

Agenda item	<b>6.8</b>
Report no	<b>PLN/022/19</b>

## **THE HIGHLAND COUNCIL**

**Committee:** North Planning Applications Committee

**Date:** 5 March 2019

**Report Title:** 18/04941/FUL: 3B Construction  
Land 260 m North East of the Achuvoldrach Waste Transfer Station

**Report By:** Area Planning Manager – North

### **1. Purpose/Executive Summary**

**1.1** Description: Temporary siting of 21 no. static caravans, 4 no. portable cabins and associated services, upgrading of access and formation of temporary carpark.

Ward: 01 – North, West and Central Sutherland

Type: Local Development

Reasons Referred to Committee: Community Council and 5+ Objections

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.

### **2. Recommendation**

**2.2** Members are asked to agree the recommendation to grant as set out in section 11 of the report.

### 3. PROPOSED DEVELOPMENT

3.1 The application is for the temporary formation of a living compound to provide accommodation for contracted workers for the planned Hope Cluster developments – these are a series of projects, largely involving renovation of existing buildings, which have obtained planning permission by the applicant around the Tongue area.

The specific proposals are as followed:

- installation of **21 static caravans** (reduced from 23);
- **4 portable cabins**, 2 provided for workers' recreation, 1 for laundry and 1 cold store; as well as,
- a **60,000 litre septic tank**, sealed and emptied weekly;
- a **gas tank**; and,
- **wooden fencing** to screen the compound;

Other proposals include:

- upgrades to the **junction** with the A838 public road; and,
- **access track**;
- formation of a **car park providing 12no spaces**; and,
- a **refuse storage area**.

The compound has two main sections, the larger accommodation area where the caravans are located and a smaller service area containing the portable cabins, septic and gas tanks as well as the refuse area and car park. The proposed land-use would be a sui generis use class applicable only for the period of the permission.

3.2 The static caravans are of a standard design for their type with a footprint of approximately 12.4m x 4m and a maximum height of 3.4m each. Each caravan will accommodate 3no persons, giving the site a maximum capacity of 63no persons, while the stated average maximum number of persons on site is expected to be 50no. It is proposed to paint each caravan and the screening fencing with camouflage motifs using dark greens and browns. Additionally, the fencing will be staggered, also to reduce the visual impact of the site.

3.3 The two portable cabins provided for workers' recreation will each have a footprint of 12.4m x 4.2m and a height of 3m. The proposed laundry and cold stores will be standard shipping containers each with a footprint of 6m x 2.4m and a height of 2.6m. The portable cabins will be painted with a camouflage motif in the same fashion as the caravans and fencing (para. 3.2)

3.4 Foul drainage will be provided by piping the caravans directly to the 60,000 litre septic tank, which will be emptied weekly. Surface water will be drained using the natural contours and semipermeable hardstanding materials into the two watercourses and surrounding land.

3.5 No Pre-application Advice was sought in advance of the application.

#### 3.5 **Supporting Information:**

Additional Render Visualisations;  
Design Statement;  
Restoration and Reinstatement Plan;  
Visual Information.

3.5 **Variations:** Amended drawings reflecting the removal of two caravans from the proposal site; the introduction of a 6 metre flood buffer zone; and, an updated drainage proposal; as well as, updated Supporting Information documents showing assessments of discounted alternative sites, were submitted post validation. The amended drawings and Supporting Information are as follows:

Site Section Plan;

Proposed Block Plan;

Proposed Site Layout Plan;

Drainage Layout Plan;

Restoration and Reinstatement Plan;

Design Statement;

Visual Information and;

Additional render visualisations.

#### 4. **SITE DESCRIPTION**

4.1 The proposed development site lies on the north side of the A838 public road approximately 350m west of the Kyle of Tongue on the A' Mhòine Peninsula, and within the estate owned by the Wildland LTD.

4.2 The site forms approximately 0.45 hectares of rough acid grass and gorse covered heath moorland that slopes south and east towards the Kyle while steeper gradients shelter and screen the site on the north and west sides. The Alltan nh-Atha Burn forms the western boundary and there is a smaller unnamed watercourse that crosses the site at the east edge of the main caravan section. There is an existing access junction with the A838 which becomes a rough single track dissecting the site along its length.

4.3 To the west of the site is a disused unnamed quarry/borrow pit. On the opposite side of the A838 and just south of the Achuvoldrach Burn is the Council's Waste Transfer Station, although this is largely screened from the road by woodland it is visible from key viewpoints east of the Kyle. There is very little other visible development looking south on the A' Mhòine peninsula between the site and Hope to the west, although the northwest coast of the peninsula is developed with a number of small settlements. There are further settlements on the eastern side of the Kyle of Tongue causeway including the village of Tongue itself, from which the application site is visible.

4.4 The nationally designated Wildlands landscape of Ben Hope and Ben Loyal occupy most of the southern extent of the peninsula. More significantly however, the site lies within the designated Kyle of Tongue National Scenic Area (NSA) which is listed for possessing the following special qualities:

- an ever-present backdrop of mountains;
- The Kyle – a link from an inhabited coast to a wild, moorland;
- scale, from domestic to monumental;
- the constantly changing character of the Kyle;
- rich variety of coastal scenery; and its
- distinct pattern of settlement.

## 5. THE SITE HAS NO PLANNING HISTORY

5.1 The application is submitted to support the delivery of projects already granted planning permission (para. 10.13).

## 6. PUBLIC PARTICIPATION

6.1 Advertised: Section 34 – Schedule 3 development  
Representation deadline: 23<sup>rd</sup> November 2018

Timeous representations: 5

Late representations : 1

6.2 Material considerations raised are summarised as follows:

- overall visual impact on the NSA;
- environmental impact;
- prominence and visibility of the site;
- more suitable sites in other locations;
- static caravan design;
- layout and density of development;
- scale of development;
- maximum occupancy;
- adequacy of foul drainage arrangements;
- travel and transport issues; and,
- potential to be a long term or permanent development.

6.3 Further comments made specific requests for the management of the site. For example, there was one request for caravans to be removed from the site if unoccupied for more than 3 months, and to secure the removal of the compound by legal agreement. All material considerations are discussed in the Planning Appraisal below (Section 10).

6.4 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](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## 7. CONSULTATIONS

7.1 **HC Flood Risk Management team (FRM):** objection withdrawn. The initial objection was raised over concerns of potential flood risk from the two watercourses (para. 4.2). Following the submission of: photographs of both channels; an amended Site Layout proposal to remove two static caravans from the western edge of the site and form a 6 metre buffer zone from the Alltan n h-Atha Burn (to be secured by condition); and, a revised drainage plan, the Flood Risk Management Team consider the flood risk to the site to be low. Further clarification was sought from FRM regarding the arrangements for surface water drainage, it was confirmed that the surface water runoff from a development of this nature is minor. The main concern

would be the runoff from roofs and road surfaces. Roof runoff will be directed to the landscaping surrounding each static caravan, while road surface water runoff will shed to the surrounding land. Both arrangements are acceptable as there are no sensitive receptors.

- 7.2 **HC Landscape Officer:** no comments. Invited to comment because the site is within the National Scenic Area, however the development is below the size threshold that the Landscape Officer would normally comment on.
- 7.3 **HC Transport Planning:** no objection. Provided conditions are attached to secure improvements to the site's junction with the A838, the traffic and transport implications of the development are not considered significant.
- 7.4 **Tongue Community Council:** objection raised and sustained on a majority decision. The proposal is felt to be incongruous and inappropriate for the NSA for a number of stated reasons aligning to the material considerations listed in para. 6.2.
- 7.5 **Scottish Water:** no objection. Confirmation that there is sufficient capacity in the Loch Calder Water Treatment Works, and that private arrangements are necessary for both foul and surface water drainage.
- 7.6 **Scottish Environment Protection Agency (SEPA):** objection withdrawn. SEPA initially declined to comment on account of the size of the development being below their threshold for consultation. However, on further review of the development, they raised an objection on foul drainage discharging into a shellfish catchment. SEPA have withdrawn the objection following submission of a proposal to direct waste water to a sealed unit to be emptied weekly.
- 7.7 **Scottish Natural Heritage (SNH):** objection withdrawn. The initial objection was raised over concerns of the development's impact on the special qualities of the Kyle of Tongue NSA. SNH have withdrawn their objection following the applicant satisfactorily submitting the following information:
- mitigation measures to reduce the visual impact of the development;
  - visualisations from key receptors;
  - details of lighting arrangements; and,
  - a Restoration and Reinstatement Plan.

