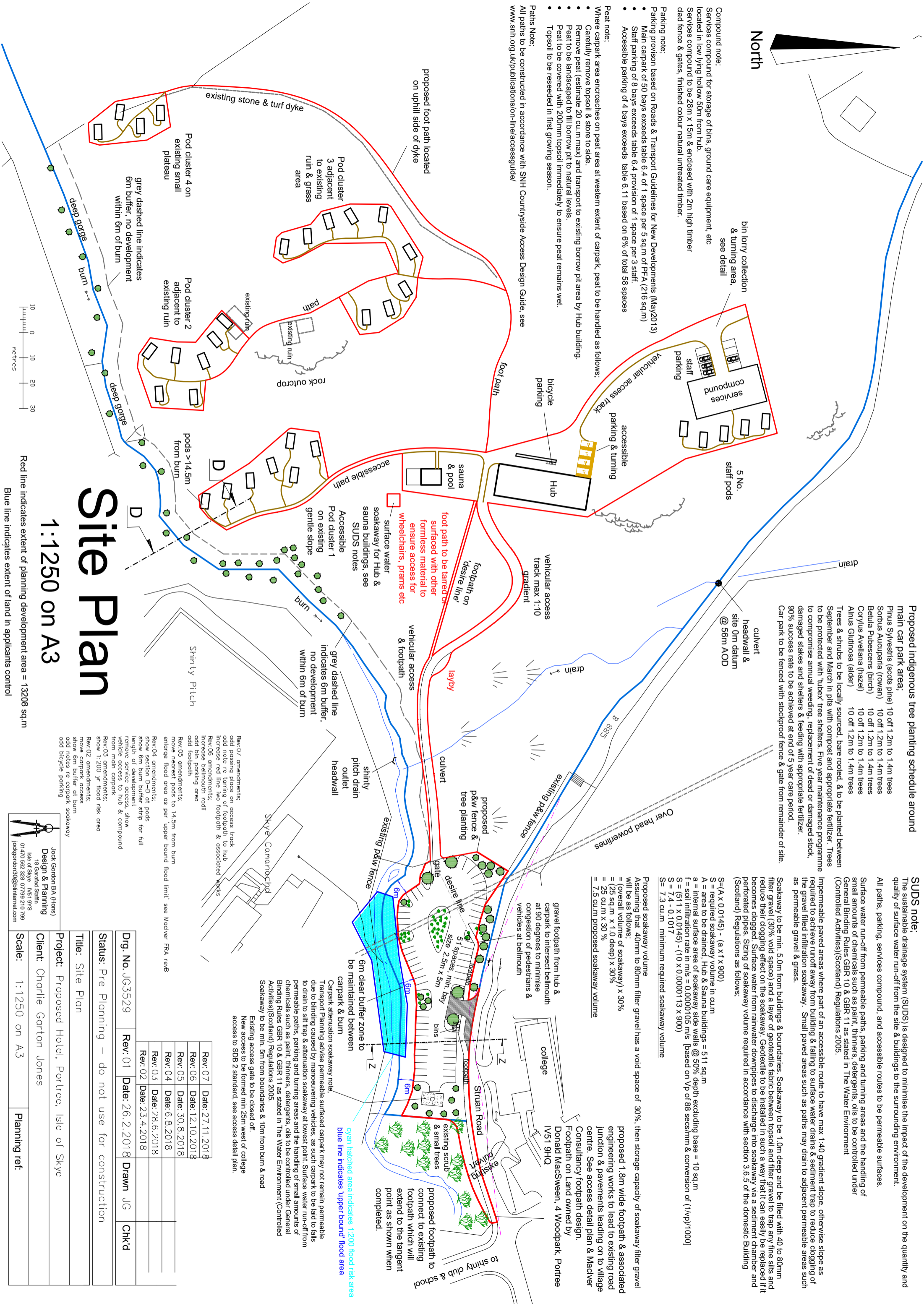
Parking note:
Parking provision based on Roads & Transport Guidelines for New Developments (May2013)

- Main carpark of 50 bays exceeds table 6.4 of 1 space per 5 sqm of PFA (216 sq.m)
- Staff parking of 8 bays exceeds table 6.4 provision of 1 space per 3 staff.
- Accessible parking of 4 bays exceeds table 6.11 based on 6% of total 58 spaces

Peat note:
Where carpark area encroaches on peat area at western extent of carpark, peat to be handled as follows:

- Carefully remove topsoil & store to side.
- Remove peat (estimate 20 cu.m max) and transport to existing borrow pit area by Hub building.
- Peat to be landscaped to fill borrow pit to natural levels.
- Peat to be covered with 200mm topsoil immediately to ensure peat remains wet.
- Topsoil to be reseeded in first growing season.

Paths Note:
All paths to be constructed in accordance with SNH Countryside Access Design Guide, see www.snh.org.uk/publications/on-line/accessguide/



Proposed indigenous tree planting schedule around main car park area:

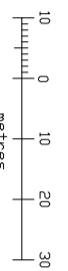
- Pinus Sylvestris (scots pine) 10 off 1.2m to 1.4m trees
 - Sorbus Aucuparia (rowan) 10 off 1.2m to 1.4m trees
 - Betula Pubescens (birch) 10 off 1.2m to 1.4m trees
 - Corylus Avellana (hazel) 10 off 1.2m to 1.4m trees
 - Alnus Glutinosa (alder) 10 off 1.2m to 1.4m trees
- Trees & shrubs to be locally sourced, bare rooted, & to be planted between September and March in pits with compost and appropriate fertilizer. Trees to be protected with 'tubex' tree shelters. Five year maintenance programme to comprise annual weeding, replacement of dead or damaged stock, damaged stakes and shelters & feeding with appropriate fertilizer. 90% success rate to be achieved at end of 5 year care period. Car park to be fenced with stockproof fence & gate from remainder of site.

SUDS note:
The sustainable drainage system (SUDS) is designed to minimise the impact of the development on the quantity and quality of surface water run-off from the site & buildings to the surrounding environment.
All paths, parking, services compound, and accessible routes to be permeable surfaces.
Surface water run-off from permeable paths, parking and turning areas and the handling of small amounts of chemicals such as paint, thinners, detergents, oils to be controlled under General Binding Rules GBR 10 & GBR 11 as stated in The Water Environment (Controlled Activities)(Scotland) Regulations 2005.
Impermeable paved areas where part of an accessible route to have max 1:40 gradient slope, otherwise slope as required to achieve runoff away from building & falling to surface water drains & sediment trap to reduce clogging of the gravel filled infiltration soakaway. Small paved areas such as paths may drain to adjacent permeable areas such as permeable gravel & grass.
Soakaway to be min. 5.0m from buildings & boundaries. Soakaway to be 1.0m deep and be filled with 40 to 80mm filter gravel (30% void space) and a layer of geotextile fabric between topsoil and filter gravel to trap any fine silts and reduce their clogging effect on the soakaway. Geotextile to be installed in such a way that it can easily be replaced if it becomes clogged. Surface water from rainwater downpipes to discharge into soakaway via a sediment chamber and perforated pipes. Sizing of soakaway volume required in accordance with section 3.6.5 of the domestic Building (Scotland) Regulations as follows:
 $S = (A \times 0.0145) - (a \times f \times 900)$
 S = required soakaway volume in cu.m
 A = area to be drained, Hub & Sauna buildings = 511 sq.m
 a = internal surface area of soakaway side walls @ 50% depth excluding base = 10 sq.m
 f = soil infiltration rate in m/s = 0.0000105 m/s (based on Vp of 88 secs/mm & conversion of (1/vp)/1000)
 $S = (511 \times 0.0145) - (10 \times 0.0000113 \times 900)$
 $S = 7.4 - 0.1017$
 $S = 7.3$ cu.m minimum required soakaway volume
 Proposed soakaway volume Assuming that 40mm to 80mm filter gravel has a void space of 30%, then storage capacity of soakaway filter gravel will be as follows:
 = (overall volume of soakaway) x 30%
 = (25 sq.m x 1.0 deep) x 30%
 = 25 cu.m x 30%
 = 7.5 cu.m proposed soakaway volume

proposed 1.8m wide footpath & associated engineering works to lead to existing road junction. See access detail plan & Machver Consultancy footpath design.
Footpath on Land owned by Donald MacSweeney, 4 Woodpark, Portree IV51 9HQ

Site Plan

1:1250 on A3



Red line indicates extent of planning development area = 13208 sq.m
Blue line indicates extent of land in applicants control

