

Agenda Item	7.7
Report No	PLN/054/19

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 4 June 2019

Report Title: 19/00824/FUL: Mr A Munro per Heartland Home Services
Land 140M SE Of Oldshoremore Public Toilets, Oldshoremore, Kinlochbervie

Report By: Acting Head of Development Management – Highland

Purpose/Executive Summary

Description: Proposed 18 pod and glamping pods, amenities block, formation of new access, car park, installation of sign and treatment plant with discharge to river

Ward: 1 – North, West and Central Sutherland

Development category: Local

Reason referred to Committee: More than 5 objections including objection from Community Council

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. BACKGROUND/ PROPOSED DEVELOPMENT

- 1.1 The application seeks consent for the formation of a 'glamping site' as detailed on Section 1.2 below. The proposed development has previously been granted consent under planning reference 17/03385/FUL which was issued in September 2017. Following the commencement of works on site it came to light that the address noted on the original planning decision notice was incorrect (being some distance away) therefore the applicant was invited to submit a further application to regularise the situation. This previous application was dealt with under delegated powers however as noted in representations, the application was advertised with the wrong address which would have prejudiced the opportunity for third parties to make comments had they wished to do so. On being contacted by the Planning Service the applicant agreed to cease activities on site and submitted a revised application. This has unfortunately led to a regrettable situation where the stalled development has led to considerable concern regarding the overall appearance of the site.
- 1.2 The proposed glamping site would comprise of 18 pods, upgrading of existing access and provision of parking. Ancillary development includes the erection of an amenities block to provide an entrance/lobby for the site, a small communal picnic shelter and BBQ hut centrally within the site. The cabins themselves have a total floorspace of 24m² with a mono pitched roof which measures 4m at its highest point and would be clad in timber with a profiled metal sheet roof covering.
- 1.3 There is no infrastructure on site at present; as noted above some site preparation work has commenced however this has not progressed any further.
- 1.4 **Pre Application Consultation:** Pre-application advice was provided through the Council's Advice Service for Local Developments in August 2016. This was broadly supportive of the principle of developing tourist accommodation subject to all material considerations being satisfactorily addressed.
- 1.5 **Supporting Information:** The application is supported by a Supporting Statement outlining the rationale for the proposed development and providing details of the proposed site management. This is summarised below:
- *The cabins would be open and available for at least 90% of the year; this being a reasonable expectation based on the research of similar operational businesses and the demand of this type of glamping experience all year round (for example, around 44 miles south west of the site there are operational luxury cabins – these are almost fully booked out up to December 2019;*
 - *The business will employ someone locally to oversee the day to day needs and demands with this employment expanding – anticipated that staff could be employed all year round rather than seasonally;*
 - *There is demand from hikers particularly over winter for accommodation as well as demand from geology societies – to allow them accommodation to study the moine thrust close to the site;*

- *There are a number of attractions to pull in visitors in the area – Oldshoremore beach; Sandwood Bay; Oldshoremore Machar and Handa Island*

In addition, two letters of support have been lodged by the applicant as well as correspondence from Scottish Water and the Scottish Environmental Protection Agency (SEPA) – the latter being a copy of a licence issued under the Controlled Activities Regulations for developments involving foul drainage proposals which proposed discharge to a watercourse.

- 1.5 **Variations:** Amended set of plans submitted 25th April 2019 showing alterations to layout of pods including provision of en-suite facilities. Other amendments include a change of materials and change to the design of the reception block (which was previously to contain communal shower/toilet facilities)

2. **SITE DESCRIPTION**

- 2.1 The site is located around 40m to the southeast of the beach car park/cemetery and public toilet at Oldshoremore. The ground faces northwest towards the car park and is to the south of the single track public road (U1196) – the Cemetery and is fairly steep, falling from the U1200 public road to the south. The site is separated from the car park by the Amhainn Aisir Mhor (river). The ground is covered in rough grazing. Housing is sporadic in the immediate area, associated with the crofting of the land. The land to the north, west and south of the public car park is identified as the Oldshoremore and Sandwood Special Area of Conservation, of which the Sheigra-Oldshoremore Site of Special Scientific Interest forms a part.
- 2.2 There is an existing agricultural access into the site from the U1196 to the east side of the road bridge across the Amhainn Aisir Mhor. The bridge is located immediately adjacent to the proposed site access point. The car park to the north west of the site is used to access both the cemetery and beach beyond. There has been a planning history in this area of informal recreation and tourism use with several caravans/informal camping in the area. The site is not visible from the U1200 to the south, but will be visible from some of the houses on that road.

3. **PLANNING HISTORY**

- 3.1 27.09.2017 17/03885/FUL - Proposed new glamping site, Permitted new access, carpark, treatment plant with discharge to river

Other applications relevant to the assessment of the application (other applications granted to the applicant, as referred to in objection comments):

- *19/00585/FUL: Siting of two camping pods at Land 45M NE Of Bothan Aisir, Oldshoremore, Rhiconich – pending consideration*
- *18/05836/FUL: Proposed new house & cafe with associated carpark and treatment plant at Land 120M NE Of Bothan Aisir, Oldshoremore, Rhiconich – pending consideration*

- 18/04188/ADV: Installation of sign – Permitted October 2018
- 17/03366/FUL: 32 bed hostel, access road, 36 bay car park, treatment plant, holding tank for camper van waste water and charging unit for electric cars – Permitted at Land 120M NE Of Bothan Aisir, Oldshoremore, Rhiconich – Permitted October 2017
- 15/02483/FUL: Erection of house and formation of new access and service bay. Installation of treatment plant with discharge to watercourse (resubmission following withdrawal of Ref: 15/00703/FUL) – Permitted August 2015
- 15/01380/FUL: New Access & Service Bay at Land 50M SE Of Bothan Aisir, Oldshoremore, Rhiconich – Permitted May 2015

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 08.03.2019 & 10.05.2019

Representation deadline: 22.03.2019 & 24.05.2019

Timeous representations: 23 (17 objections and 5 support)

Late representations: 0

4.2 A total of 23 comments have been received in relation to the application; 17 objections and 5 letters of support.

Material considerations raised are summarised as follows:

Objections

Address of previous application/ Procedural requirements:

- No consultation with the general public has been undertaken and the previous application was advertised with a false location around 1km away – this prejudiced the ability of the public to make a comment on the proposal. The applicant was invited to submit this application with the original permission remaining in place – this is considered wrong.
- The applicant should be required to restore all the land to its previous state and there must be no question of approval of this application until that has been satisfactorily completed
- Previous application should be revoked or cancelled
- Unclear why this application is being made when a previous permission exists
- Concern regarding lack of information on site levels or traffic management
- Import of material which has been dug up out with the boundary of the application
- Signage permission does not correlate with this application (not clear is pods are en-suite or not/ how many people these accommodate)
- Applicant does not have ownership for discharge into Amhainn Aisir Mhor
- Comments on the previous application should have been transferred over
- Advertising application is not sufficient

- An agreement must be entered into regarding damage to roads; condition 2 of the previous permission is not suitably worded;

Siting, Design and Visual Impact:

- Lack of information with this proposal – for example no design and method statement, layout plans, pictures, topographic maps, drainage plans or a visual render – without this, the visual impact cannot be understood.
- Overdevelopment of the area
- The development would be totally alien and severely detrimental to Oldshoremore and in particular to the area near the beach and the road leading to it – this is one of the most beautiful and treasured in the north west
- Many visitors to the area are drawn in by the beauty of the area – this proposal may put off potential visitors and therefore would be detrimental to the economic interest of the objector and the community/area generally
- Visual impact on Special Landscape Area
- Design concerns regarding the proposed cabins – the buildings have no architectural merit

Conflict with development plan

- Contrary to Caithness and Sutherland Local Development Plan – Policies 1 and 3
- Conflict with Highland-wide Local Development Policy 36, 43 and Highland Council Coastal Development Strategy
- No evidence that the North Coast 500 has increased the amount of traffic in the area or the demand for self catering accommodation
- No business plan for the development
- Design building concentration in connection with other proposals – not compliance with Town Centre First Policy (CASPlan)

Access/Service considerations

- Steep approach road is too narrow and vulnerable to take construction vehicles
- Additional traffic on a single track road with challenging conditions
- Water supply not confirmed by Scottish Water
- Inadequate supply of drinking water to provide for such an increase in people

Environmental Impact

- Whilst the applicant's desires are understood, this initiative should not be pursued at any environmental and social cost
- Environmental impact particularly related to foul drainage proposals
- Local flooding concerns
- Impact on Special Area of Conservation – specially migratory fish (salmon, sea trout and eels)
- Concern regarding SEPA's assessment of the application particularly in relation to the vulnerable category of the burn

- Concern regarding pollution entering watercourse that is not picked up by treatment plant

Support Comments

- Would allow the ability for people to stay longer in the area
- People struggle to get accommodation in this location
- The proposal will benefit the area by taking in tourists, hillwalkers, anglers, bird watching, wild life enthusiasts
- The proposal will provide full/part time employment
- Will also help promote other businesses
- Will prevent the area becoming a solely elderly community