## 8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 8.1 Highland Wide Local Development Plan 2012

Policy No. 28	Sustainable Design
Policy No. 29	Design Quality & Place-making
Policy No. 36	Development in the Wider Countryside
Policy No. 57	Natural, Built and Cultural Heritage
Policy No. 59	Protected Species
Policy No. 61	Landscape

- Policy No. 64      Flood Risk
- Policy No. 65      Waste Water Treatment
- Policy No. 66      Surface Water Drainage

**8.2      Caithness and Sutherland Local Development Plan (August 2018)**

None applicable

**9.      OTHER MATERIAL CONSIDERATIONS**

**9.1      Draft Development Plan**

Not applicable

**9.2      Highland Council Supplementary Planning Policy Guidance**

Flood Risk & Drainage Impact Assessment (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Sustainable Design Guide (Jan 2013)

**9.3      Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (The Scottish Government, June 2014)

**10.     PLANNING APPRAISAL**

10.1     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.

10.2     This means that the application is required 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.

**10.3     Development Plan Policy Assessment**

10.4     As the site is located outwith any defined settlement, the application requires to be principally assessed against Policy 36 (Development in the Wider Countryside). The provisions of Policy 36 are reinforced by those of Policies 28 (Sustainable Design) and 29 (Design Quality & Place-making) which will carry their due weight. The site lies within a natural heritage designation (National Scenic Area) and as such Policy 57 (Natural, Built and Cultural Heritage) is particularly important in the assessment of the application, supported by Policy 61 (Landscape). The development's impacts on and from the water environment are assessed against Policies 64 (Flood Risk), 65 (Waste Water Treatment) and 66 (Surface Water Drainage), while assessments must also acknowledge any potential impacts on protected species (Policy 58).

- 10.5 Policy 36 states that developments in the Wider Countryside should show sensitive siting and design so as to fit the local settlement pattern where relevant or be compatible to the local landscape and character. Similarly, developments must be compatible with landscape capacity and should adequately address any servicing constraints, such as access and drainage, without necessitating infrastructure that would be out of keeping with the area's rural character. Under the terms of this policy the application must also accord with the provisions of all other applicable Development Plan policies.
- 10.6 Policy 28 of the Highland Wide Local Development Plan sets out the sustainability criteria for the assessment of all applications and as such goes further to the stipulations of Policy 36 with relevant criteria relating to: sewerage and drainage, roads and access; energy efficiency; waste; community and residential amenity; impacts on landscape; and, the use of appropriate sustainable materials. The policy also states that where a development is likely to be considered to have a significant adverse effect, they may be supported if no reasonable alternative exists and there is demonstrable overriding strategic benefit to the development, or, if satisfactory overall mitigating measures are incorporated.
- 10.7 Policy 29 emphasises good design requiring, where appropriate, new developments to make a positive contribution to the architectural and visual quality of the place where they are located by having regard to the historic pattern of development in the locality as well as the surrounding landscape.
- 10.8 Policy 57 of the HwLDP identifies the importance of safeguarding the natural, built and cultural heritage of the Highlands. As such, the policy sets out the criteria against which developments will be considered to ensure that their impact on the resource may be assessed. For features of national importance as per the National Scenic Area, the Council will support developments that do not compromise the identified feature, unless it can be demonstrated that the development has significant social or economic benefits of national importance that clearly outweigh the adverse affects on the resource.
- 10.9 Policy 61 of the HwLDP states that new developments should be designed to reflect the landscape characteristics by consideration of the appropriate scale, form, pattern and construction materials
- 10.10 Policies 64, 65 and 66 seek to ensure that sites are not at risk of flooding or causing flooding and pollution in other locations. Developments must meet standards to minimise the risks of flooding and pollution by either being drained by an appropriate SuD system where this is not possible.
- 10.11 Finally, Policy 58 of the HwLDP identifies the responsibility of all developers to safeguard protected and other important species from harm during any development activities.
- 10.12 Development proposals may be supported if they are judged not to be significantly detrimental under the terms of the above policies unless material considerations indicate otherwise.

### 10.13 **Material Considerations**

The following have been identified as material considerations for the assessment of the development and are considered to address the concerns as outlined in the representations in para. 6.2. They are discussed below:

- 1) the need for construction worker accommodation;
- 2) wider economic benefits;
- 3) temporary nature of the development;
- 4) principles of site selection;
- 5) availability of alternative sites;
- 6) the visual impact; and,
- 7) other mitigation measures.

10.14 **1) The need for construction worker accommodation** has been established through permissions granted for works to redevelop and restore a number of estate buildings in surrounding remote locations. These works are collectively known as the Hope Cluster Project:

- **Hope Lodge, ref. 16/03411/FUL** (amended), works have started on site for the restoration and extension of a B-Listed sporting lodge with the formation of an internal link to a new subterranean lower-level wing with a link, a new guest-suite building, associated landscaping, engineering works and formation of new access;
- **Ferryman's Cottage, ref. 18/04645/FUL**, renovation and extension of the cottage, engineering and landscape works and alterations to existing access;
- **Inverhope Cottage, ref. 18/04651/FUL**, the partial demolition and alterations to the internal layout of the cottage, the erection of a linking passageway to two new extensions and an undercroft building as well as upgrades to the access footpath (the cottage is not accessible by road);
- **Keeper's Cottage, ref. 18/04655/FUL**, renovation of the cottage to reinstate original features and materials. Works also include wider engineering to upgrade the access track and surrounding landscape improvements;
- **Lochside Cottage, ref. 18/04657/FUL**, alteration and partial demolition of the cottage to allow the construction of a linking passageway to new extensions and undercrofts providing guest accommodation. Works also include wider engineering to upgrade the access track and surrounding landscape improvements;
- **Shepherd's Steading, ref 17/02036/FUL**, demolition of the existing house and outbuildings to allow the erection of six new buildings to provide staff accommodation, office, meeting room, kitchen and laundry facilities, recreation and sports facilities and a larder building. The permission also includes the formation of a vehicular access and the installation of treatment plant and soakaway

While works at Hope Lodge and Shepherd's Steading are already on site, works at the remaining sites are expected to start in the near future. The permission is sought only for the duration of the programmed construction period for the above projects.



- 10.15 **2) Economic benefits.** The proposal is a response to this need and as such has a specific ancillary and temporary (para. 10.16) purpose to support the delivery of the above applications already granted permission and already assessed as providing wider economic benefits to the rural economy of Sutherland.
- 10.16 **3) Temporary nature of the development.** The application is being assessed **solely on the basis that it is a temporary development** with a specific ancillary purpose in support of other approved projects (para. 10.15). In normal circumstances temporary buildings for the purpose of enabling development would not normally require planning permission where they are installed within or adjacent to the approved development site. As discussed below, siting the accommodation within or adjacent to the above project sites is not achievable (paras. 10.18-19); therefore, while future applications to temporarily extend the length of the permission may be considered under specific circumstances, i.e. construction project delays, the proposal is not of an acceptable standard for permanent accommodation, tourist or otherwise, within a National Scenic Area (see para. 10.20).
- 10.17 **4) Principles of site selection.** Police Scotland, on request, advised the applicant to select a location based on the principles of **a) good accessibility**, and **b) worker welfare**: a) the principle of good accessibility includes criteria such as distance from local settlements and 'A' classified roads (less remote), as well as quality of access route, and, ease of accessibility for emergency service as well as commercial vehicles; while, b) worker welfare criteria includes such things as availability of safe potable water (confirmed by Scottish Water, para. 7.5) and Health and Wellbeing facilities, access to emergency services and relative distance to home.
- 10.18 **5) Availability of alternative sites.** Concern was initially raised with the agent about the site's location within an NSA and an assessment of alternative sites within the applicant's ownership was requested. In this regard the applicant has demonstrated the unsuitability of a number of sites and locations around Hope Lodge (where work has already started), at Eriboll, Strathmore and around the A'Mhoine peninsular. These sites were discounted not only due to accessibility and welfare concerns (para. 10.15), but also against the specific constraints of each site investigated. These constraints include the lack of level ground and insufficient area to accommodate the number of static caravans required, along with the installation of associated services and connection to services (para. 7.5). Other sites are within, or may have significant impacts on the qualifying interests of, the Caithness and Sutherland Peatlands Natura 2000 designations.
- 10.19 It is acknowledged that the site selection process has shown the application site to be the most suitable in terms of the above and the applicant's own criteria. The site is considered suitable for the overall scale of the development; as being of sufficient size to accommodate the expected maximum workforce numbers (identified as 50 by the applicant), including a modest allowance for additional 13no persons if construction projects require it. In planning terms, there are advantages to the workforce being accommodated in a single location, rather than over multiple locations in the wider region, including environmental factors such as reduced journeys and improved on-site management processes; waste and foul water collection for example.