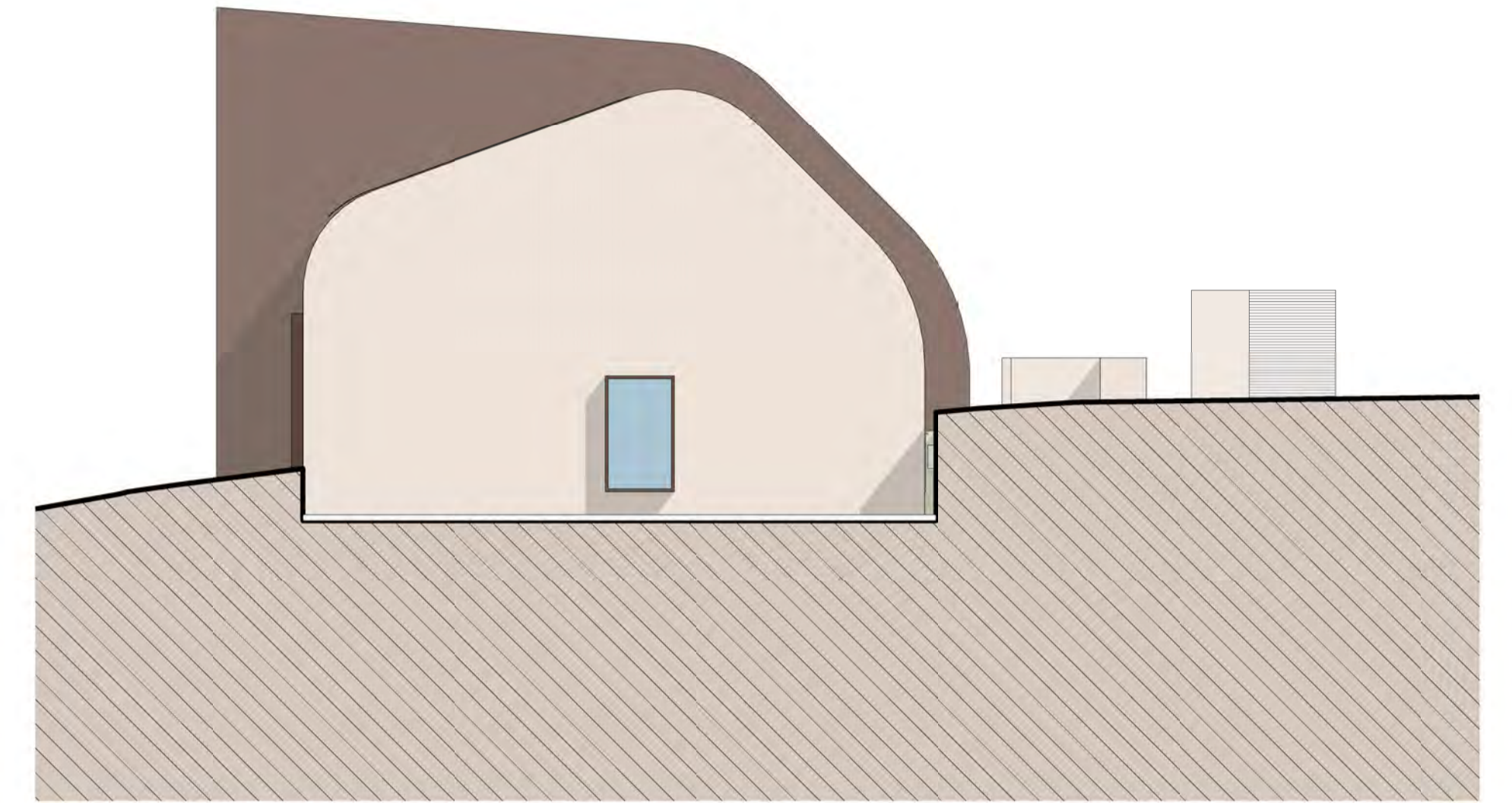
Dwg. No. JG3529	Rev: 01	Date: 26.2.2018	Drawn JG	CHK'd
Status: Pre Planning – do not use for construction				
Title: Site Plan				
Project: Proposed Hotel, Portree, Isle of Skye				
Client: Charlie Garton Jones				
Scale: 1:1250 on A3				
Planning ref:				

- Rev:07 amendments: add passing place on access track
- Rev:06 amendments: add note re tarring of footpath to hub
- Rev:05 amendments: increase red line two footpaths & associated works
- Rev:04 amendments: increase bellmouth radii
- Rev:03 amendments: add bin parking area
- Rev:02 amendments: move nearest pods to 14.5m from burn
- Rev:01 amendments: enlarge flood area as per 'upper bound flood limit' see Machver FR& revB

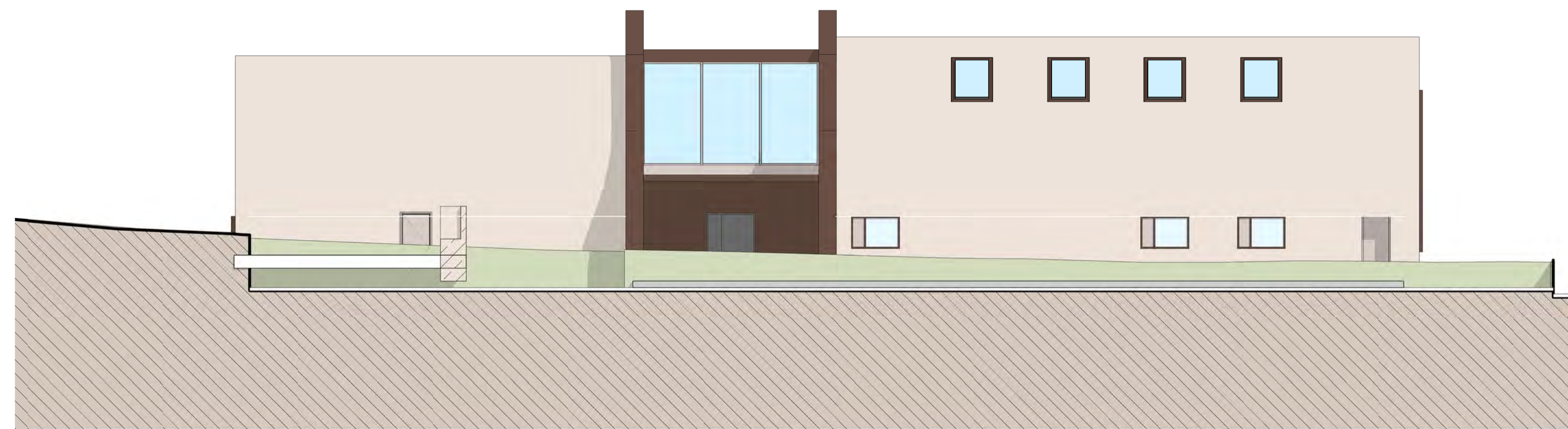
Jack Gordon BA (Hons)
Design & Planning
18 Garfield Street
Isle of Skye IV51 9VS
01470 562 328 07799 210 799
jgordon@bhinter.net



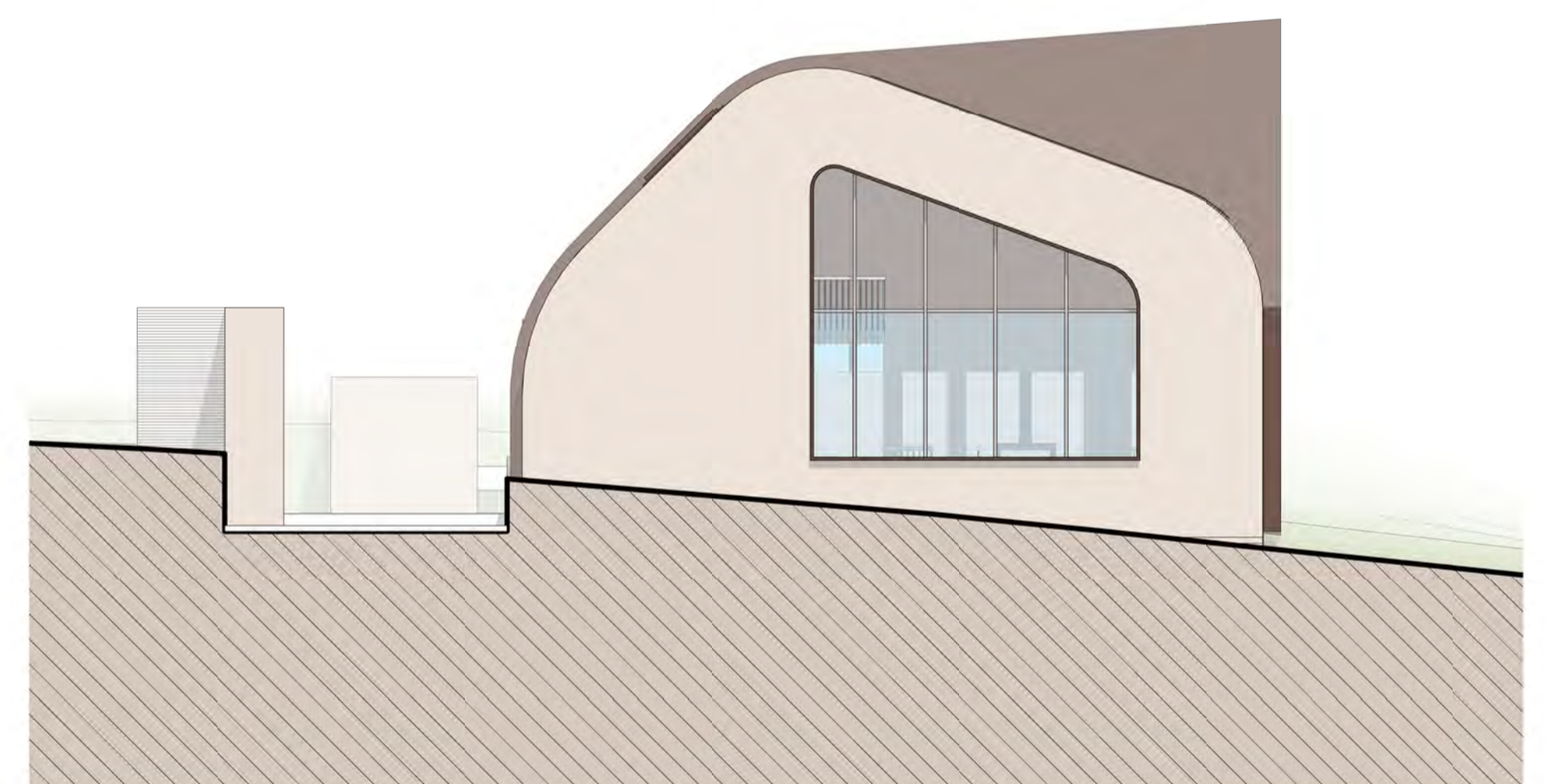
1 The Hub - East Elevation
1 : 100



4 The Hub - North Elevation
1 : 100



3 The Hub - West Elevation
1 : 100



2 The Hub - South Elevation
1 : 100

General Notes:
 1. Do Not Scale This Drawing
 2. All dimensions are in millimetres unless otherwise stated
 3. Drawing based on survey information by others
 4. Contractors are not to scale dimensions from this drawing
 5. Contractors are to check all dimensions prior to commencement on site and notify the architect of any errors, omissions, or discrepancies
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Drawing Notes:

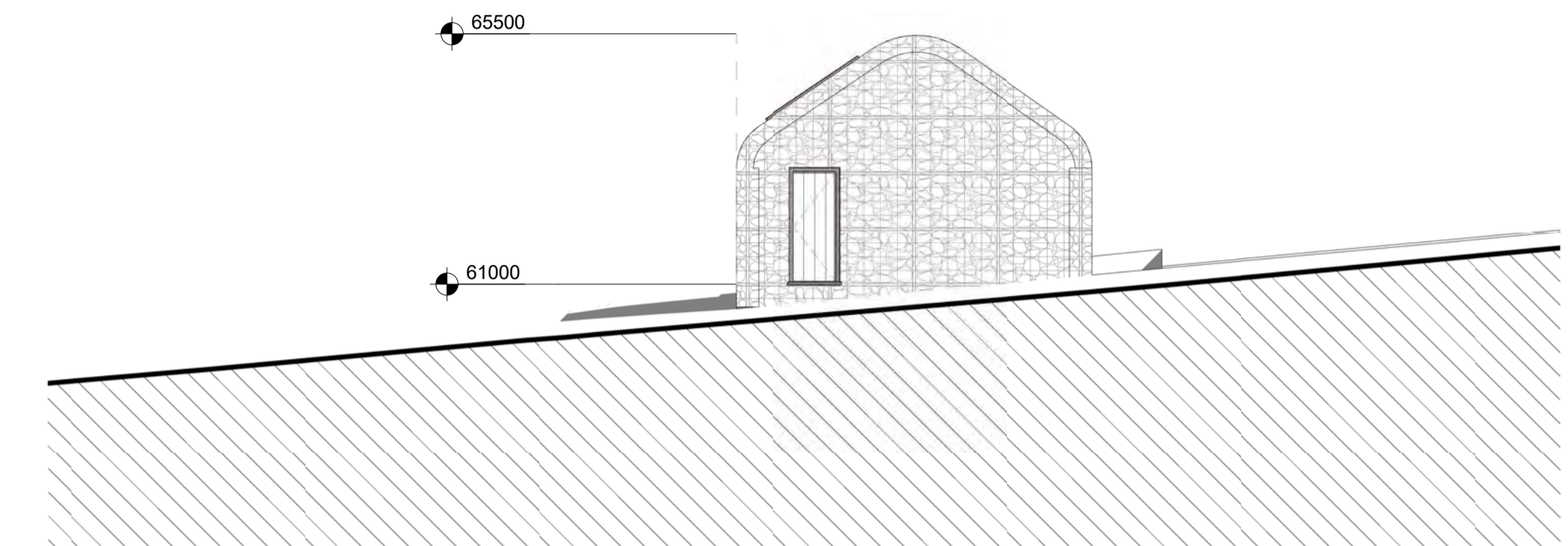
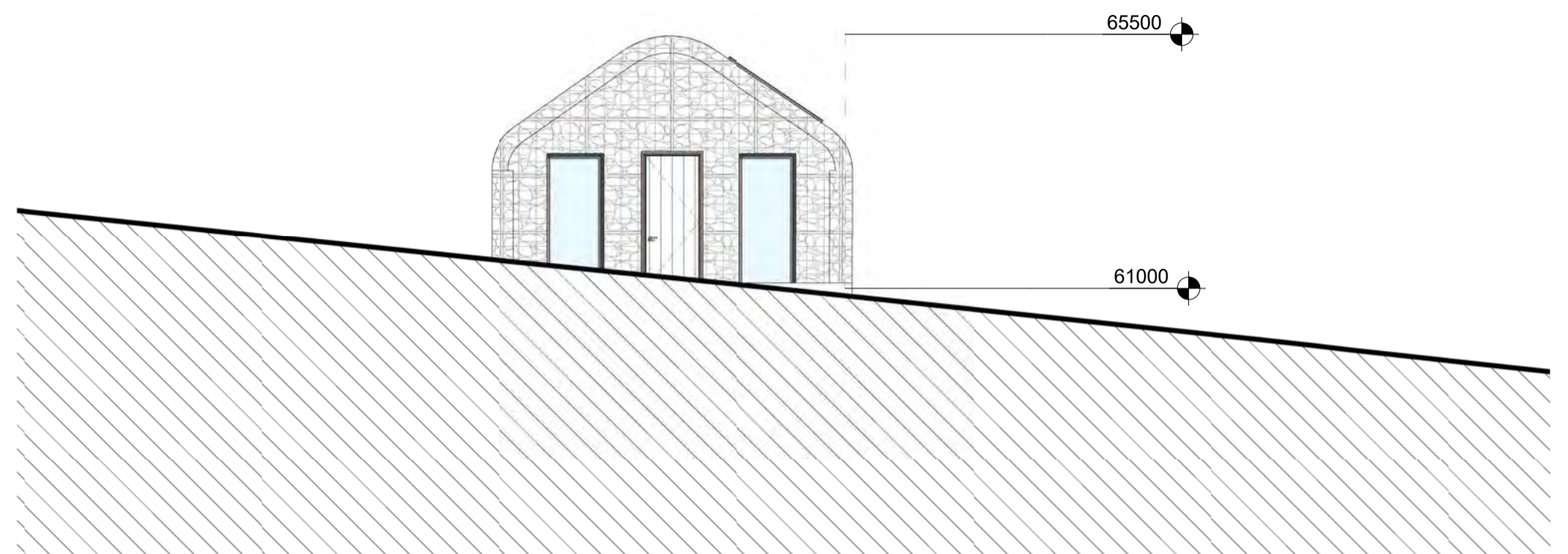
Issue:

Rev.Date	Description

Project:
 Proposed Hotel,
 Portree, Isle of Skye

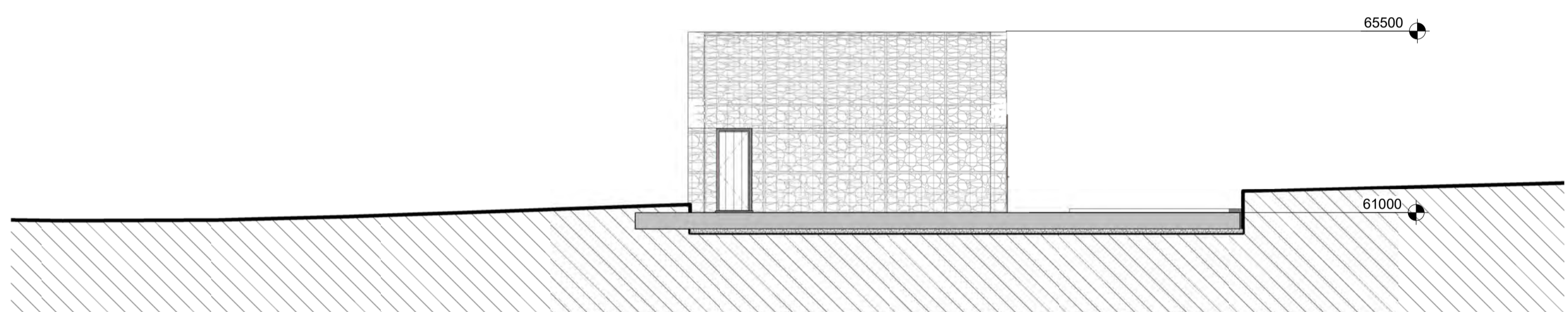
Stage:
 Planning Application

Drawing Title: The Hub - Elevations	
Drawing Information:	
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Drawn SOI	Approved WP
Checked CSC	Date 17/12/2018
Drawing Reference: 17017-P-300	Revision: A

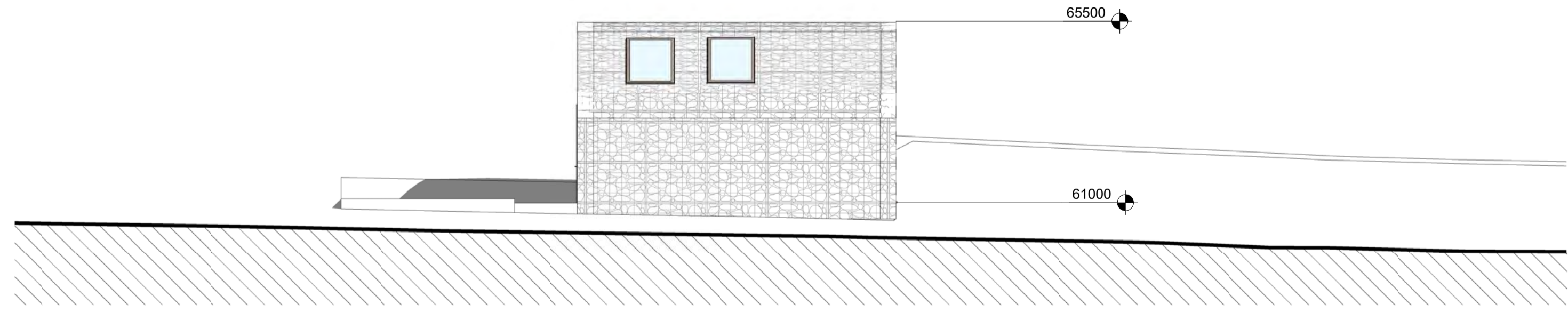


3 The Sauna - South Eleavtion
1 : 100

4 The Sauna - North Eleavtion
1 : 100



2 The Sauna - West Eleavtion
1 : 100



1 The Sauna - East Eleavtion
1 : 100

General Notes:
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Drawing Notes:

Issue:

Rev.Date	Description

Project:
**Proposed Hotel,
 Portree, Isle of Skye**

Stage:
 Planning Application

Drawing Title:
 The Sauna - Elevations

Drawing Information:

Scale	Status
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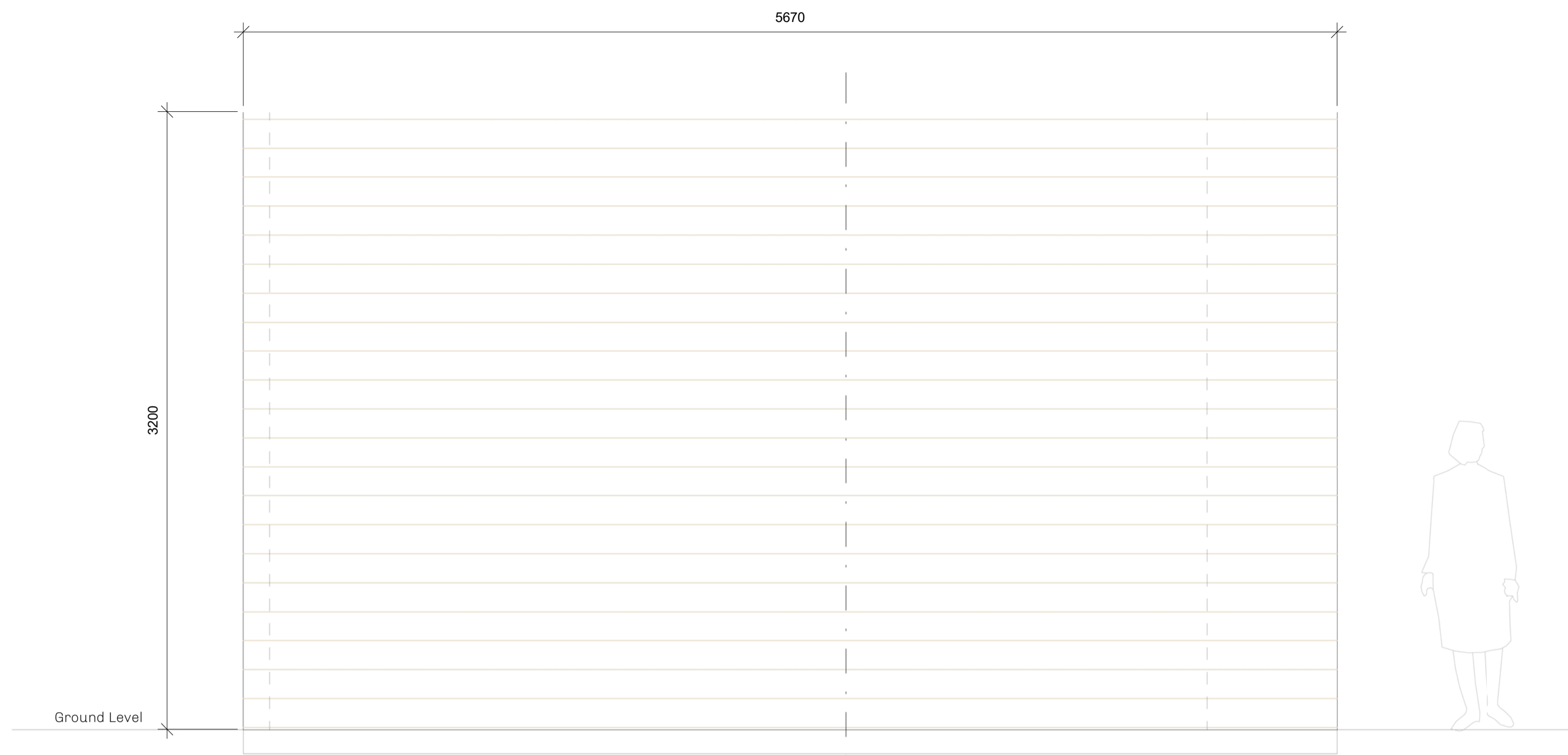
Drawn	SOI	Approved	WP

Checked	CSC	Date	28/02/2018

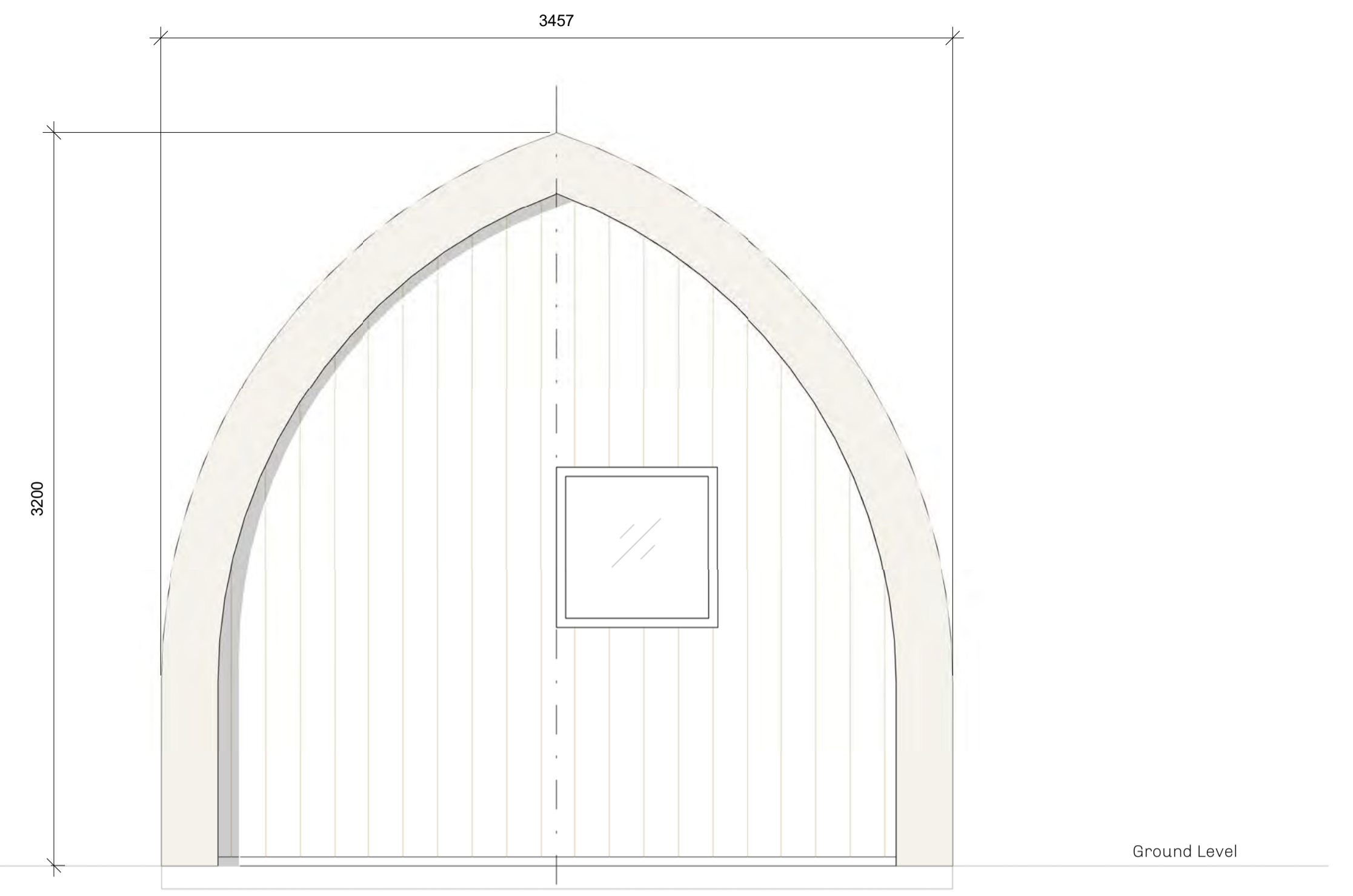
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 17017-P-310

Revision:
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PRINT SCALE CHECK:
50MM SEGMENTS