Non-material considerations:

- The house being built by the applicant is unfinished and has caused damage to the landscape;
- Work undertaken by the applicant in relation to other permissions has left the area in an untidy state;
- The applicant would be unable to supervise this development, living some distance away
- Letters of support are addressed to the applicant's business Visit Sandwood Limited
- Unavailability of people to provide the servicing for the development
- Financial ability of applicant to pursue the project
- Concern regarding future applications
- Letters of support submitted by the applicant do not relate to this application (false representation)
- Does not comply with Caravans Act 1960 in that the pods do not meet the definition of a caravan
- Only 3 pods are likely to be suitable for disabled people
- Does not appear to comply with Environmental Health 'Touring Caravan Site' legislation
- Concern the CAR licence issued in February was not reviewed following the change to en-suite proposals
- Concern about the applicant's ability to comply with terms of CAR licence
- CAR licence application was not advertised
- Concern regarding submission of other applications by the applicant – piecemeal approach
- Concern regarding the applicant's non-compliance with conditions on other applications

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 **Kinlochbervie Community Council:** Object. Its response highlights the following concerns:

- The CC are supportive of sustainable and sensitive development and this was indicated to the applicant in a letter prior to the submission of his previous application. However the CC are not supportive of the way in which the development is being carried and the direction the development is taking;
- The scale of development is much greater than envisaged – for example pod numbers have increased from 6 to 18. There has also been a subsequent further growth in overall development size with a variety of planning applications to the extent that this is now a very large development covering a wide area of Oldshoremore;
- The way in which work has been carried out to now has left a devastated landscape and does not give the CC confidence in continued work being carried out in an appropriate way – also concerned about the capacity of the developer to complete the works which are ambitious;
- This re-submitted application with a new site access will not address the problems with this development;
- Not supportive of this development until the problems which have already arisen are dealt with by the developer and the Planning Committee.

5.2 **Access Officer** (comments in relation to previous application): No objections – most visitors to this proposed will wish to take access towards the sandy bay at Oldshoremore and the proposed access will be used for this. There may be a desire for visitors to head south west from the southern bank of the Abhainn Aisir Mhor. It would be expected that the site will be secured from sheep by a stock fence. Provision should be made for users to pass along the southern bank of the above burn from within the site. Boundary treatments should be approved by the Planning Authority in order to manage this amenity.

5.3 **Transport Planning** (comments in relation to previous application): Objections – resolved. The development should include the following requirements:

- Access width of 5.5m
- Access layout as per SDB2 specification
- Internal track width of at least 3.3m
- Submission of Transport Statement including mitigation in the form of paving places
- Relocation of refuse and recycle area to prevent conflict with pedestrians
- Provision of cycle bays

These requirements are shown on site layout ref:1930-rev T2

5.4 **HC Flood Risk Management Team:** No objections

5.5 **Environmental Health:** No objection. The site would be classed as a caravan site and the operator would need to apply for and obtain a caravan site licence from Environmental Health. The applicant is aware of this. As an advisory, I would remind the applicant that it is their responsibility to ensure they are satisfied they can comply with the relevant conditions. I note the intended pod units are to be provided with a wood burning stove and a low level flue. I have concerns that with 18 of these units proposed, there is potential for smoke to affect neighbouring properties. Given the separation distances it is unlikely to constitute a Statutory

Nuisance but may give rise to annoyance complaints. Given the topography of the site, the operator will need to ensure adequate measures are in place to ensure the safety of visitors, particularly with regard to accessing pods and toilet facilities at night.

- 5.6 **SEPA:** No objection – understand that the application is identical to application 17/03385/FUL therefore refer to the responses provided previously which is summarised below:

Object withdrawn – Based on the information now provided and the discussions out local regulatory Services team have had with the developer we are content that enough information has now been provided to demonstrate that a proposed discharge to the Abhainn Aisir Mhor is feasible and likely to be consentable under the Water Environment (Controlled Activities) (Scotland) regulations 2011. In addition SEPA conclude that due to the topography of the site it is likely to be sufficiently elevated so as not to be at risk from flooding.

Updated Comments – 13th May 2019 (following variations to proposal): No objections – can confirm that SEPA has now issued a CAR authorisations for the discharge taking into account these revisions and as result have no objection to the proposals.

- 5.7 **SNH** (comments in relation to previous application): No objection. The proposal lies close to the boundary of Oldshoremore and Sandwood Special Area of Conservation (SAC) designated for its dune grassland, machair, and shifting dunes with marram. In SNH's view it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required. A short section of the proposal boundary (approx. 20m) is immediately adjacent to the SAC and is separated by a fence and boundary wall. Movement of people to and from the site will be by a new road entrance to the existing public road so there is likely to be increased trampling on the SAC. Foul drainage is to be in accordance with SEPA requirements and rainwater will discharge to soakaways. The SAC is therefore unlikely to be affected.

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
- 36 - Development in the Wider Countryside
- 44 - Tourist Accommodation
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 61 - Landscape
- 63 - Water Environment
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.2 **Caithness and Sutherland Local Development Plan 2018**

No site specific policies

6.4 **Highland Council Supplementary Planning Policy Guidance**

Flood Risk and Drainage Impact Assessment (Jan 2013)

Managing Waste in New Developments (March 2013)

Sustainable Design Guide (Jan 2013)

Non-Supplementary Guidance

Roads Guidelines for New Developments

7. **OTHER MATERIAL POLICY CONSIDERATIONS**

7.1 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

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) any other material considerations.

Development plan/other planning policy

8.4 The application is concerned with the formation of a glamping site as well as ancillary, related development. As this relates to provision of tourist accommodation, the application requires to be assessed primarily against Policy 44 of the Highland-wide Local Development Plan. However, given the proximity to natural heritage designations (the Sandwood Special Area of Conservation and Sheigra-Oldshoremore Site of Special Scientific Interest), Policy 57 also requires due consideration as well as Policy 61 which relates to Landscape. Other general policies as listed in Section 6.1 (which relate to material considerations including access and drainage) are also applicable. It is noted in some objections that there is concern about a conflict with the Town Centre First Policy which is detailed in the Caithness and Sutherland Local Development Plan however this is not applicable in this instance as it relates to significant footfall developments i.e. those that

benefit from passing footfall – such as retail/commercial/large hotels/community facilities – the intention being to prevent development which would impact on the vitality of town centres identified in the Plan (Brora, Dornoch, Golspie, Thurso and Wick). Due to the location of the site some distance from these locations, it is not considered that it would result in any harmful impact on their town centre vitality in any event.

- 8.5 Policy 44 of the HwLDP states that in the first instance proposals should demonstrate that a demand exists for this type of accommodation. Supporting information submitted with the application and summarised in paragraph 1.5 which indicates that there is a demand across the wider area for tourist accommodation with visitors drawn by the scenery, walking, beaches, canoeing/water sports and bird watching opportunities. In particular there is a degree of existing informal tourism use in the immediate area with camping and overnight use of the car park by campervans and caravans and the development of a more formalised, but upmarket tourist proposal will add to this existing informal use of the area. The proposed development of this site is a response to this demand. It should be noted that the applicant proposes to undertake the development on a phased basis – with the installation of 4-5 cabins within the first year of development. This will allow demand to be fully gauged and thereafter more pods will be installed as and when demand arises. It is noted that concern is expressed in representations about overdevelopment of the site however the undertaking of the development in phases in this controlled manner will help to address this. It is considered, based on the information provided by the applicant supplemented by the Planning Authority's own understanding, that there is sufficient demand for a tourist accommodation proposal specific to this location.

Planning History

- 8.6 As noted in the introduction, planning permission has previously been granted for the proposed development and this further application is required to address an irregularity with the address noted on the planning decision notice. The planning history for the site is an important material consideration which has established the precedent of a glamping site in this location. It is however appreciated that the advertisement of the previous application with an incorrect address would have led to confusion and indeed only one public comment was received to that application. This revised application has again been subject to advertisement and on this occasion, a relatively large number of public representations have been received which require to be given the appropriate weight in the assessment process.
- 8.7 It is suggested in public comments that no public consultation has been undertaken by the applicant regarding the proposal; whilst it is appreciated that consultation in connection with any proposal may be desirable, it is not a mandatory requirement of the planning system for consultation to be undertaken for proposals of this nature which are less than 2 hectares in size. It is also suggested that the previous permission should be revoked; this is not considered to be necessary in this instance as this further application (which has an identical red line boundary) will in fact supersede the previous permission.