- 10.20 **6) The visual impact of the proposal.** Despite the suitability of the site under the above criteria, the proposal is not considered acceptable as a permanent development. This is because the density of the accommodation and the generic design of the static caravans do not accord with the provisions of Policies 28, 29, 36, 57 and 61, which require compatibility with local landscape and character, historic pattern of development and landscape capacity. The development is not considered to contribute to the visual and architectural quality of the location and for these reason, the assessing officer is in agreement with the concerns of the Tongue Community Council and the objecting contributors.
- 10.21 With the above in mind, the agent was requested to propose a number of measures, in consultation with SNH, to reduce the visual impact of the development. Following the submission of proposals, as supported by visualisations from key receptors, SNH concluded that the mitigation measures will substantially reduce the visual impacts on the National Scenic Area when the compound is operational (para. 7.7), and welcomed the following changes:
- changing the colour of the caravans to reduce the contrast with the backdrop;
  - including screening to further reduce the appearance of the caravans, reduce the impact of reflection from the windows, and the spread of light during hours of darkness.
- 10.22 The Planning Authority agrees with SNH's position on this matter however it should also be noted that there are other landscape factors that have been taken into account in this assessment. Factors such as the site's proximity to the A838 and inclusion of the old Melness Road; its relation to the causeway with the gradient providing natural screening from both the north and west approach to the site and a back drop to the development when approached from the east and when viewed from the elevated areas of Tongue. The impact is therefore limited to short distance views travelling from the east and the proposals mitigate this impact to an acceptable level. Travelling from the west, the site is well contained to public views by the existing landform. Moreover, the separation distance of the site from locations sensitive to nuisance or visual disturbance is considered sufficient to further mitigate impacts from noise and light pollution. Additional mitigation issues are discussed below.
- 10.23 **7) Mitigation measures.** A number of other mitigating measures are incorporated in the proposal to reduce its environmental impacts on the Kyle of Tongue National Scenic Area, as well as impacts on local amenity. The Council's Flood Risk Management Team has confirmed that the 6 metre buffer zone between the accommodation area and the Alltan n h-Atha mitigates the site's risk of flooding from the burn. FRM are also satisfied with the surface water drainage arrangements (para. 7.1). SEPA have confirmed that the amended foul drainage arrangements are more than adequate for the maximum on-site occupancy and that the sealed unit (emptied weekly) will not have a negative impact on fresh water shellfish in the catchment area (para. 7.6). Furthermore, SNH consider the Restoration and Reinstatement Plan is of sound competency to ensure that the site will be restored to a good state once it ceases to function as worker accommodation (para. 7.7).
- 10.24 Finally, conditions are applied to secure the temporary nature of the development along with the above mitigation measures in order to reduce the impact of the development to within satisfactory and acceptable limits. The conditions remove

permitted development rights from the land covered by the permission and allow the Planning Authority to consider some aspects of the site's lighting and on-site management in more detail prior to construction commencing. The conditions are applied specifically to ensure that construction is carried out in accordance with the approved plans and supporting information and that the site is responsibly managed for the duration of its occupancy.

10.25 **Other Considerations – not material**

None forwarded.

**11. CONCLUSION**

11.1 All relevant matters have been taken into account when appraising this application. The application has been assessed solely on the basis that it is a temporary development and on that understanding, the proposal is considered, subject to conditions, to accord with the principles and policies of the Development Plan by virtue that it has been demonstrated: that the development has a specific ancillary and temporary purpose; that no reasonable alternative site exists; and that satisfactory overall mitigating measures are incorporated, pursuant to the provisions of Local Development Plan Policy 28 (Sustainable Design).

**12. IMPLICATIONS**

12.1 Resource – Not applicable

12.2 Legal –Not applicable

12.3 Community (Equality, Poverty and Rural) –Not applicable

12.4 Climate Change/Carbon Clever –Not applicable

12.5 Risk – Not applicable

12.6 Gaelic – Not applicable

**13. RECOMMENDATION**

<b>Action required before decision issued</b>	No
Notification to Scottish Ministers	No
Notification to Historic Scotland	No
Conclusion of Section 75 Agreement	N/A
Revocation of previous permission	No

**Subject to the above**, it is recommended the application be **approved** subject to the following conditions and reasons:

1. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended, revoked or re-enacted; with or without modification) and Article 3 and Classes 10 to 13 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), the development hereby approved shall be used solely for the accommodation of construction workers for the Hope Cluster Projects only and purposes incidental to the stated use and for no other use or purpose. No other development is permitted within the application site without planning permission being granted on application to the Planning Authority.

**Reason:** in order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the amenity of the area.

2. Planning Permission is hereby granted for a temporary period only and shall cease to have effect on 22<sup>nd</sup> March 2022. Prior to the cessation date, the application site shall be cleared of all development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted on application to the Planning Authority) and reinstated in accordance with the approved Landscape Restoration and Reinstatement Plan scheme included in this permission.

**Reason:** in recognition of the temporary nature of the proposed development, to enable the Planning Authority to exercise appropriate control at the expiry of the given period and secure removal and restoration.

3. No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

**Reason:** To allow the Planning Authority to consider this matter in more detail in order to ensure that any lighting installed within the application site utilises suitably powered/coloured bulbs and does not spill beyond the intended target area, does not impact adversely upon the amenity of the area and does not result in 'sky glow'.

4. No development shall commence until a Site Management Plan is submitted to, and approved in writing by, the Planning Authority. The Site Management Plan shall take cognisance of the conditions attached to this permission and shall also include the following details:
  - the person/persons responsible for the management of the site;
  - the location and operating times of the working site office, and details of how the site manager can be accessed outwith working office times with arrangements for effective 24 hour management of the site;
  - worker welfare arrangements, including those for the health, safety and wellbeing of workers onsite;

- worker transport and travel arrangements, including transport mode to and from worksites (including pick up and drop off times), and transport to and from the application site for purposes other than work;
- service connection arrangements;
- waste and foul drainage collection arrangements; and,
- noise mitigation measures.

Thereafter, the site shall be managed and operated in strict accordance with the approved details of the Site Management Plan.

**Reason:** in order to ensure that no activities or processes take place within the application site to protect the health, safety, wellbeing and amenity of the occupants of the development and to safeguard the amenity of the area.

5. No other development shall commence until the site access has been upgraded in accordance with The Highland Council's Roads Guidelines for New Developments, with:

- the first 10 metres of the access, as measured from the public road carriageway, surfaced in a bituminous macadam or similar hard, cohesive material;
- appropriate junction markings provided at the access bell-mouth and reflective junction markers installed;
- the access appropriately kerbed to ensure that no water from the site discharges on to the public road;
- the throat width of the access widened to a minimum of 5.5 metres such that opposing vehicles may pass each other; and,
- visibility splays of 215m in both directions with a set-back distance of 4.5 metres from the centre of the junction provided and maintained for the duration of the site occupation.

All works shall be upgraded and repaired as deemed necessary by the Council's Roads Operations Manager once appropriate permissions have been obtained from the Council's Roads Authority prior to commencing works within or alongside the public road.

**Reason:** to ensure that an adequate level of access is timeously provided for the development, in the interests of road safety and to ensure the free flow of traffic on the public road.

6. All works associated with the development hereby approved shall be carried out strictly in accordance with the approved plans and the details contained within the Design Statement, including the caravan and screening painting scheme. All works shall be completed prior to the first occupation of the site and thereafter maintained for their stated use for the duration of the site's occupation.

**Reason:** To protect the amenity of the occupants and to safeguard the amenity of the area.

7. The occupancy of the development shall be limited to 63 people, no pets, domestic animals or livestock shall be allowed on site at any time.

**Reason:** in the interests of Health and Safety, in order to protect the amenity of the occupants of the development and to safeguard the amenity of the area.

8. The 6 meter flood buffer zone between the caravans and the Alltan n h-Atha burn, approved drawing ref. P-00-003 REV A, shall remain free of development and maintained as a flood buffer zone for the duration of the occupation of the site. At no time shall the screening hereby approved impede water draining to the watercourse or access to the watercourse.

**Reason:** To ensure that the development is not at risk of flooding or causing flooding in other locations.

### **REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

### **TIME LIMITS**

#### **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

The Highland Council hereby makes the following Direction under Section 58(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

The development to which this planning permission relates must commence within ONE YEAR 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.

#### **Schedule 3 Development Site Notice**

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

### **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

### **Permitted Development Rights**

Please note that there are no permitted development rights on the land covered by the permission, as explained in the conditions above. This means that you are required to obtain planning permission prior to making any amendments to the development site. You are therefore advised to contact your local planning office prior to commencing any future developments.