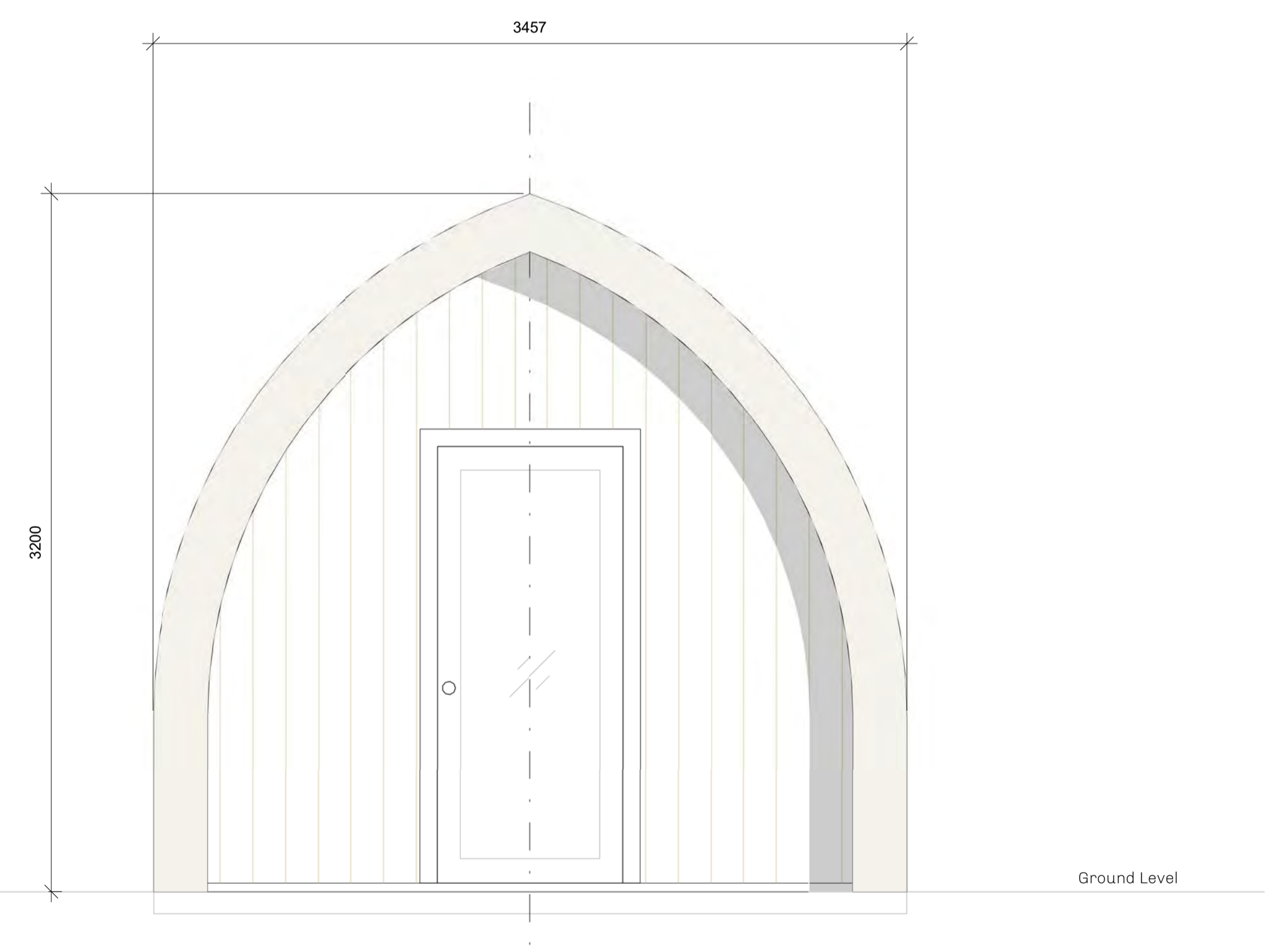
The Pods - Side Elevation



The Pods - Back Elevation



The Pods - Plan



The Pods - Front Elevation

General Notes:
 1. Do Not Scale This Drawing
 2. All dimensions are in millimetres unless otherwise stated
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Drawing Notes:

Issue:

Rev.Date	Description

Project:
 Proposed Hotel,
 Portree, Isle of Skye

Stage:
 Planning Application

Drawing Title:
 The Pods

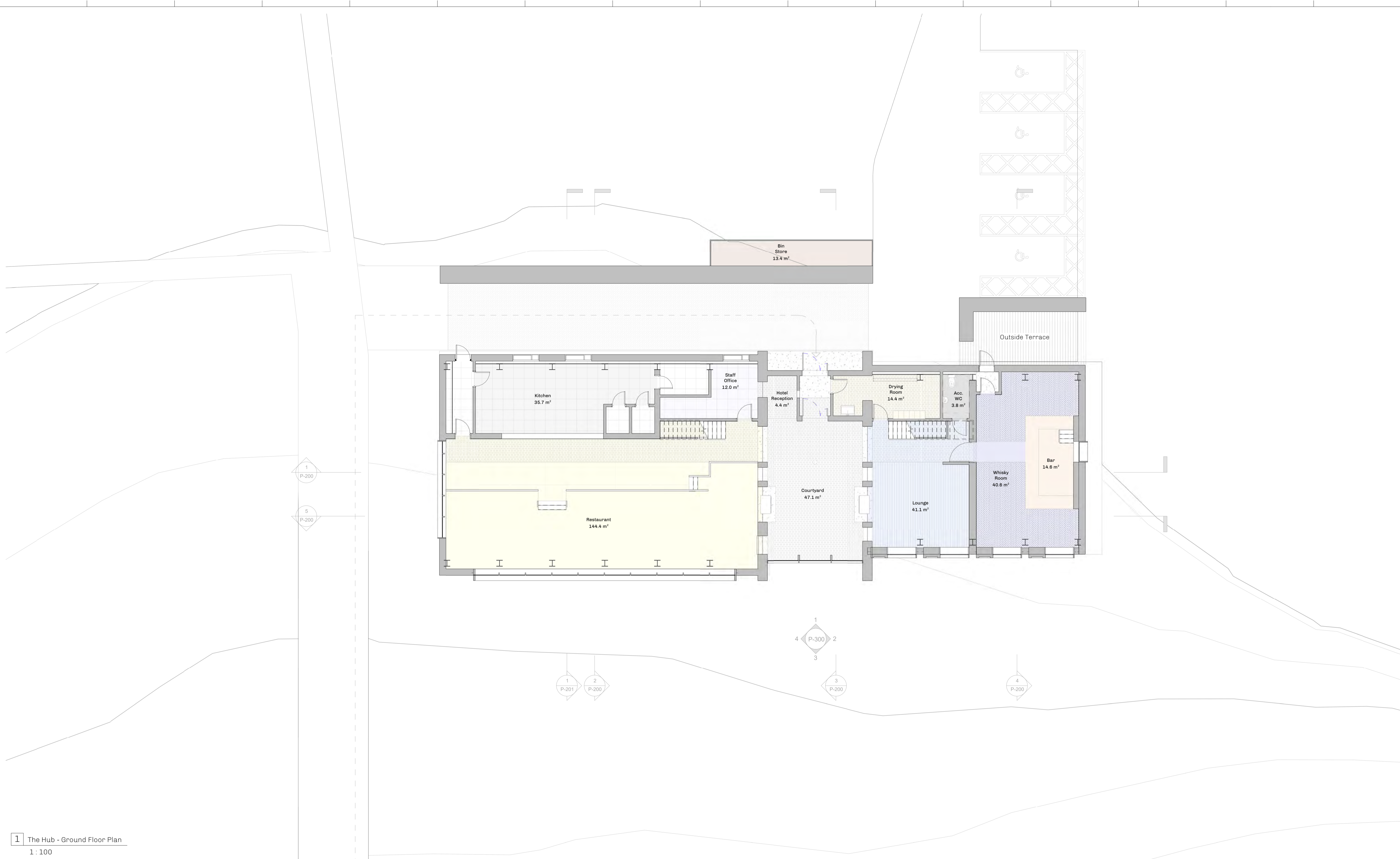
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Scale	Status
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Drawn SOI	Approved WP
Checked CSC	Date 28/02/2018

Drawing Reference: 17017-P-120

Revision: -

PRINT SCALE CHECK: 50MM SEGMENTS



1 The Hub - Ground Floor Plan
1 : 100

General Notes:
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 3. Drawing based on survey information by others
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Drawing Notes:

Issue:

Rev.Date	Description

Project:
**Proposed Hotel,
 Portree, Isle of Skye**

Stage:
Planning Application

0 1m 4m
 1:100

Drawing Title:
The Hub - Ground Floor Plan

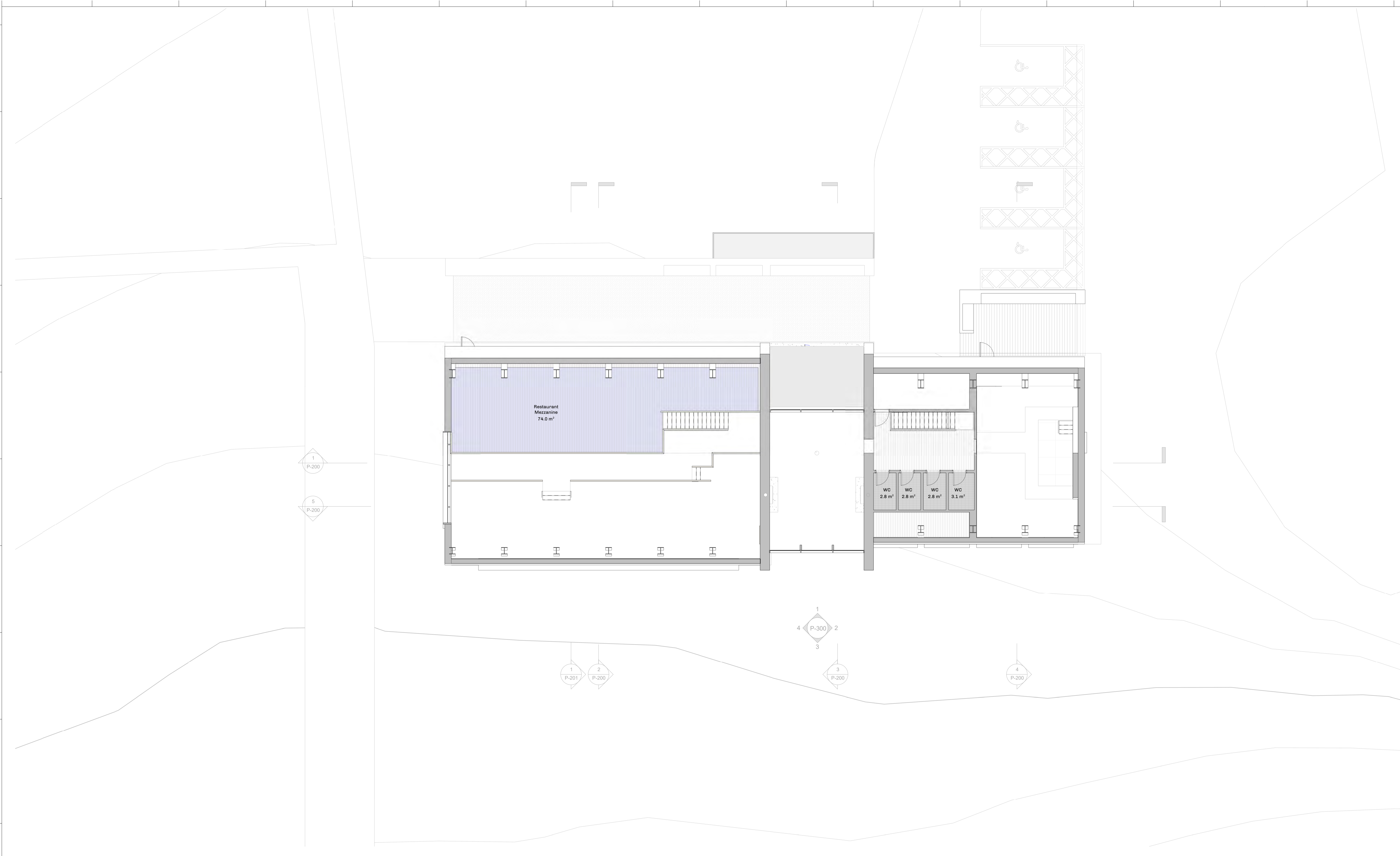
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Status Approved WP