Siting and Design including Visual Impact

- 8.7 As noted in the preceding sections, site preparation works had initially been undertaken by the applicant following grant of planning approval in 2017. These works in themselves do not require planning permission, being on croft land, however due to the extent of the site and the slope across it the amount of earth that has been moved is relatively large and the Planning Authority therefore can appreciate the concern which has arisen amongst the local community and the perception that this development has 'stalled'. No further development has commenced in part due to ongoing discussion with the applicant to discharge suspensive conditions attached to the previous consent and latterly due to the need for this further application. As such, the applicant's ability to continue to develop the site has been severely hampered.
- 8.8 Concern is noted that the proposed buildings do not meet with the definition of a 'caravan' as outlined in the Caravans Act 1960 however there is no suggestion on the part of the applicant that the buildings should be considered as caravans i.e. moveable structures. Indeed the buildings are not designed to be moveable and it is not the intention of the applicant to move the structures once they are placed; fixed locations are shown on the submitted site layout plan. Representations also note that the proposed cabins do not provide en-suite facilities; contrary to the details noted on the approved signage (approved under application ref: 18/04188/ADV). During processing of the application, an amended plan was received showing the inclusion of en-suite facilities. Concern is also noted that the proposal is potentially not compliant with caravan site legislation however this is a matter which is regulated by Environmental Health who would be required to grant a site licence – the applicant is aware of this requirement and an informative is added to ensure the applicant applies for the required licence.
- 8.9 It is noted in some representations that the application is lacking in detail however it is accompanied by a spot level drawing and a site section drawing showing a section through the proposed car park. This information, supplemented by visual inspection of the site, is considered to be sufficient to allow an assessment of visual impact to be made. The cabins would be sited in a tiered manner across the hillside and the building designs are such that they will blend into the hillside and its natural colouring, due to the proposed material palette. Views of the site are contained within a relatively small area; there are close up views from the northwest at the beach car park, with some longer views of up to kilometre from the northeast on the C1133 road. It is therefore considered that the landscape and visual impact of the site is relatively low from a distance, although it will be considerably higher from the beach car park. However from this location, as noted above, the material palette and the bedding in of the cabins into the landscape will reduce the overall visual impact of the development. There are limited views of the site from housing in the area due to their location relative to the orientation of the site on the northwest facing slope and the general topography of the wider area. Most of the pods will be accessed by footpath only and this is considered to help in reducing the visual impact of the development, with vehicles being concentrated in the site car park only, rather than across the slope. A condition is added which will require full

details of existing and proposed site levels for the proposed pods prior to their installation – this will allow the specific site levels to be assessed in detail to ensure the pods integrate into the hillside as proposed.

- 8.10 The provision of tourism accommodation is not considered to significantly damage either individual or wider community residential amenity, with no houses being overlooked by the pods. In addition, whilst the development lies in close proximity to the beach, the main views of the beach are obtained from either within the site or looking over it. It is not considered the proposed development would significantly or detrimentally encroach into views of the beach and no evidence has been provided by objectors that would indicate visitors to the area would be put off returning as an impact of this development.

Access and Parking

- 8.11 There is an existing agricultural access into the site which would be upgraded as part of the development, with the submitted plans showing this access point formed in accordance with the Council's SDB2 standard with a widened combined bellmouth and service bay which then leads into a single width private track leading to the parking area – this section of track is short and has good inter visibility and therefore it is considered that there is no requirement for a passing places along its length. Following discussion with Transport Planning and Community Services it is considered that installation of passing places are required on the wider public road network leading up to the site. A plan has been provided by the applicant which indicates the location of 4 existing passing places which will be upgraded and the locations for the installation of two new passing places. The passing places will be in accordance with the standard Highland Council specification, as shown on the plan. As part of the previously approved application, Transport Planning required preparation of Section 96 Agreement (known as a Wear and Tear Agreement) to ensure any damage to the public road would be remedied by the applicant. This legal document has been prepared by the Council's legal team and is with the applicant's solicitor for review; it is envisaged that this will be concluded soon; the requirement for this agreement is again secured by condition.
- 8.12 A total of 18 parking spaces are to be provided with 4 disabled spaces, creating a total of 22 spaces. This equates to 1 space per cabin which is considered acceptable. To facilitate wider access, a bike stand to hold 8 bikes is also intended to be provided.

Drainage (including impact on natural heritage) and Water Supply

- 8.13 Foul drainage is by means of a new private foul drainage system with a treatment tank sized for the development, with a discharge to the Amhainn Aisir Mhor. Much concern is noted in representations regarding this arrangement. Whilst the Amhainn Aisir Mhor forms a hydrological part of the Oldshoremore and Sandwood Special Area of Conservation, of which the the Sheigra-Oldhshoremore SSSI forms part of, SNH have confirmed that the proposals will not have any adverse impact on these designations. In addition to this the foul drainage proposals require to be controlled by SEPA through the Water Environment Controlled Activities

Regulations and a licence has now been issued. Accordingly it is considered that the proposal accords with the Highland-wide Local Developments policies 28, 57 and 59 with regards its impact on the freshwater, marine and species natural heritage interests.

- 8.14 It is noted that a specific representation states that the applicant does not have the required ownership to facilitate the proposed foul drainage arrangements, in particular the land leading to the watercourse. The information supplied with the application however would appear to show the entire area required for foul drainage within the applicant's ownership and the similarly the land ownership certificate does not indicate that there are any further parties involved. Should it transpire at a later date that the applicant does not own all the required land; this would essentially be a legal matter for the applicant to pursue. Conceivably should it be the case an amended technical solution is required to address the foul drainage concerns then this may well require a further separate planning application.

Non-material considerations

- 8.15 A number of non-material considerations are raised in objection comments; this largely relate to other sites owned by the applicant which have been granted permission for development or other application for the applicant which are under consideration. Matters raised in relation to additional planning applications cannot be considered as part of the assessment of this application, which relates solely to the proposed glamping site.

Matters to be secured by Section 75 Agreement

- 8.16 None

9. CONCLUSION

- 9.1 The principle of tourist accommodation in this location is considered to be consistent with the general policies of the Highland-wide Local Development Plan and indeed wider Highland Council initiatives to promote tourism in the area. It is acknowledged however that the application has attracted a comparatively large number of objections for this part of Sutherland, some of which relate to specific areas of concern and many of which stem from the regrettable situation which has arisen as a result of the development stalling following the undertaking of some initial site preparatory work. It must however be acknowledged that the development has previously received permission which is a strong material consideration in our assessment. The work undertaken on site by the applicant was on the basis he had the necessary permission before the procedural error regarding the site address emerged which led to the cessation of works and the submission of this revised application. The concerns of objectors have been assessed as part of the planning appraisal and through consultation with statutory bodies such as SEPA and SNH and it is not considered that any of the material issues raised have not been satisfactorily addressed by the application.

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

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

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

Conditions and Reasons

1. No development shall commence on site until the developer has submitted and had approved in writing by the Planning Authority in consultation with the Roads Authority a temporary Traffic Management Plan for the site. The TMP shall be submitted at least one month prior to the commencement of any development on the site. For the avoidance of doubt, the TMP shall include:
 - o A method statement detailing the management of construction traffic at the site, with particular reference to the U1196 Cemetery Road, U1200 Oldshoremore Road and C1133, with any additional or temporary signage and traffic control undertaken by a recognised SQ traffic management consultant
 - o Details of the delivery schedule for any abnormal loads to be submitted to and agreed in writing with the Planning Authority at least 48 hours in advance
 - o A concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the public road network that can reasonably be attributed to

construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys shall be carried out by the developer, to the satisfaction of the Roads Authority(s).

The development shall thereafter be implemented to the satisfaction of the Planning Authority in consultation with the Roads Authority in accordance with the approved details in the Traffic Management Plan.

Reason: In the interests of road safety.

2. No development shall commence until the developer has submitted for the approval in writing of the Planning Authority in consultation with SEPA full written details of measures to be adopted by the developer to transport and store any fuels, oils or cement, including bunding and refuelling arrangements for any machinery or equipment at the site compound. The plan shall include the following:
 - o The location of the site compound shall be identified and accompanied by pollution prevention measures.
 - o The refuelling or maintenance of vehicles and plant shall be carried out only on impermeable areas where any oil spillages can be contained.

The development shall thereafter be undertaken in accordance with the approved details.

Reason: In order to prevent any pollution and in the interests of amenity.

2. Prior to the installation of the 18no glamping pods hereby approved, full details of existing and proposed site levels relative to a fixed datum point shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall progress in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure the approved pods integrate into their landscape setting.

3. Prior to the first use of the development hereby approved, the works to the individual 2No. and works to improve 4.No. existing passing places on the U1196, as based on approved plan No.1930 Rev T, 'Passing Places', shall have been completed in accordance with the specification noted on the plan and to the satisfaction of the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of road safety.

4. Prior to the first use of the glamping site, the developer shall have completed the access point to the site with the U1196 in accordance with the standard SDB2 access detail (as shown on Plan No. 1930 Rev T2), all to the satisfaction of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, the access point to the public road shall be surfaced with bituminous macadam.

Reason: In the interests of road safety.

5. The surfacing of the site access road, parking area and footpaths shall be finished in a dark non-reflective material.

Reason: In the interests of visual amenity.

6. For the avoidance of doubt foul drainage shall be provided by means of a treatment plant, partial soakaway and discharge to the Abhainn Aisir Mhor to the western part of the site.

Reason: In the interests of amenity.

7. The external path lighting for the site shall be by means of 'Lighthouse Bollards', or similar lights as may be agreed in writing by the Planning Authority in consultation with the Area Lighting Engineer, prior to the commencement of any development on the site.