### **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 (p.198), 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\\_or\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_or_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](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species - Halting of Work**

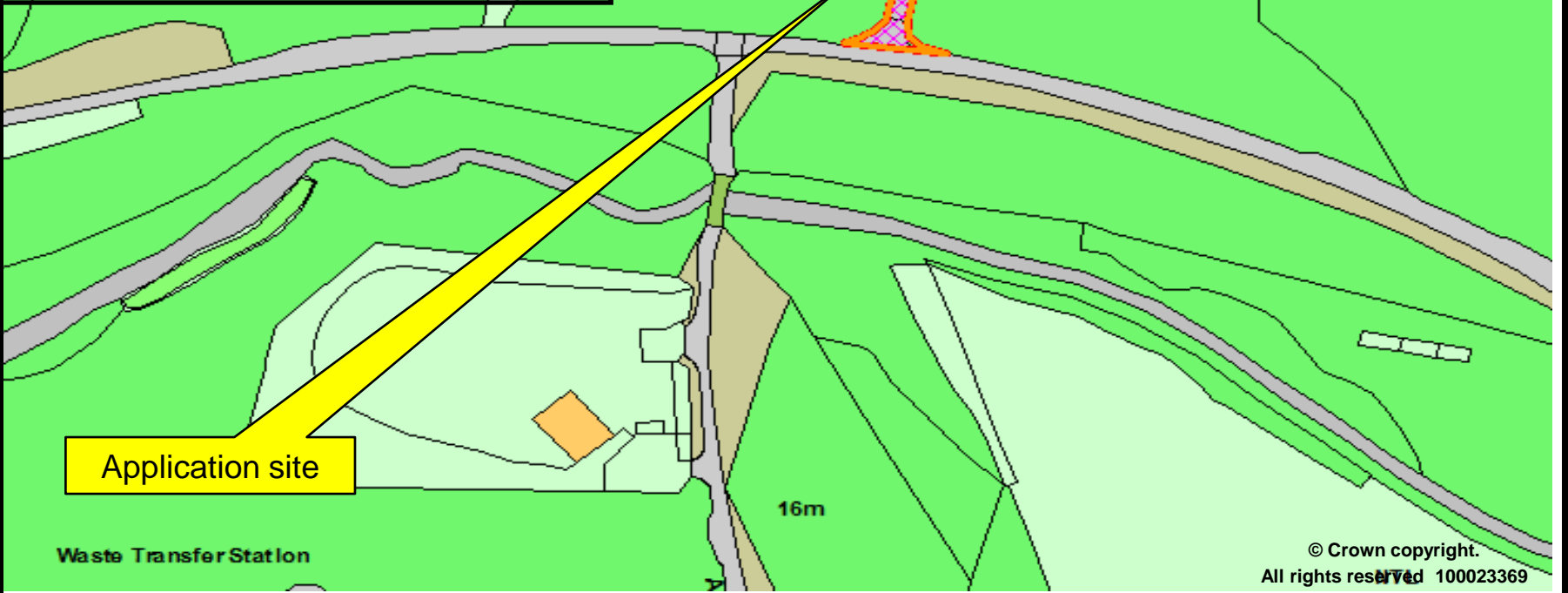
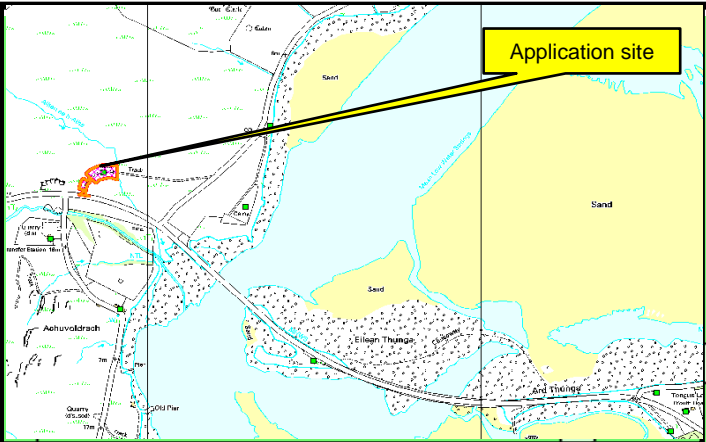
You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance 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](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)



### **Protected Species - Ground Nesting Birds**

Construction/demolition works have the potential to disturb nesting birds or damage their nest sites, and as such, checks for ground nesting birds should be made prior to the commencement of development if this coincides with the main bird breeding season (April - July inclusive). All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest. For information please see: [www.snh.org.uk/publications/online/wildlife/law/birdseggs.asp](http://www.snh.org.uk/publications/online/wildlife/law/birdseggs.asp)

Designation:	Area Planning Manager - North	
Author:	Mark Fitzpatrick	
Background Papers:	Documents referred to in report and in case file.	
Relevant Plans:	Plan 1 – Location Plan	Ref. P-00-001
	Plan 2 – Existing Site Layout Plan	Ref. P-00-002
	Plan 3 – Proposed Site Layout Plan	Ref. P-00-003 REV A
	Plan 4 – Existing Block Plan	Ref. P-01-001
	Plan 5 – Proposed Block Plan	Ref. P-01-002 REV A
	Plan 6 – Site Section Plan	Ref. P-03-003 REV A
	Plan 7 – Drainage Layout Plan	Ref. WLA-00-007







Planning and  
Development Service

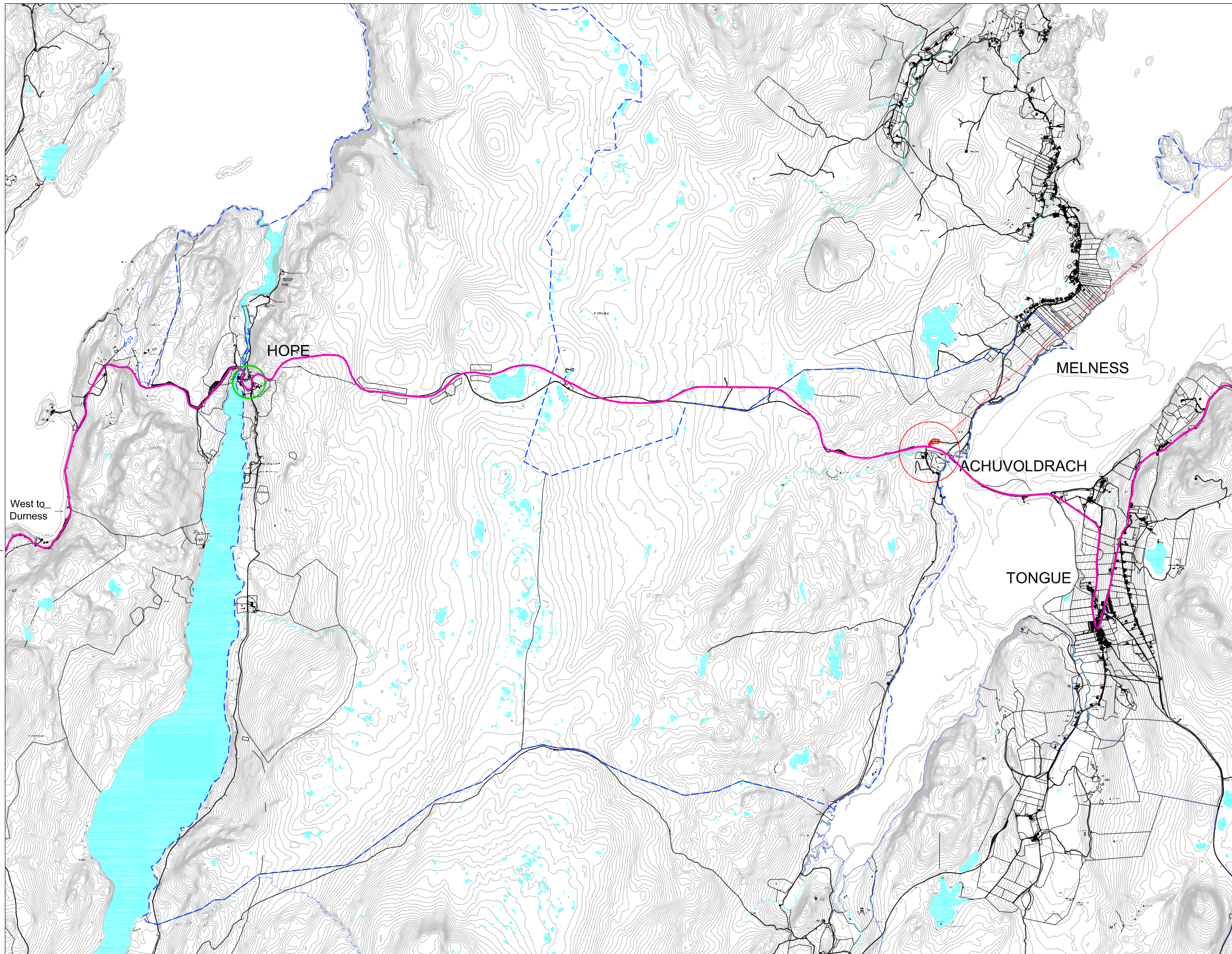
Case No: 18/04941/FUL  
Temporary siting of 21 No. static caravans and 4 No. portable buildings,  
formation of temporary car park





KEY

-  Proposed Contractor Compound at Achuvoldrach within owners Estate Boundary
-  Owners Estate Boundary
-  Hope Cluster:
  1. Hope Lodge
  2. Shepherd's Cottage & Outbuildings
  3. Ferryman's Cottage
  4. Keepers Cottage
  5. Boathouse
-  North Coast 500 route



→ East to Thurso

← West to Durness

↓ South to Inverness

# GRAS

part of  
 Groves-Raines Architects Ltd.  
 Lamb's House  
 11 Waters Close  
 Edinburgh  
 EH6 6RB

+44 (0)131 467 7777  
 practice@gras.co  
 gras.co

Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.