Drawn SOI Approved WP
 Checked CSC Date 17/12/2018

Drawing Reference:
17017-P-100

Revision:
A

PRINT SCALE CHECK: 50MM SEGMENTS



General Notes:

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Drawing Notes:

Issue:

Rev.Date	Description

Project:
**Proposed Hotel,
 Portree, Isle of Skye**

Stage:
 Planning Application

0 1m 4m
 1:100

Drawing Title:
The Hub - Mezzanine Plan

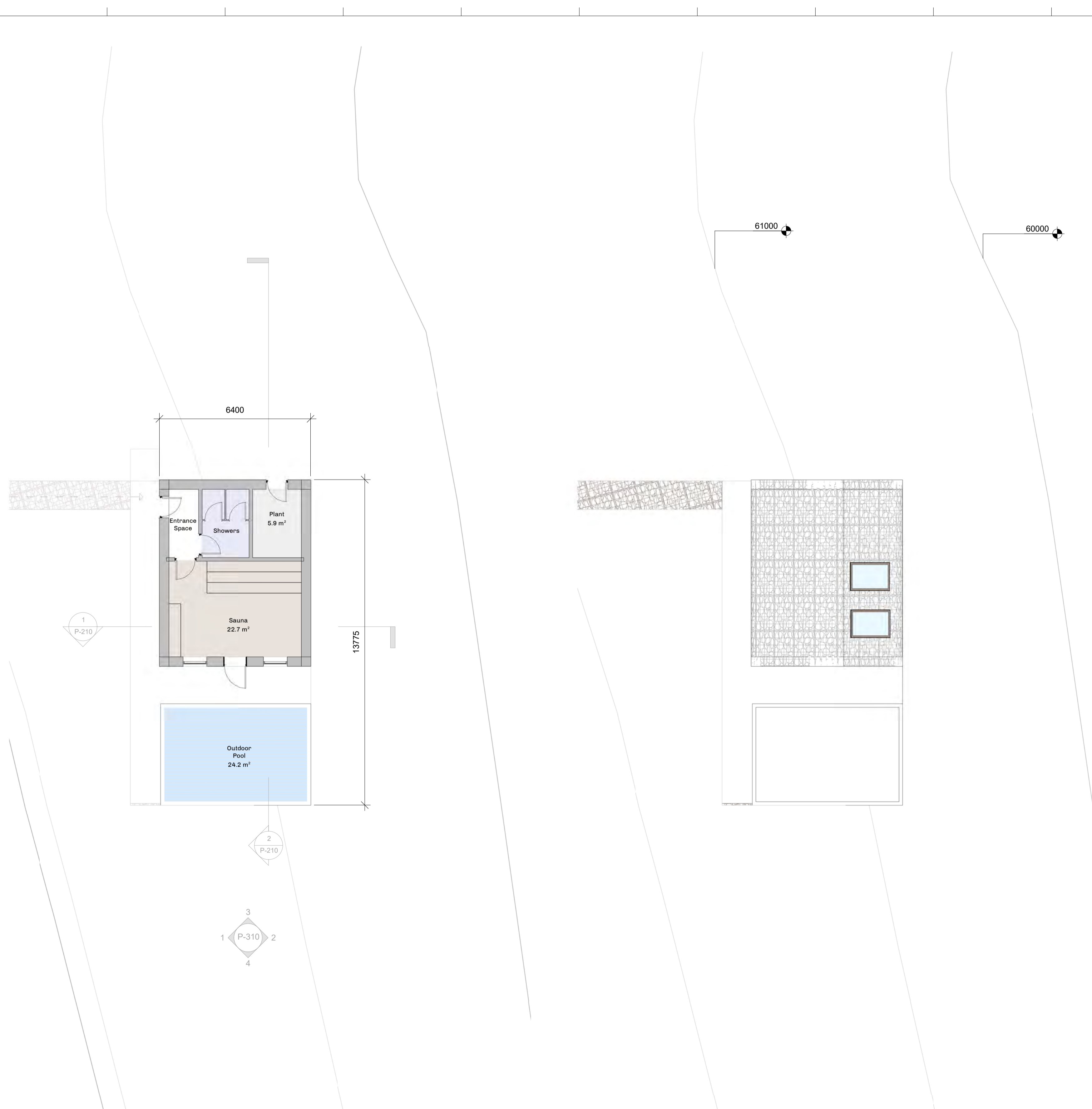
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Drawn SOI	Approved AKA
Checked CSC	Date 17/12/2018

Drawing Reference:
17017-P-102

Revision:
 -

PRINT SCALE CHECK: 50MM SEGMENTS



1 The Sauna - Ground Floor Plan
1 : 100

2 The Sauna - Roof Plan
1 : 100

3 The Sauna - 3D View

General Notes:

1. Do Not Scale This Drawing
2. All dimensions are in millimetres unless otherwise stated
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Drawing Notes:

Issue:

Rev.Date	Description

Project:
**Proposed Hotel,
Portree, Isle of Skye**

Stage:
Planning Application

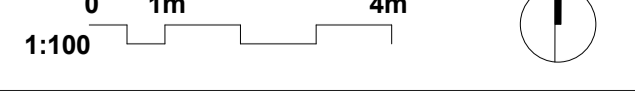
Drawing Title:
The Sauna - Plans

Drawing Information:
Scale: **1 : 100 @ A1** Status: **Approved**

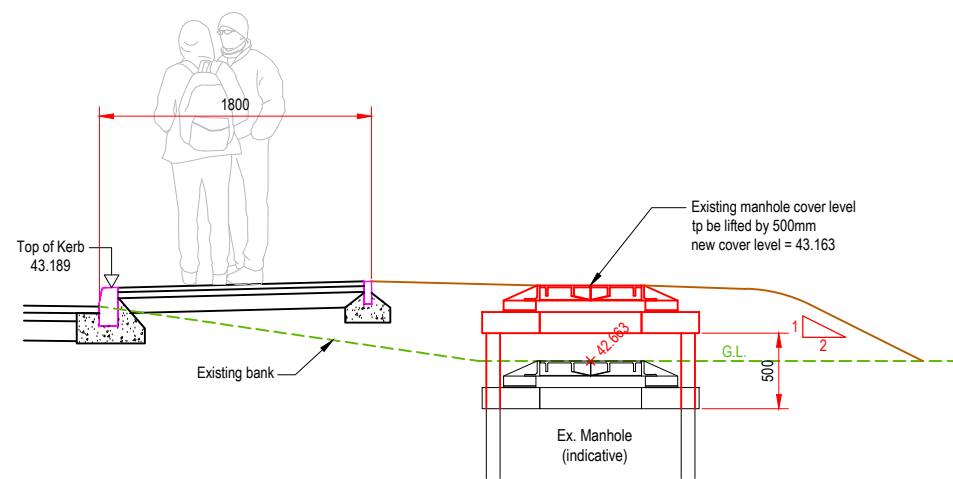
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Checked	CSC	Date	28/02/2018