Reason: In the interests of amenity and to prevent lighting glare.

8. The development shall be used for holiday letting purposes only and shall not be used as a principal private residence or be occupied by any family, group or individual for more than three months (cumulative) in any one calendar year.

Reason: In accordance with the use applied for and to ensure that the development does not become used for permanent residential occupation in the interest of the area's visual amenity, in recognition of the lack of private amenity space and in accordance with the use applied for.

9. Prior to the first use of the site, the developer shall secure the site from sheep by means of a stock proof fence. For the avoidance of doubt, provision shall be made for users to pass along the southern bank of the Abhainn Aisir Mhor from within the site.

Reason: To secure the site boundaries and in the interests of amenity.

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

Designation: Acting Head of Development Management – Highland
Author: Gillian Pearson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 - Block Plan
Plan 3 - Pod Elevations
Plan 4 - Car Parking
Plan 5 - Office Block
Plan 6 - Picnic Shelter
Plan 7 - BBQ Hut
Plan 8 - Site Sections
Plan 9 - Spot Levels
Plan 10 - General Plan – Treatment Plant
Plan 11 - Passing Places

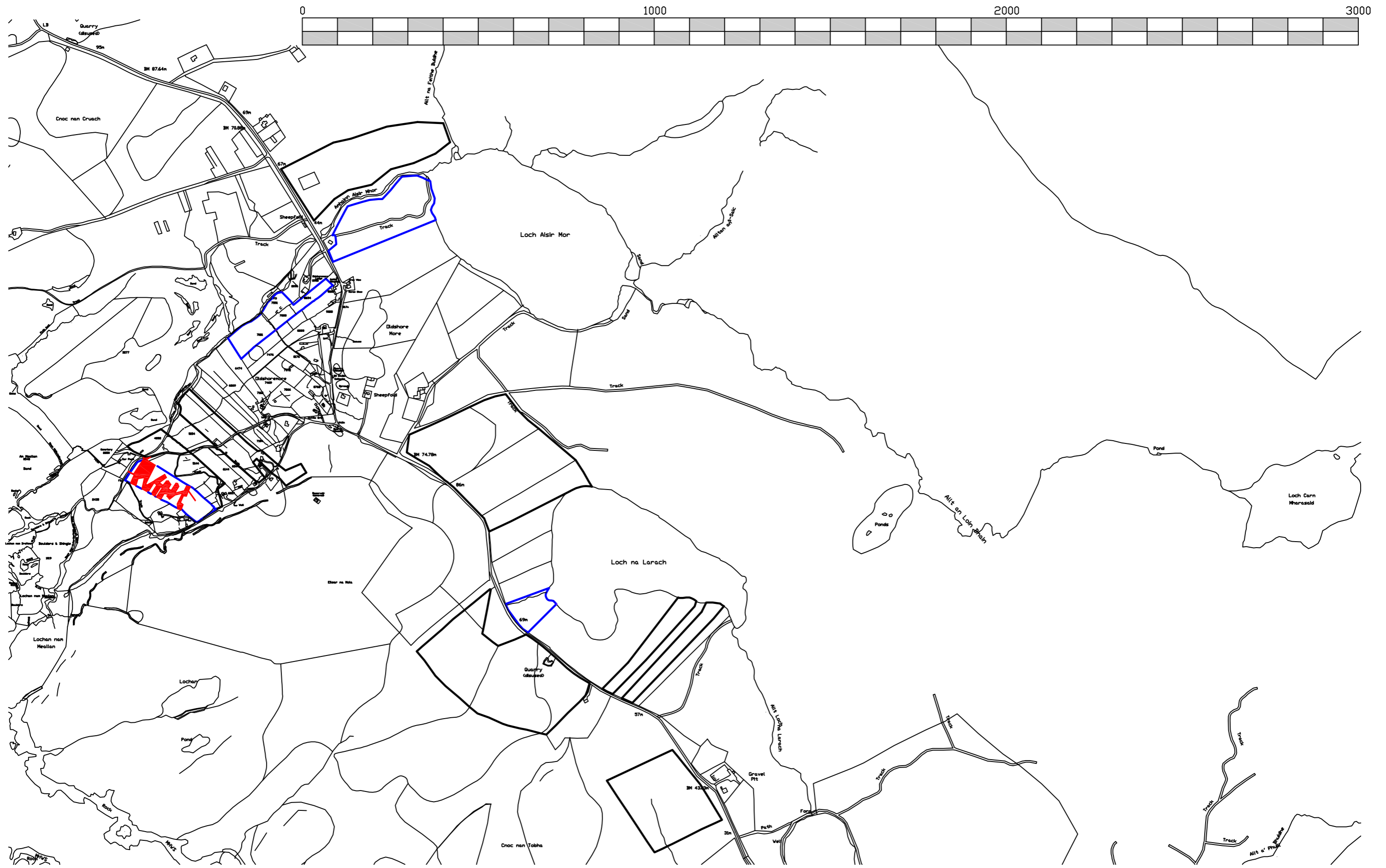
Appendix – Letters of Representation

OBJECTORS

1.	Karl Charvin & Cliona Dennehy, ,	20/03/19 24/05/19
2.	C R C Bowen, Kinellan House, Strathpeffer, Ross-shire, IV14 9ET,	21/03/19
3.	Matthew Billinge, 75 The Priory, Neston, Cheshire, CH64 3SR,	25/03/19
4.	Fiona MacLeod, Bothan Aisir, Oldshoremore, Rhiconich, Lairg, IV27 4RS, ,	29/03/19
5.	Michael Otter, Anvil, Oldshoremore, Rhiconich, Lairg, IV27 4RS, ,	18/03/19 16/05/19 24/05/19
6.	Stephanie Tollemache & Allan Munro-Faure, 10 Danemere Street, London, SW15 1LT,	23/03/19
7.	Gordon Grassick, 145 Oldshoremore, Kinlochbervie, Lairg, IV27 4RS, ,	21/03/19
8.	Ms Margaret Meek, Old Pier View, Kinlochbervie, Lairg, IV27 4RR,	21/03/19
9.	Cynthia & Athol Munro, ,	22/05/19
10.	Miss Tanya Morrison, Arkle View, 125 Kinlochbervie, Lairg, IV27 4RP,	13/03/19
11.	Margaret Matheson, The Bard House, Rhiconich, Lairg , IV27 4RS, ,	24/03/19
12.	Barry Pearson, 14 Manse Road, Kinlochbervie, Lairg, IV27 4RG, ,	23/03/19
13.	Kinlochbervie Community Council, Per - Mr Murdo MacPherson, Old Pier View, Kinlochbervie, Lairg, IV27 4RR,	19/03/19
14.	David & Mary McIntosh, ,	21/03/19
15.	Timothy M T Key, East Hill Lodge, Dunsford, Exeter, EX6 7AA,	21/03/19
16.	David & Angela De Boer, Sealladh Aiteig, Oldshoremore, IV27 4RS,	20/05/19
17.	Tim Rowe, ,	21/03/19

SUPPORTERS

18.	Mr Jonathon Ayton, 34 Ballygoskin Road, Derryboye, Crossgar, BT30 9LW	23/03/19
19.	Mr David Dolphin, the lodge, brixham road, paignton, TQ4 7BA	14/03/19



Heartland Home Services Ltd
 West Clyne, Brora. KW9 6NH. Tel 01408 621617 - Fax. 01408 621162