Project Title  
**1465U Contractor's Workforce Temporary Accommodation Sutherland**

Client  
**Wildland Limited**

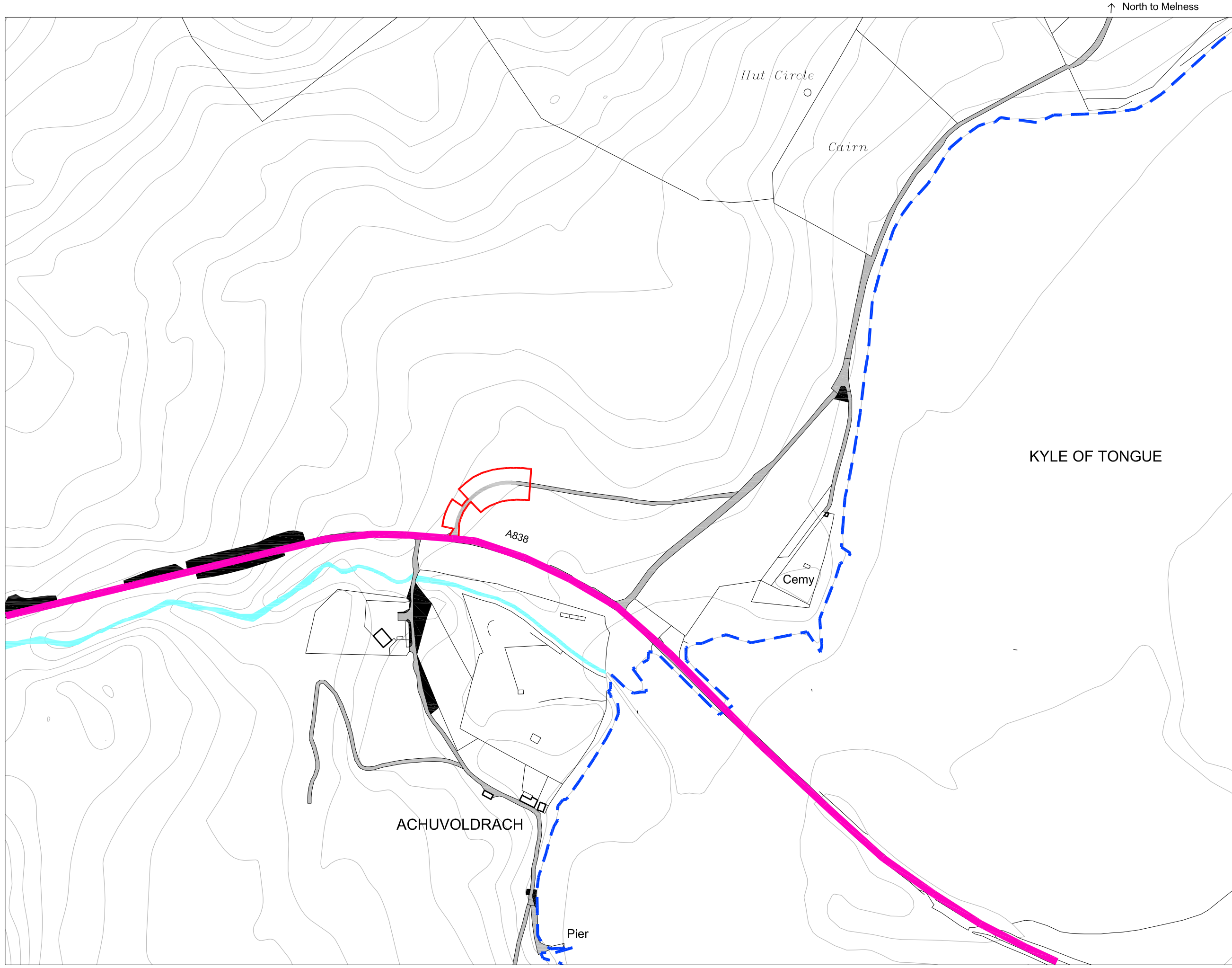
Status  
**PLANNING**

Drawing Title  
**Location Plan**

Date	Aug 18	Rev	
Size	A3	Scale	1:50,000
Project No.	1465U	Drawing No.	P-00-001
Drawn	AH	Checked	MF










Revision notes

**KEY**

-  Proposed Contractor Compound at Achuvoldrach
-  Estate Boundary
-  North Coast 500 route

KYLE OF TONGUE

# GRĀS

part of  
Groves-Raines Architects Ltd.  
Lamb's House  
11 Waters Close  
Edinburgh  
EH6 6RB

+44 (0)131 467 7777  
practice@gras.co  
gras.co

Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.

Project Title  
**1465U Contractor's Workforce  
Temporary Accommodation  
Sutherland**

Client  
**Wildland Limited**

Status  
**PLANNING**

Drawing Title  
**Site Plan Existing**

Date  
**Aug 18**

Size  
**A3**

Project No.  
**1465U**

Drawn  
**AH**

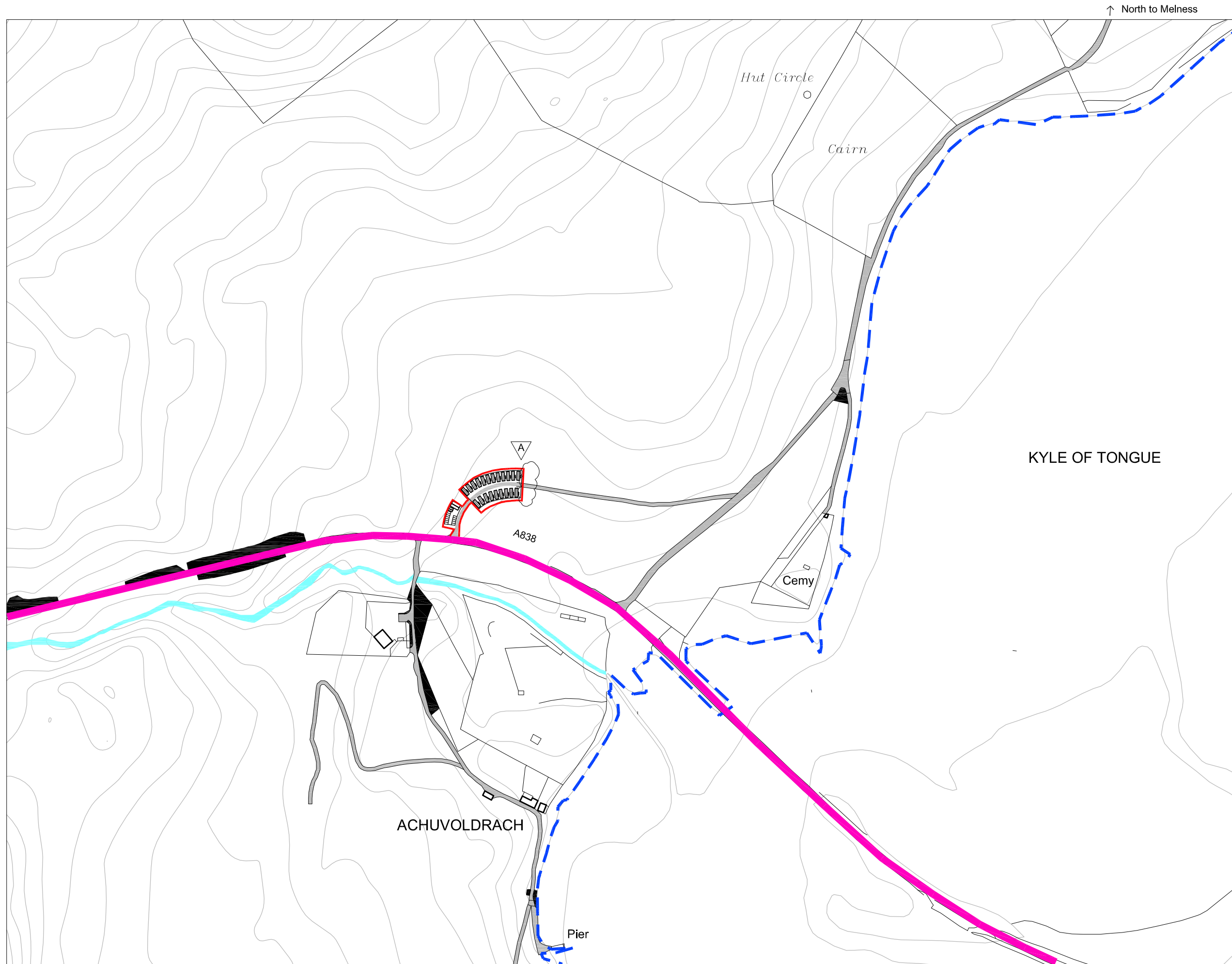
Rev

Scale  
**1:5,000**

Drawing No.  
**P-00-002**

Checked  
**MF**








Revision notes

A 19.12.18  
 6m set back zone introduced to side of watercourse, as per FRM recommendations, 2 caravans removed

KEY

-  Proposed Contractor Compound at Achuvoldrach
-  Estate Boundary
-  North Coast 500 route

KYLE OF TONGUE

GRAS

part of  
 Groves-Raines Architects Ltd.  
 Lamb's House  
 11 Waters Close  
 Edinburgh  
 EH6 6RB

+44 (0)131 467 7777  
 practice@gras.co  
 gras.co

Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.