Drawing Reference:
17017-P-110

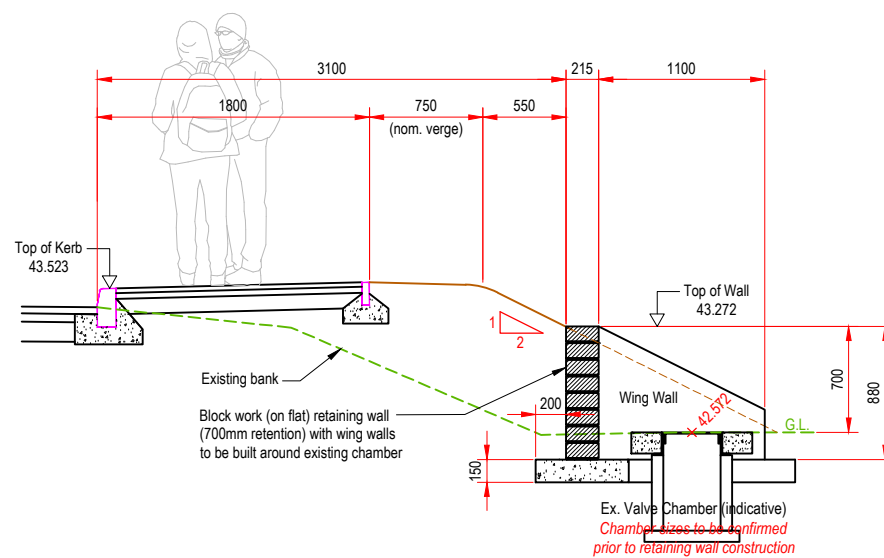
Revision:
-



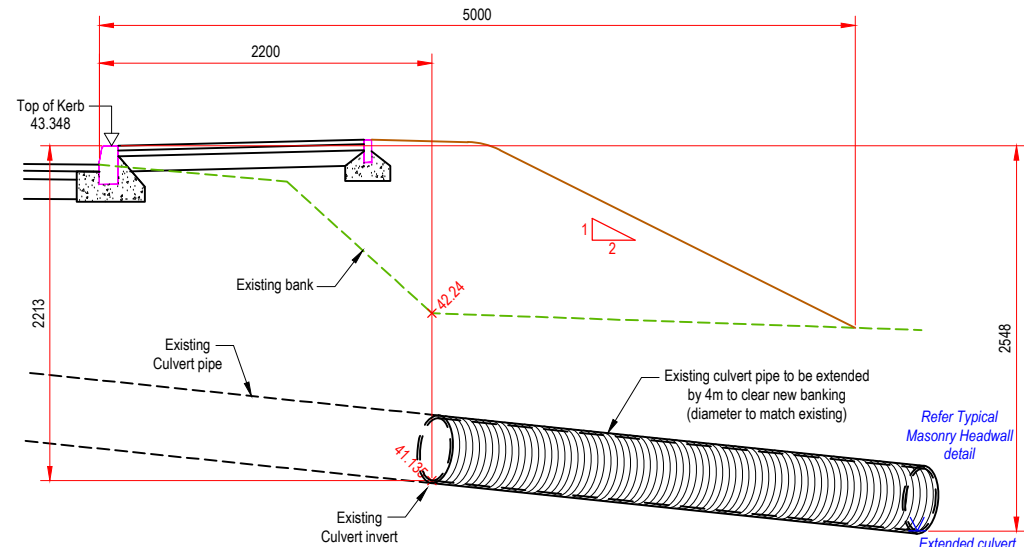
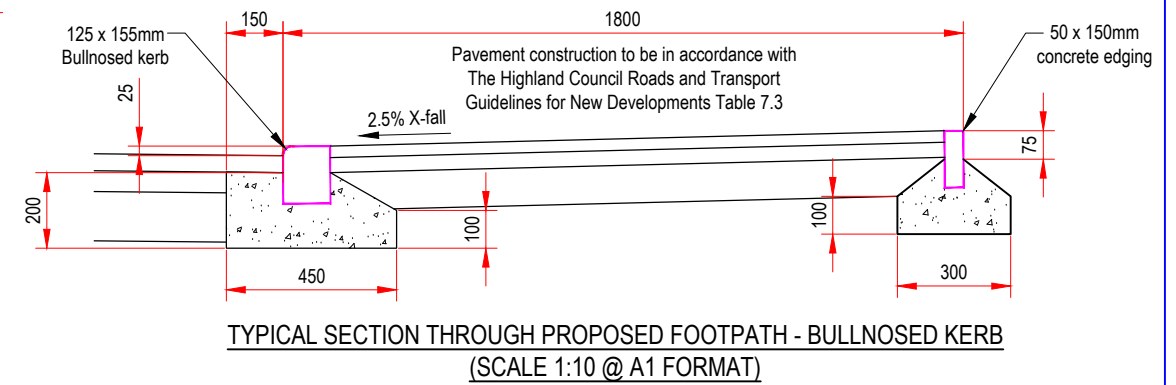
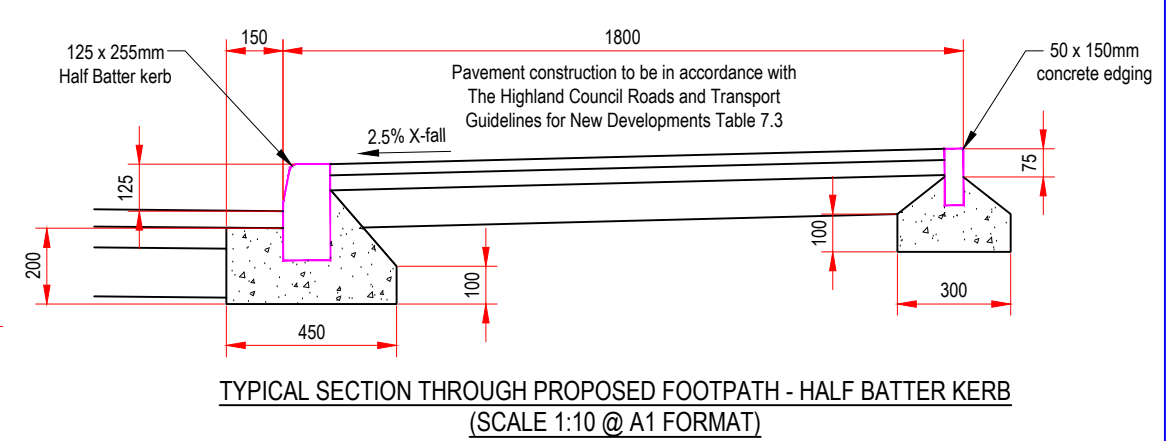
PRINT SCALE CHECK:
50MM SEGMENTS



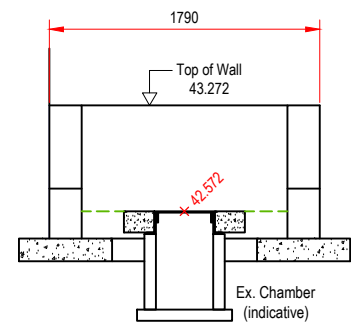
SECTION THROUGH PROPOSED FOOTPATH @ CH. 0+5
(SCALE 1:25 @ A1 FORMAT)



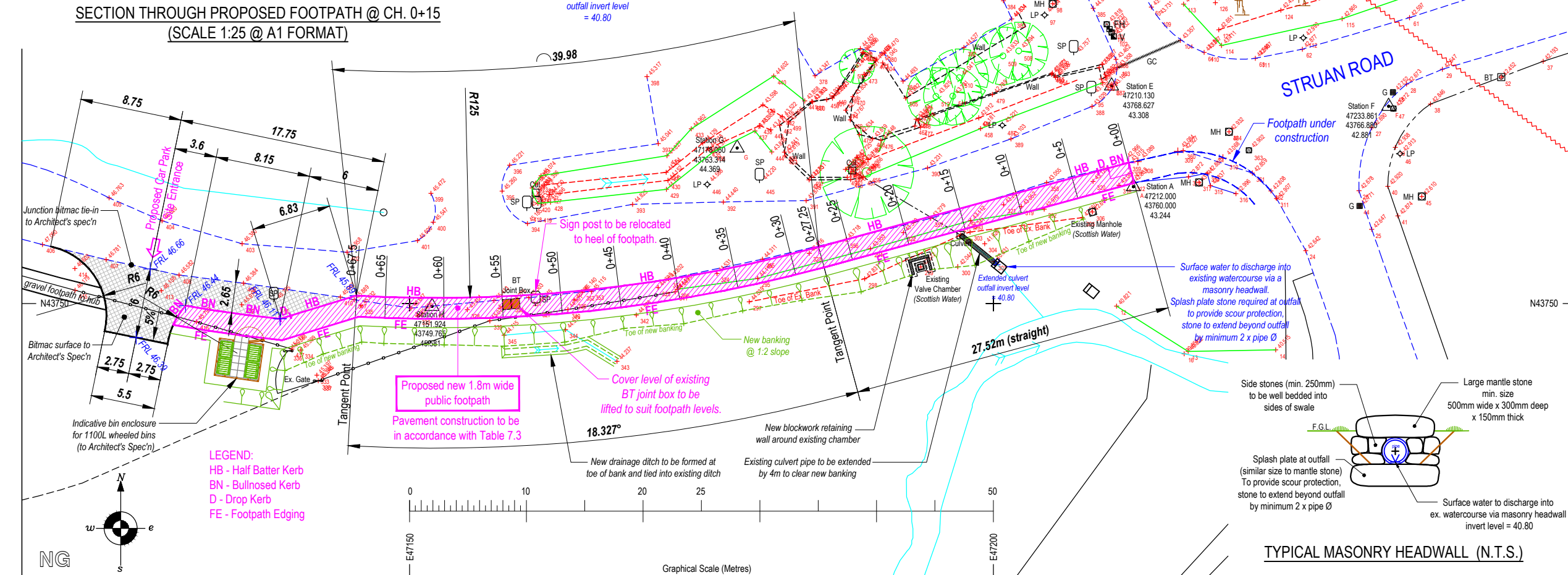
SECTION THROUGH PROPOSED FOOTPATH @ CH. 0+20
(SCALE 1:25 @ A1 FORMAT)



SECTION THROUGH PROPOSED FOOTPATH @ CH. 0+15
(SCALE 1:25 @ A1 FORMAT)



ELEVATION ON RETAINING WALL
(SCALE 1:25 @ A1 FORMAT)



PROPOSED FOOTPATH PLAN (SCALE 1:200 @ A1 FORMAT)