CLIENT Mr A Munro

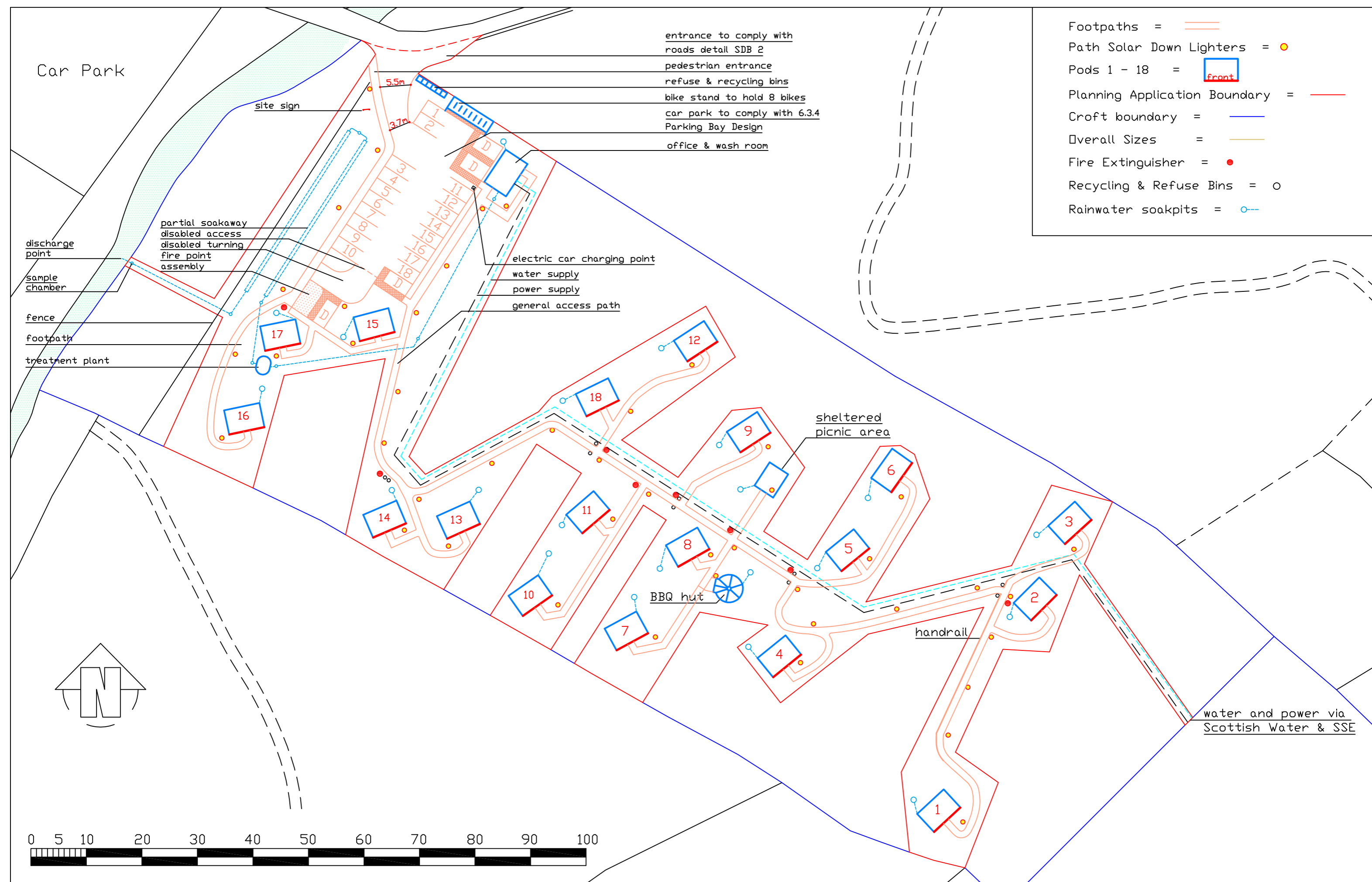
REF_NO 1930A-Rev. 'T'

DESCRIPTION Proposed Campsite at 148 Oldshoremore, Rhiconich.

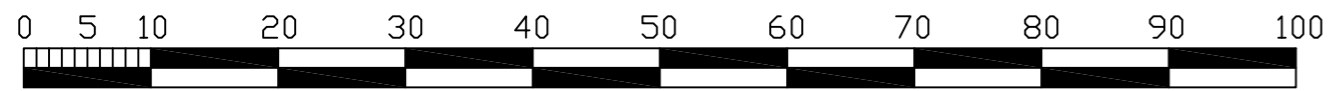
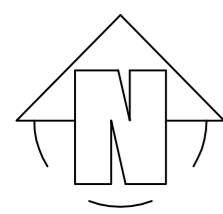
DETAILS Location Plan

SCALE 1 : 10000

DATE 20-03-2018

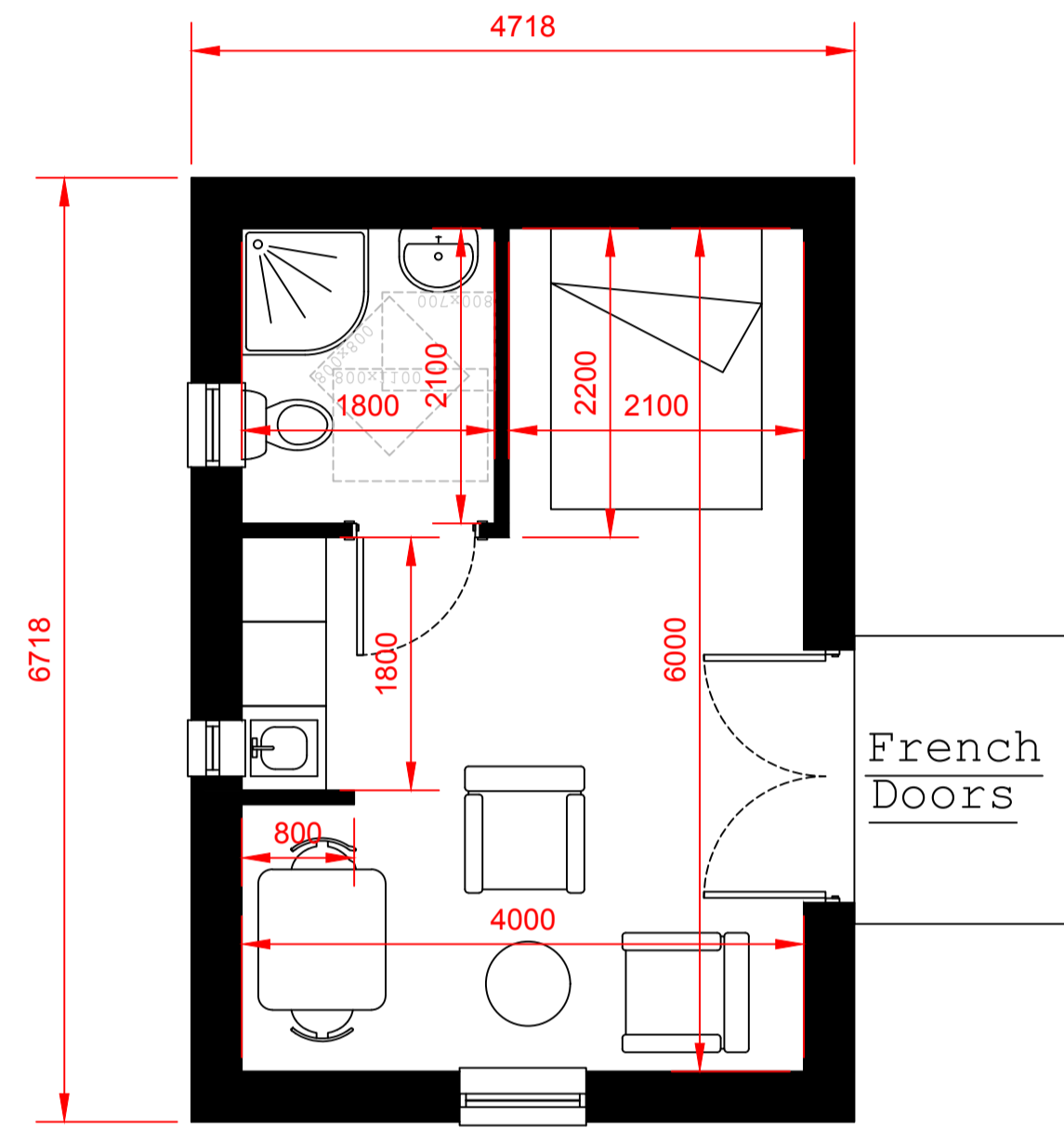


- Footpaths =
- Path Solar Down Lighters =
- Pods 1 - 18 =
- Planning Application Boundary =
- Croft boundary =
- Overall Sizes =
- Fire Extinguisher =
- Recycling & Refuse Bins =
- Rainwater soakpits =



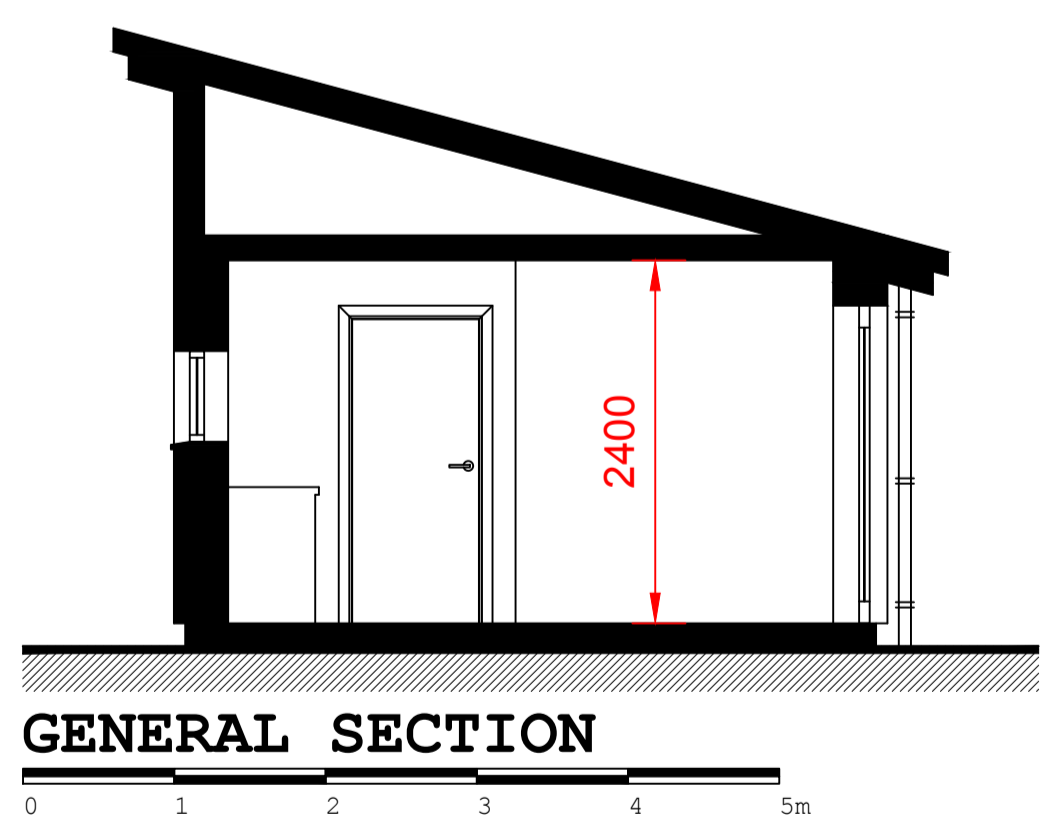
Heartland Home Services Ltd
 West Clyne, Brora. KW9 6NH. Tel 01408 621617 - Fax. 01408 621162