Project Title  
 1465U Contractor's Workforce  
 Temporary Accommodation  
 Sutherland

Client  
 Wildland Limited

Status  
 PLANNING

Drawing Title  
 Site Plan Proposed

Date  
 Aug 18

Size  
 A3

Project No.  
 1465U

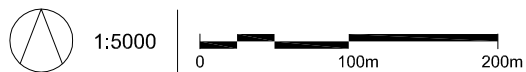
Drawn  
 AH

Rev  
 A

Scale  
 1:5,000



Drawing No.  
 P-00-003

Checked  
 MF





**KEY**

-  Extent of Proposed Contractor Compound - 0.45 Hectares
-  Estate Boundary / Coast Line

# GRĀS

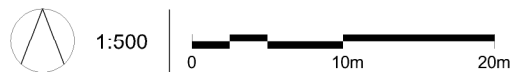
part of  
 Groves+Raines Architects Ltd  
 Lumb's House  
 11 Waters Close  
 Edinburgh  
 EH6 6RB

+44 (0)131 467 7777  
 practice@gras.co  
 gras.co

Do not scale for construction purposes.  
 Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.

Project Title  
**1465U Contractor's Workforce  
 Temporary Accommodation  
 Sutherland**  
 Client  
**Wildland Limited**  
 Status  
**PLANNING**  
 Drawing Title  
**Block Plan Existing**



Date	Aug 18	Rev	
Size	A3	Scale	1:500
Project No.	1465U	Drawing No.	P-01-001
Drawn	AH	Checked	MF

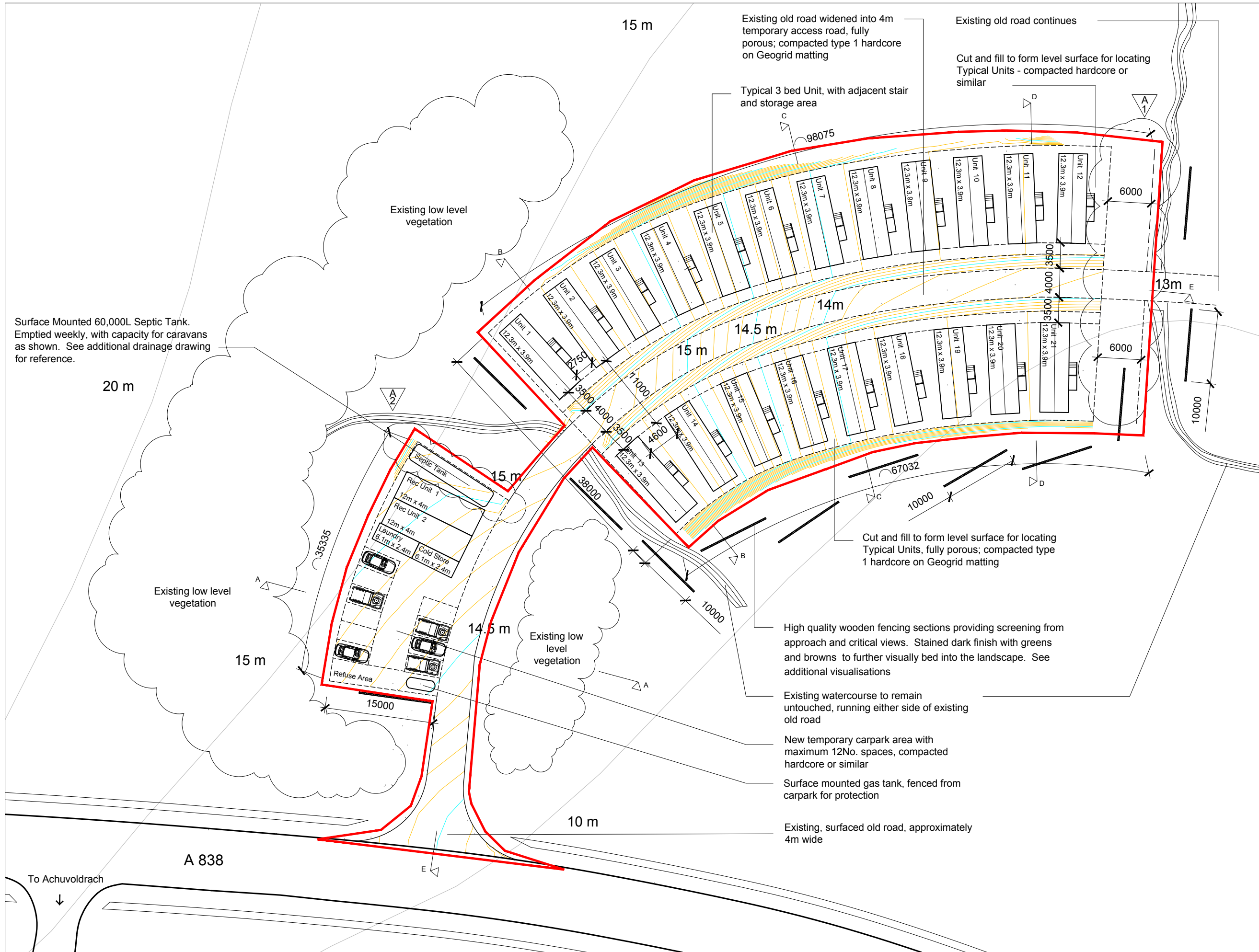




- A 25.01.19
- 6m set back zone introduced to side of watercourse, as per FRM recommendations, two caravans removed. Biodisc removed as per SEPA comments.
  - Septic Tank added as per SEPA comments.

**KEY**

-  Extent of Proposed Contractor Compound - 0.45 Hectares
-  Estate Boundary / Coast Line



# GRAS

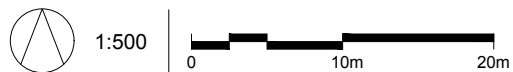
part of  
Groves-Raines Architects Ltd.  
Lamb's House  
11 Waters Close  
Edinburgh  
EH6 6RB

+44 (0)131 467 7777  
practice@gras.co  
gras.co

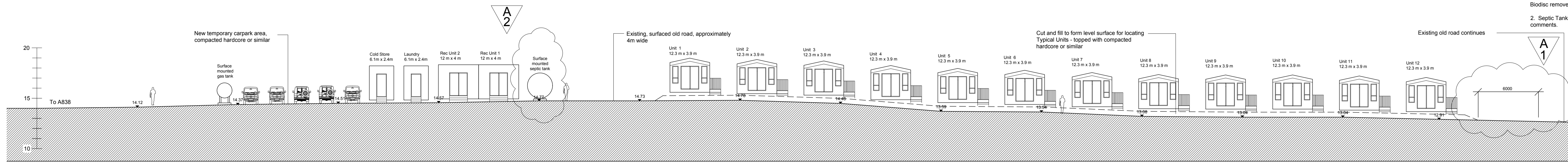
Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.