LEGEND

Survey Station	FH Fire Hydrant
Survey Point	V Valve
MH Manhole	Stop Cock
EP Elec Pole	Gate Post
BT Telecomms Pit	Tree
LP Lamp Post	GC Grated Channel
SP Sign Post	Kerb Gully
Ex. Edge of Road/Kerbline	
Fenceline	
Building	
Oil Head Power Lines	
Top of Bank	
Toe of Bank	
Watercourse	

REV.	REVISION NOTE	DATE	INITIALS

MACIVER CONSULTANCY SERVICES
 2A STEINISH STORNOWAY HS2 0AA
 TEL: 01851 704703
 EMAIL: malcolm@maciverconsultancy.com

PROPOSED PUBLIC FOOTPATH STRUAN ROAD, PORTREE, SKYE IV51 9EG

PROPOSED FOOTPATH PLAN

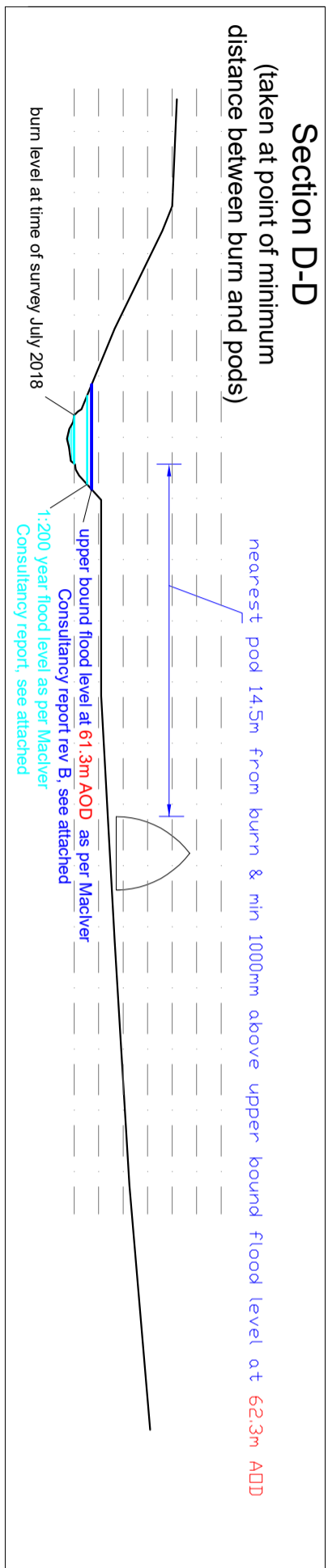
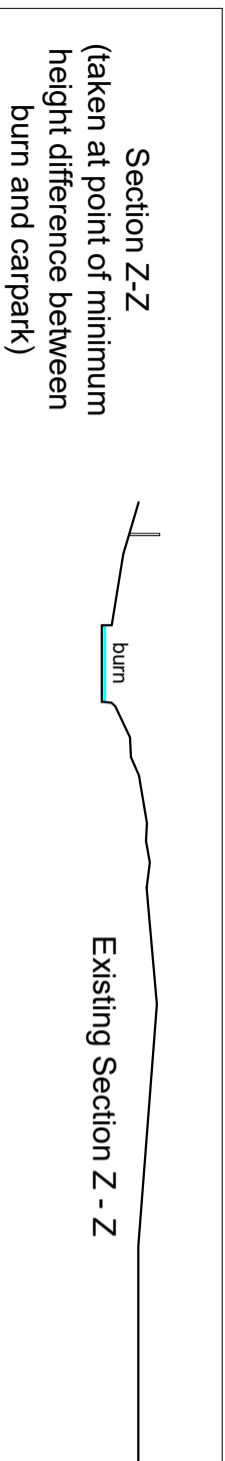
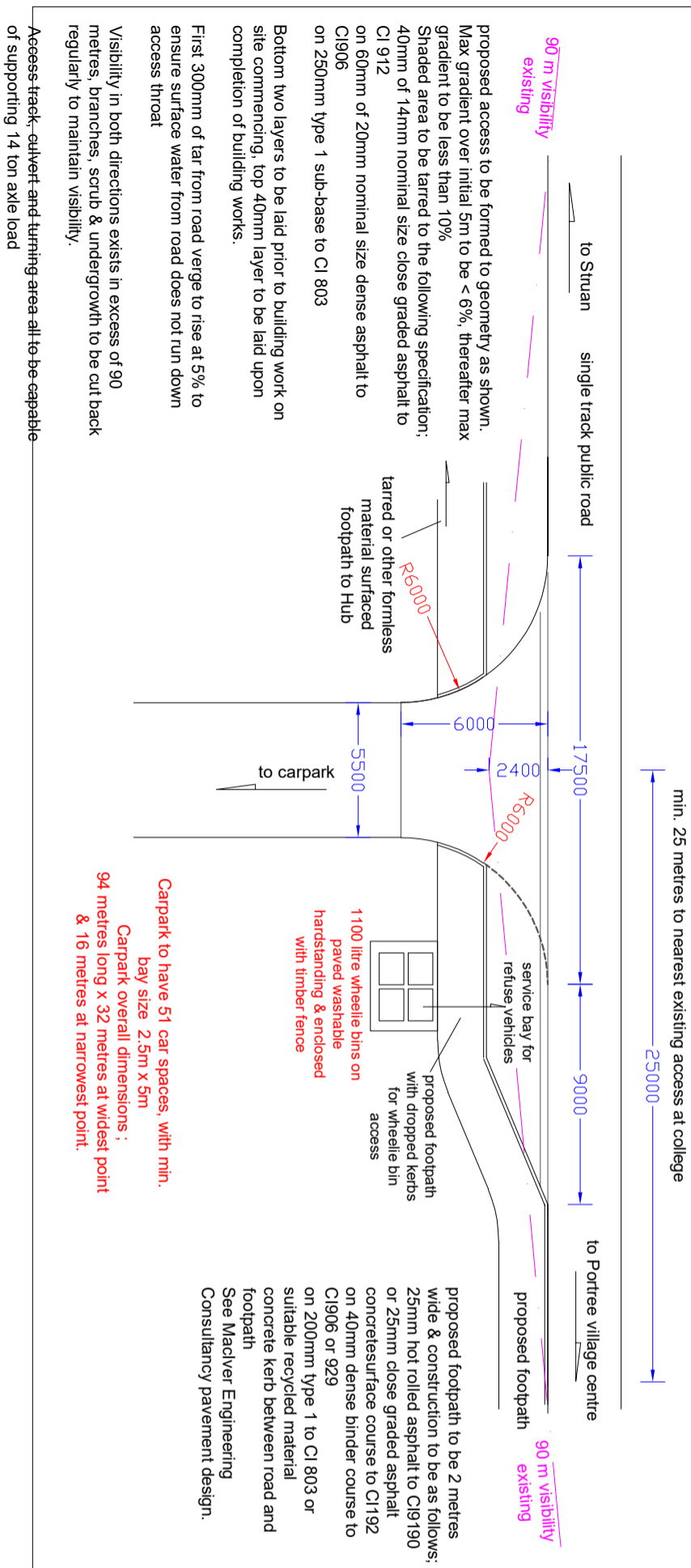
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A3	1:400	CHECKED:	SMI

DRAWING NO: 18/220/01 PLANNING A

Grid aligned to OS coordinates. Levels to OS datum.

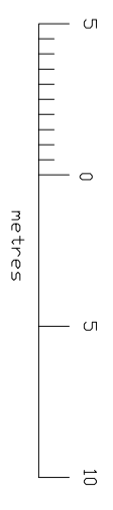
Carpark access & footpath detail

1:250



Carpark access details

1:250



Note:
Construction Phase Management Plan to be produced prior to commencement of construction works. Plan to be agreed with Transport Planning and to identify appropriate HGV routes to and from the site, volumes of materials imported & exported, and to carry out engineering condition surveys before, during & after construction works and to agree upon appropriate measures to minimise impact on the college & nearby school.

Note:
Parking Provision of 59 spaces is in excess of Transport Planning requirements. 51 public spaces and 8 dedicated staff spaces have been proposed to service 27 rooms, assuming max 10 staff split between hotel & restaurant services.

Hotels: 1 space per bedroom + 1 space per 3 staff = 27 + 1.6 = 28.6
Restaurants: 1 space per 5 sq.m of PFA + 1 space per 3 staff = 43 + 1.6 = 44.6

Assuming at the very least 50% of hotel bedroom customers will use the restaurant (and therefore are accounted for in restaurant parking provision) then the worst case is a full restaurant (44.6 spaces) + 50% hotel rooms (14.3 spaces) = 58.9 spaces

Jock Gordon BA (Hons)
Design & Planning
18 Garraod Staffin
Isle of Skye IV51 9YS
01470 562 328 07799 210 799
jockgordon30@hotmail.com

- Rev:06 amendments:
add note re footpath to hub to be tarred
- Rev:05 amendments:
alter bellmouth geometry
add bin area
add footpath to hub
- Rev:04 amendments:
add AOD levels
- Rev:03 amendments:
remove 'bund' from carpark
amend section DD to move pod higher and farther from burn
show 'upper bound' flood risk
- Rev:02 amendments:
add section DD

Rev: 06	Date: 27.11.2018		
Rev: 05	Date: 12.10.2018		
Rev: 04	Date: 4.10.2018		
Rev: 03	Date: 30.8.2018		
Rev: 02	Date: 6.8.2018		
Rev: 01	Date: 24.4.2018	Drawn JG	CHK'd

Drg. No. JG3587			
Status: Pre Planning – do not use for construction			
Title: Carpark access detail & section			
Project: Proposed Hotel, Portree, Isle of Skye			
Client: Charlie Garton Jones			
Scale: 1:250 on A3		Planning ref:	