CLIENT	Mr A Munro	DESCRIPTION	Proposed Glamping Site at 148 Oldshoremore, Rhiconich.	AREA	0.70ha (within red boundary)
REF NO	1930A-Rev. "T2"	DETAILS	Block Plan	GRID REF	NC 20375 58465
				SCALE	1 : 600
				DATE	15-03-2019

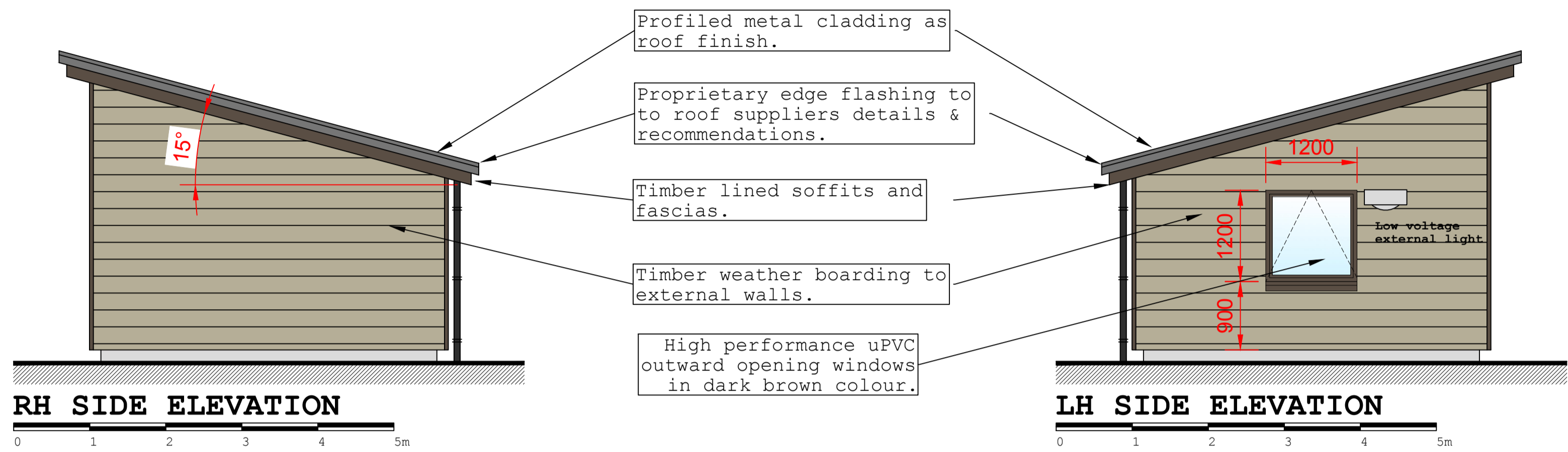


GROUND FLOOR PLAN

Floor Area = 24m²

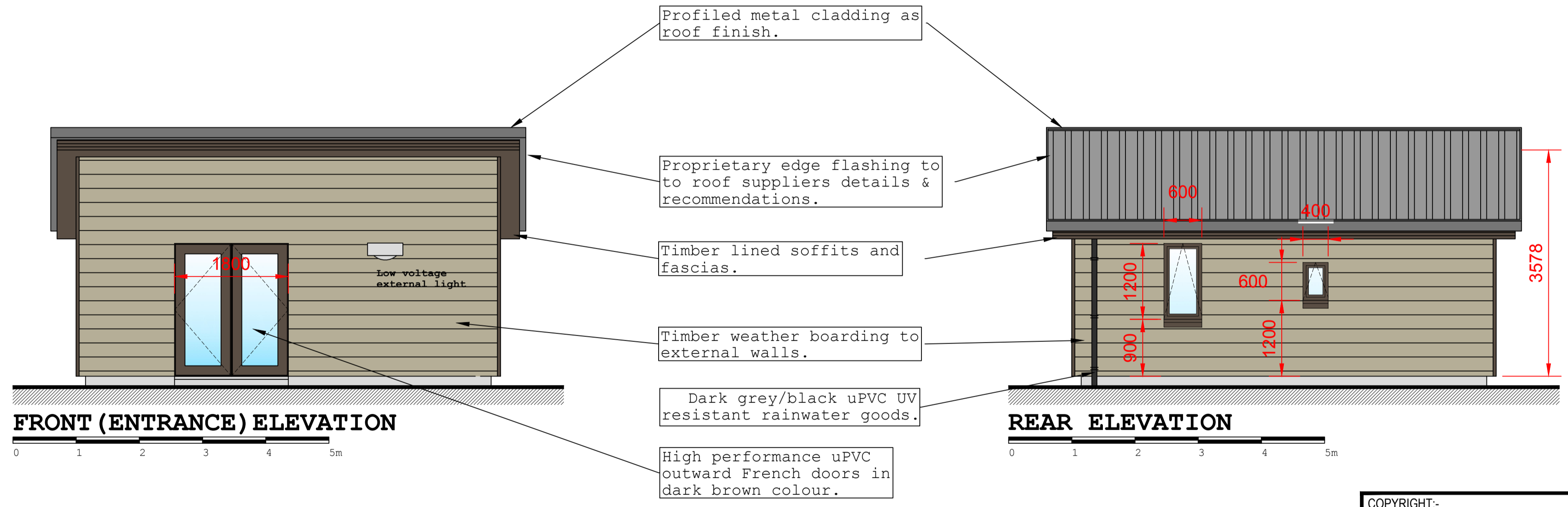


GENERAL SECTION



RH SIDE ELEVATION

LH SIDE ELEVATION



FRONT (ENTRANCE) ELEVATION

REAR ELEVATION

- Profiled metal cladding as roof finish.
- Proprietary edge flashing to to roof suppliers details & recommendations.
- Timber lined soffits and fascias.
- Timber weather boarding to external walls.
- High performance uPVC outward opening windows in dark brown colour.

- Profiled metal cladding as roof finish.
- Proprietary edge flashing to to roof suppliers details & recommendations.
- Timber lined soffits and fascias.
- Timber weather boarding to external walls.
- Dark grey/black uPVC UV resistant rainwater goods.
- High performance uPVC outward French doors in dark brown colour.

COPYRIGHT:-
THIS DRAWING IS COPYRIGHT & CANNOT BE COPIED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF SCOTFRAME TIMBER ENGINEERING LIMITED.

Rev	Description	Date
C	CLIENT AMENDMENTS	25/10/18
B	CLIENT AMENDMENTS	22/08/18
A	CLIENT AMENDMENTS	22/08/18