Project Title  
**1465U Contractor's Workforce Temporary Accommodation Sutherland**  
Client  
Widland Limited  
Status  
**PLANNING**  
Drawing Title  
Block Plan Proposed

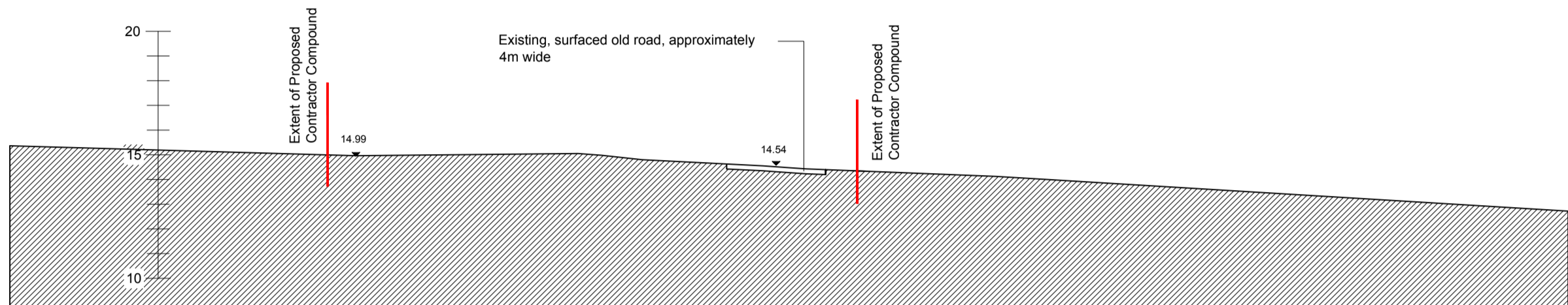
Date Aug 18	Rev A
Size A3	Scale 1:500
Project No. 1465U	Drawing No. P-01-002
Drawn AH	Checked MF



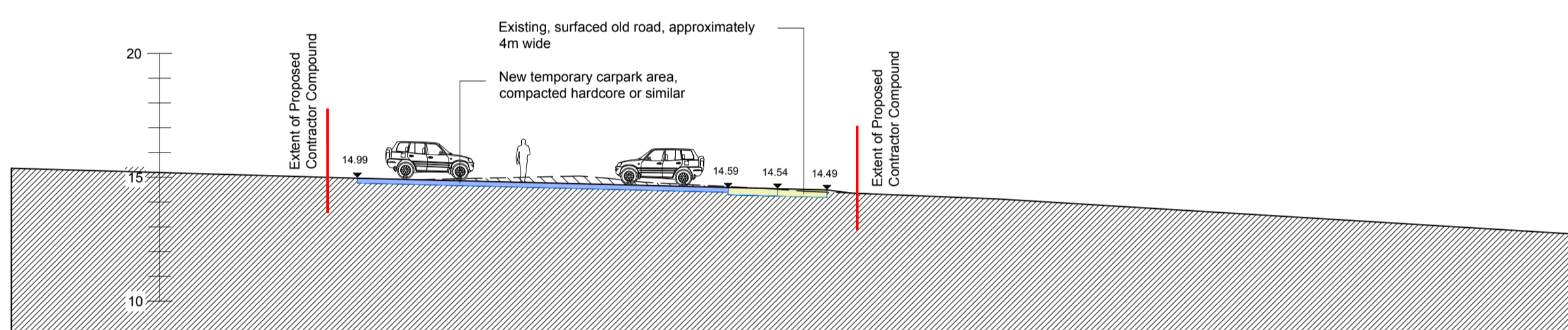
Revision notes  
 A 25.01.19  
 1. 6m set back zone introduced to side of watercourse, as per FRM recommendations, two caravans removed. Biotic removed as per SEPA comments.  
 2. Septic Tank added as per SEPA comments.



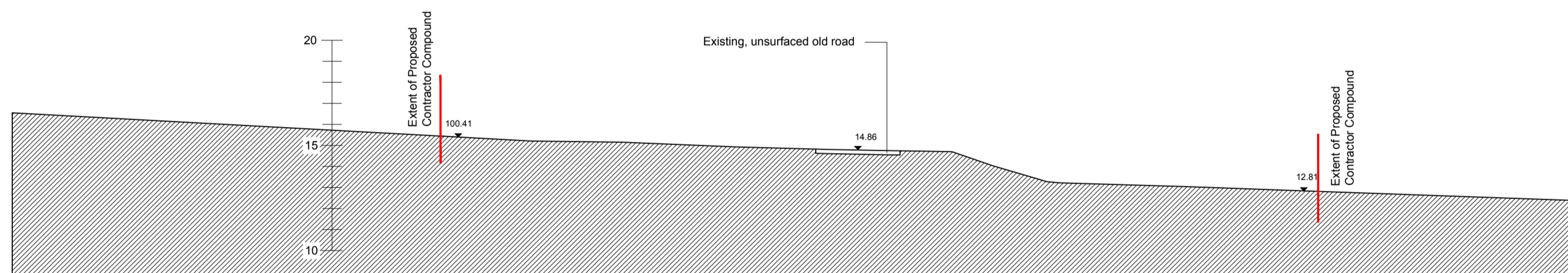
SECTION E - E PROPOSED



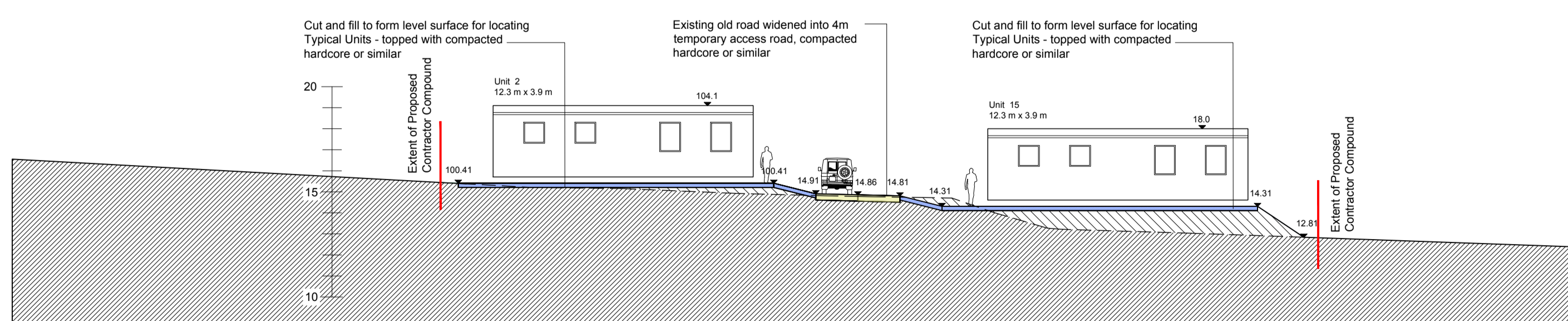
SECTION A - A EXISTING



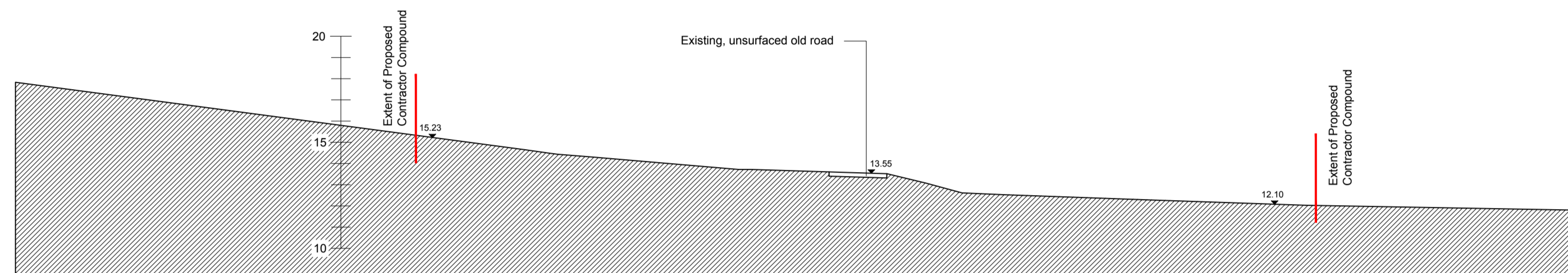
SECTION A - A PROPOSED



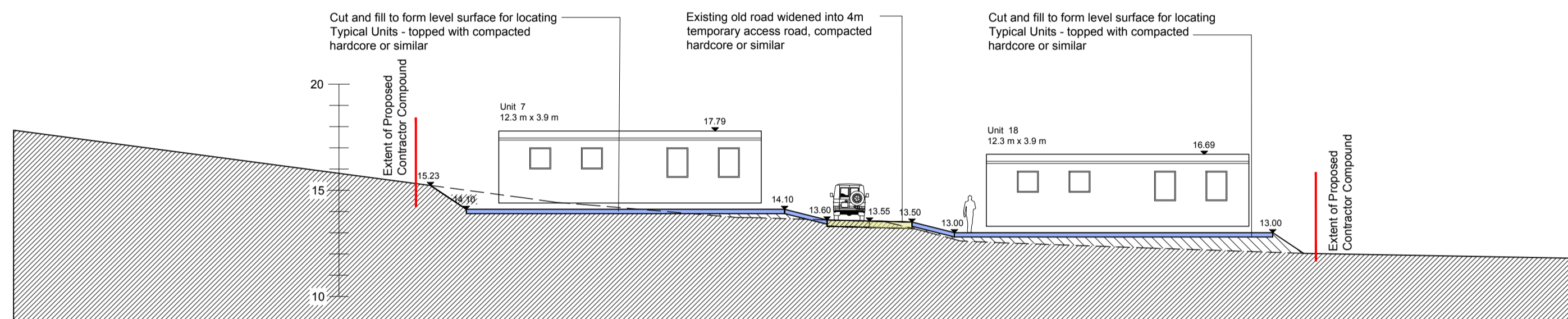
SECTION B - B EXISTING



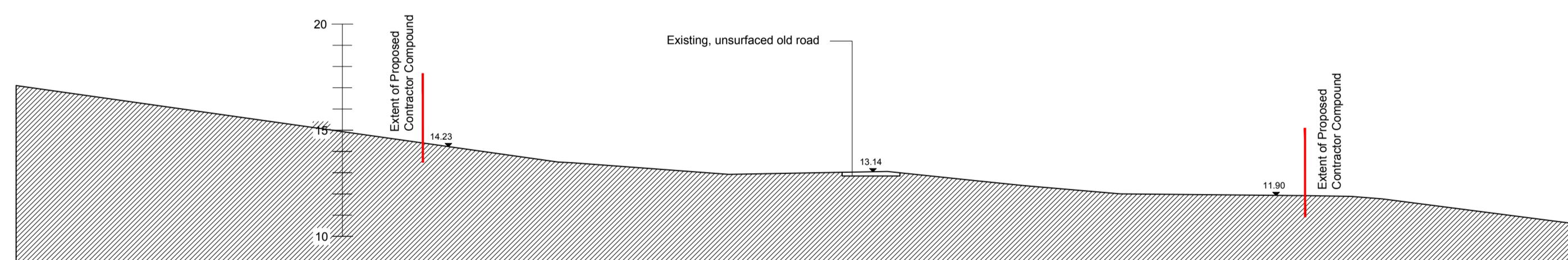
SECTION B - B PROPOSED



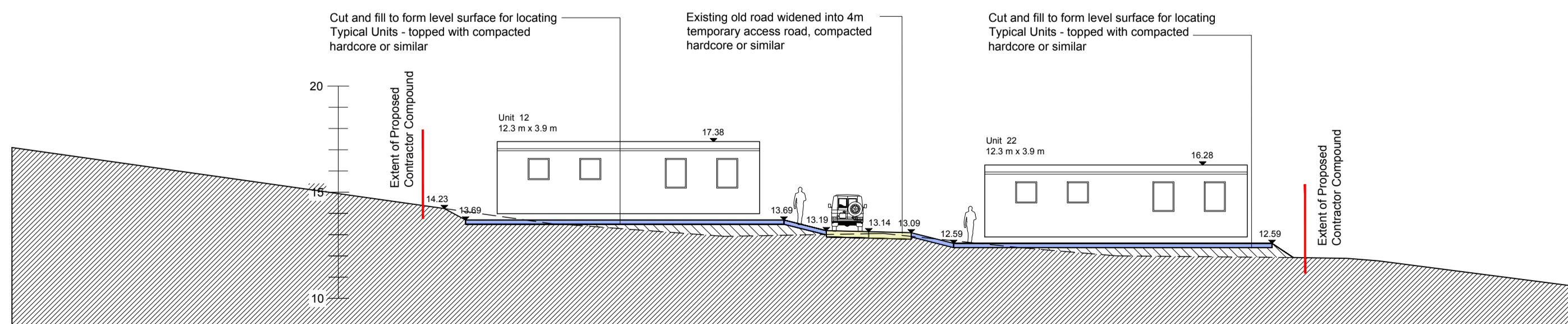
SECTION C - C EXISTING



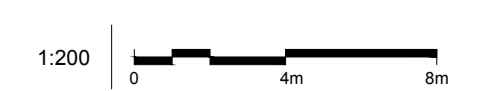
SECTION C - C PROPOSED



SECTION D - D

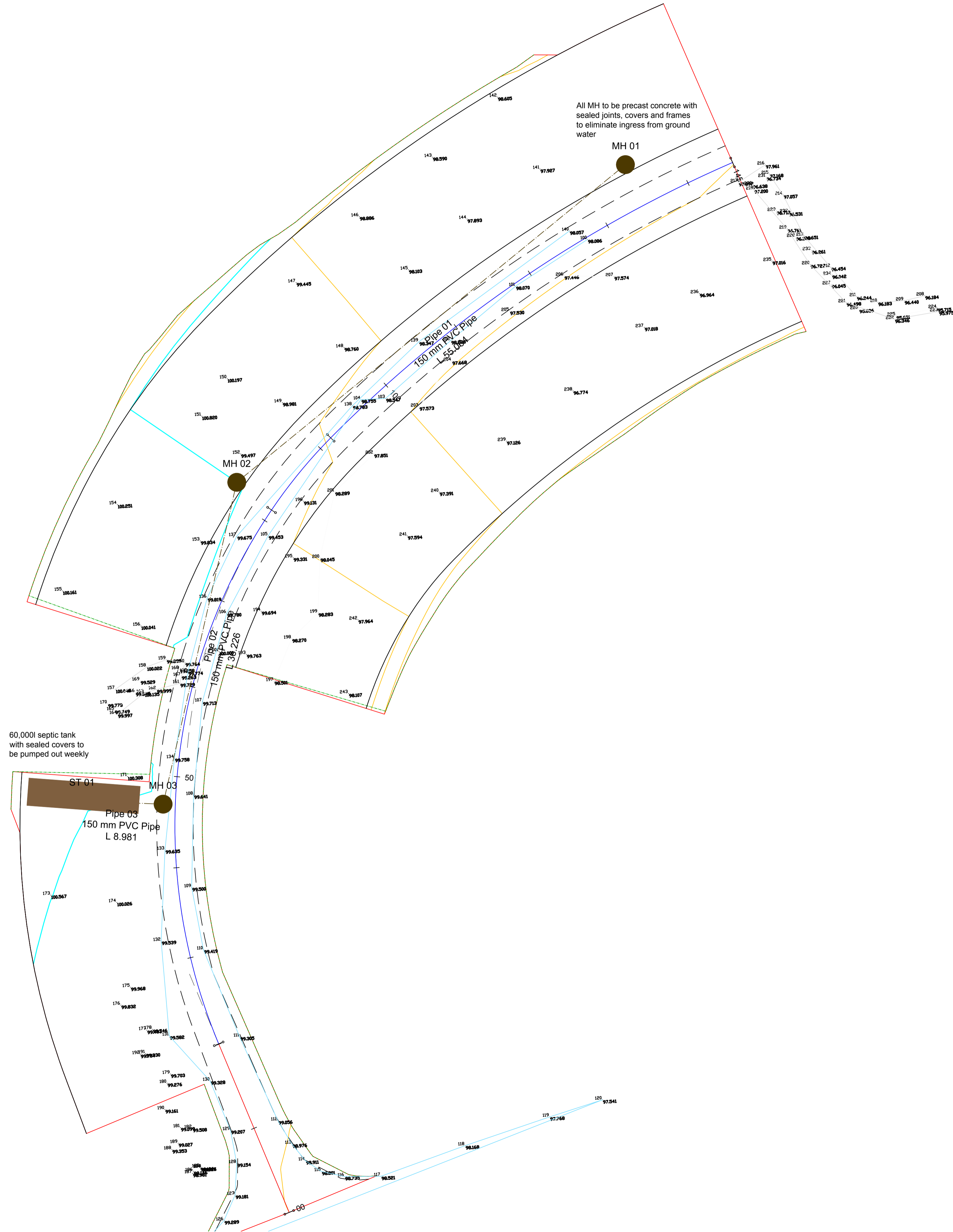
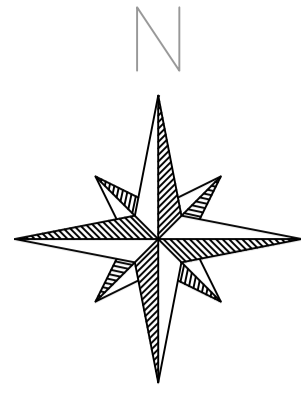


SECTION D - D



**GRAS**  
 part of Groves-Raines Architects Ltd.  
 Lamb's House  
 11 Waters Close  
 Edinburgh  
 EH6 6RB  
 +44 (0)131 467 7777  
 practice@gras.co  
 gras.co  
 Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read with all relevant specifications and schedules. Copyright reserved.  
 Project Title  
 1465U Contractor's Workforce Temporary Accommodation Sutherland  
 Client  
 Wildland Limited  
 Status  
 PLANNING  
 Drawing Title  
 Sections - Existing and Proposed  
 Date  
 28.09.18  
 Rev  
 A  
 Scale  
 1:200  
 Project No.  
 1615  
 Drawing No.  
 P-03-001  
 Drawn  
 AH  
 Checked  
 MF





Rev	Description	Date	By
<b>Construction</b>			
<b>3b construction</b>			
Client WILDLAND LTD			
Project HOPE LODGE AND SHEPHERDS WORKFORCE ACCOMMODATION			
Drawing title DRAINAGE LAYOUT			
Date 25-01-2019	Scale 1:250		
Drawing No WLA-00-007	Drawn by PD	Rev Ø	
CASSILLIS BUSINESS PARK, MINISHANT, AYR, KA19 8DN			