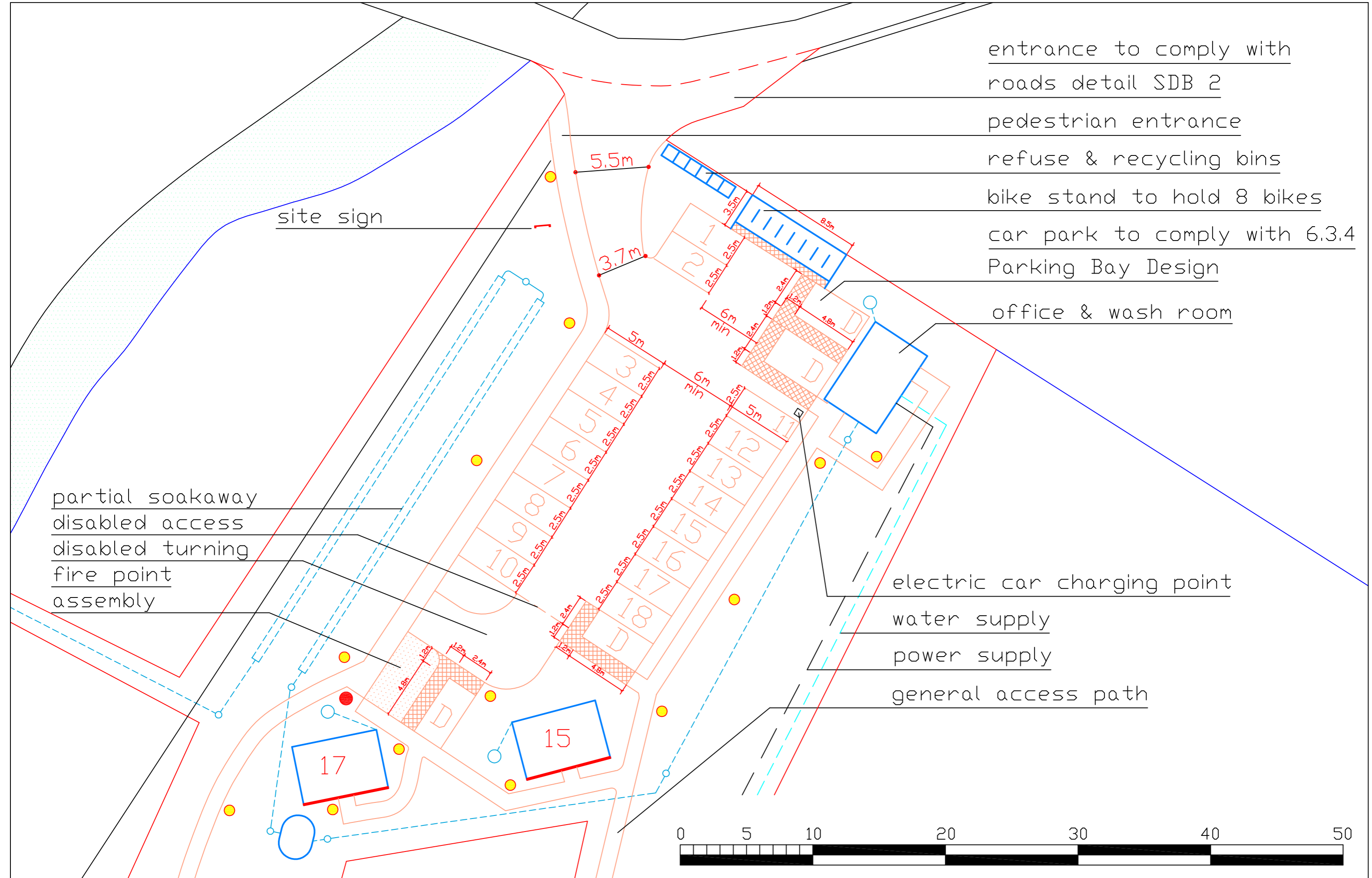
Client:
Mr & Mrs Alex Munro

Site:
Proposed 6m x 4m Cabin
148 Oldshoremore, Rhiconic



Scotframe Timber Engineering Ltd, Inverurie Business Park, Souterford Avenue, Inverurie, Aberdeenshire, AB51 0ZJ
Tel (01467) 624440
Fax (01467) 624255
e-mail: inverurie@scotframe.co.uk

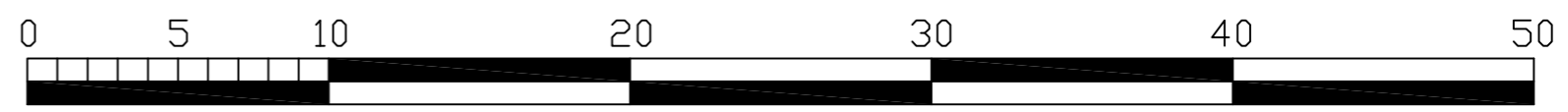
scales: 1:50 @ A1
drawn: CP
date: 20/03/19
Dwg No: SF26796 SK-01(7)
rev: C



entrance to comply with
roads detail SDB 2
pedestrian entrance
refuse & recycling bins
bike stand to hold 8 bikes
car park to comply with 6.3.4
Parking Bay Design
office & wash room

partial soakaway
disabled access
disabled turning
fire point
assembly

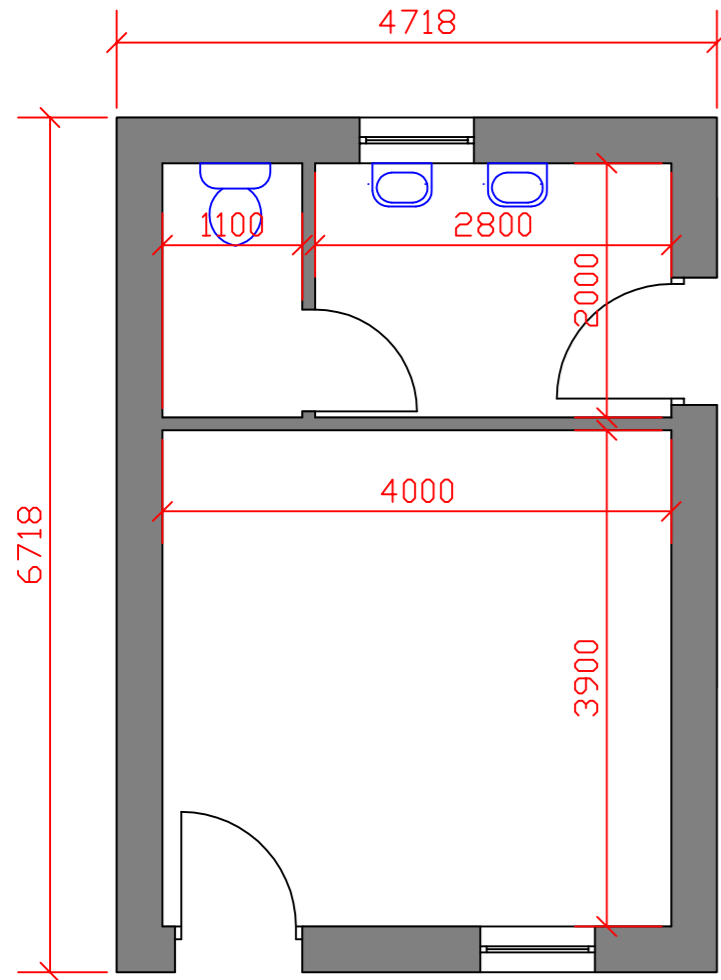
electric car charging point
water supply
power supply
general access path



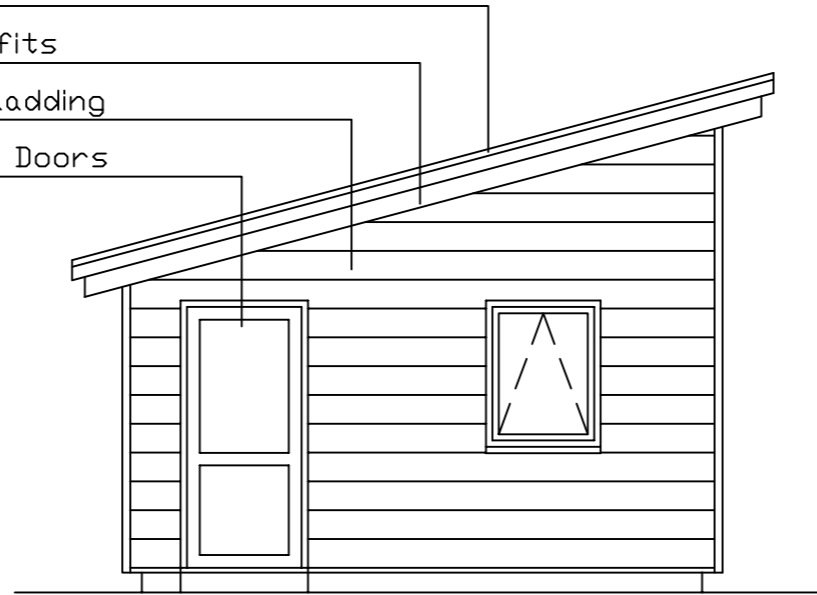
Heartland Home Services Ltd
West Clyne, Brora. KW9 6NH. Tel 01408 621617 - Fax. 01408 621162

CLIENT	Mr A Munro	DESCRIPTION	Proposed Glamping Site at 148 Oldshoremore, Rhiconich.		AREA	0.70ha (within red boundary)			
REF NO	1930A-Rev. "T2"	DETAILS	Car Parking Detail	GRID REF	NC 20375 58465	SCALE	1 : 250	DATE	18-03-2019

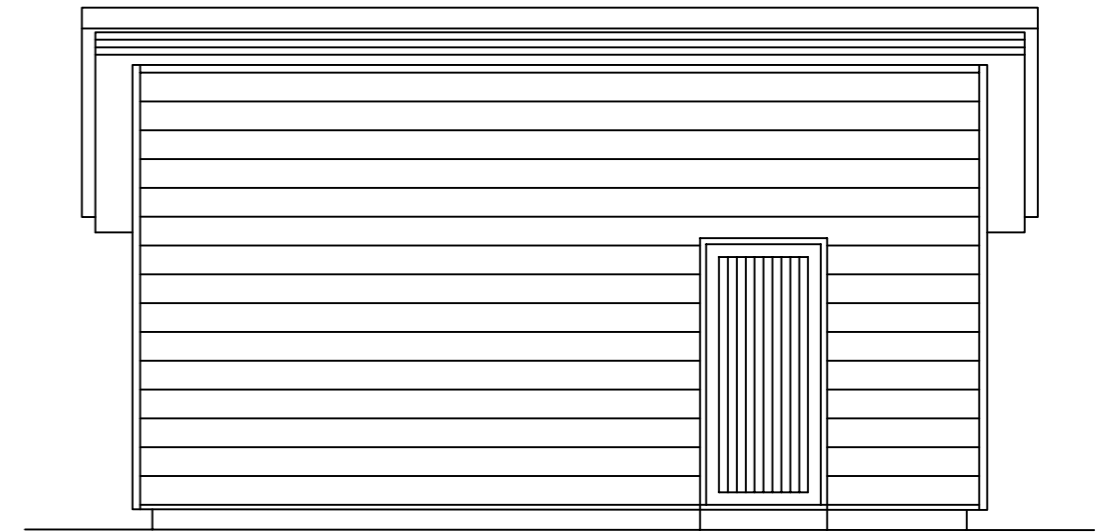
- Box Profile Roof Cladding
- Timber Lined Facias and Soffits
- Timber Weatherboard Wall Cladding
- Dark Brown uPVC Windows & Doors



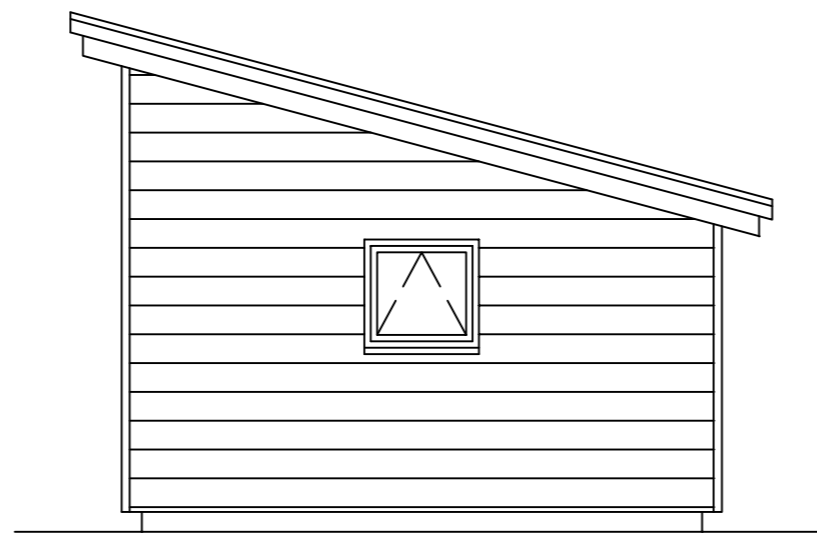
Floor Plan



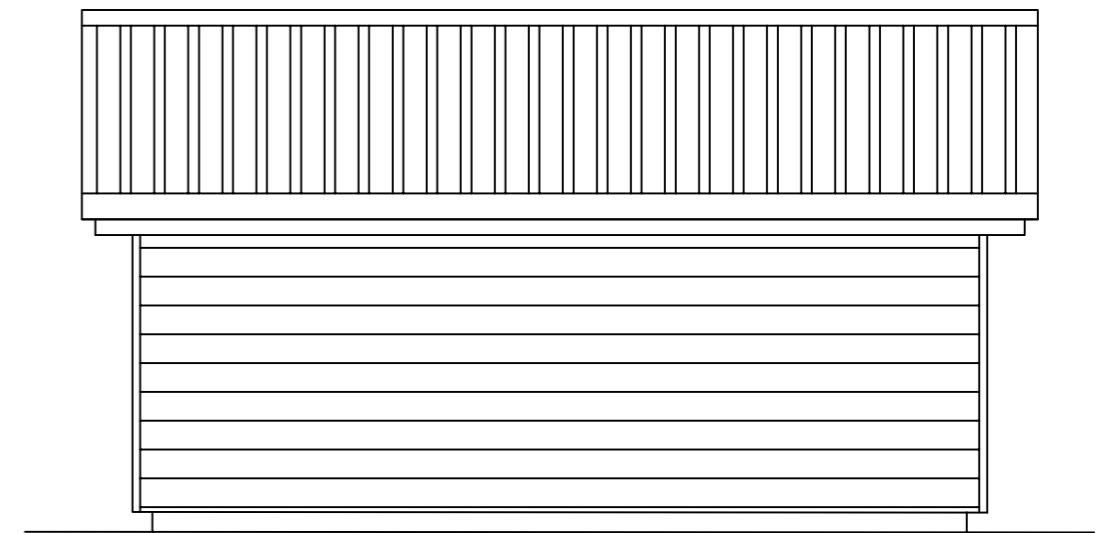
South West Elevation



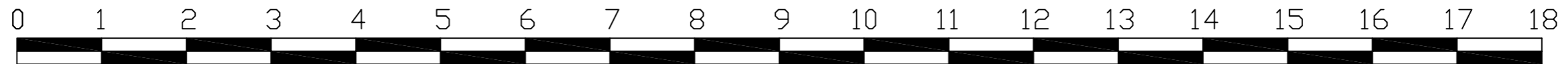
South East Elevation

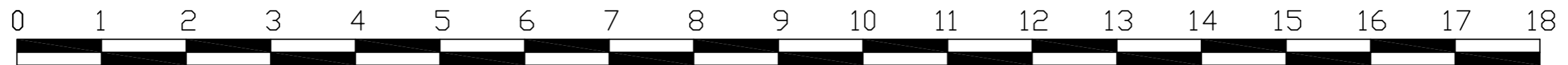
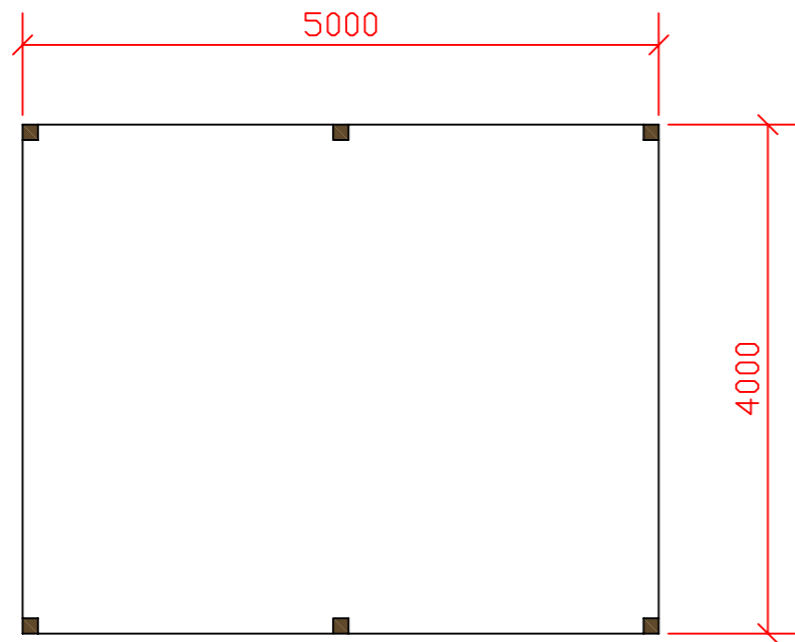
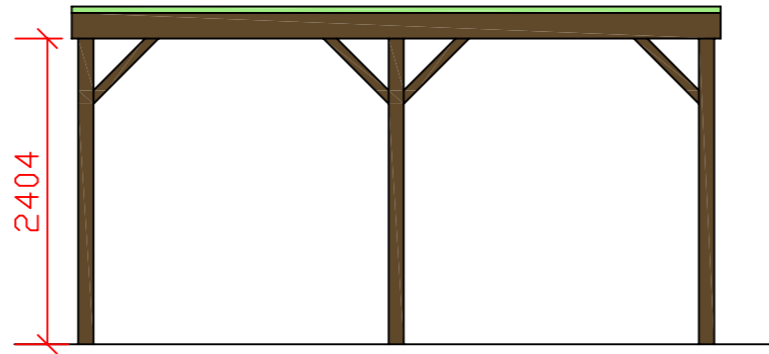
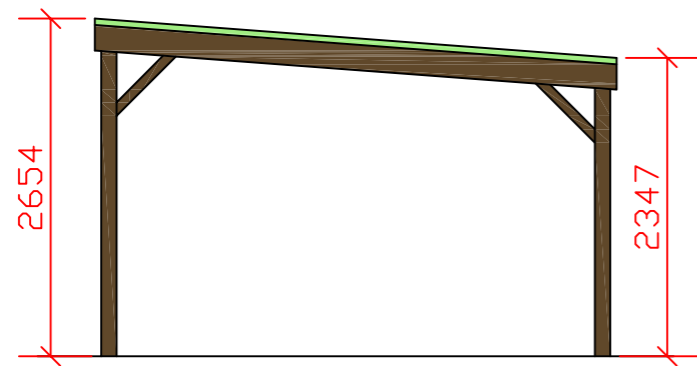


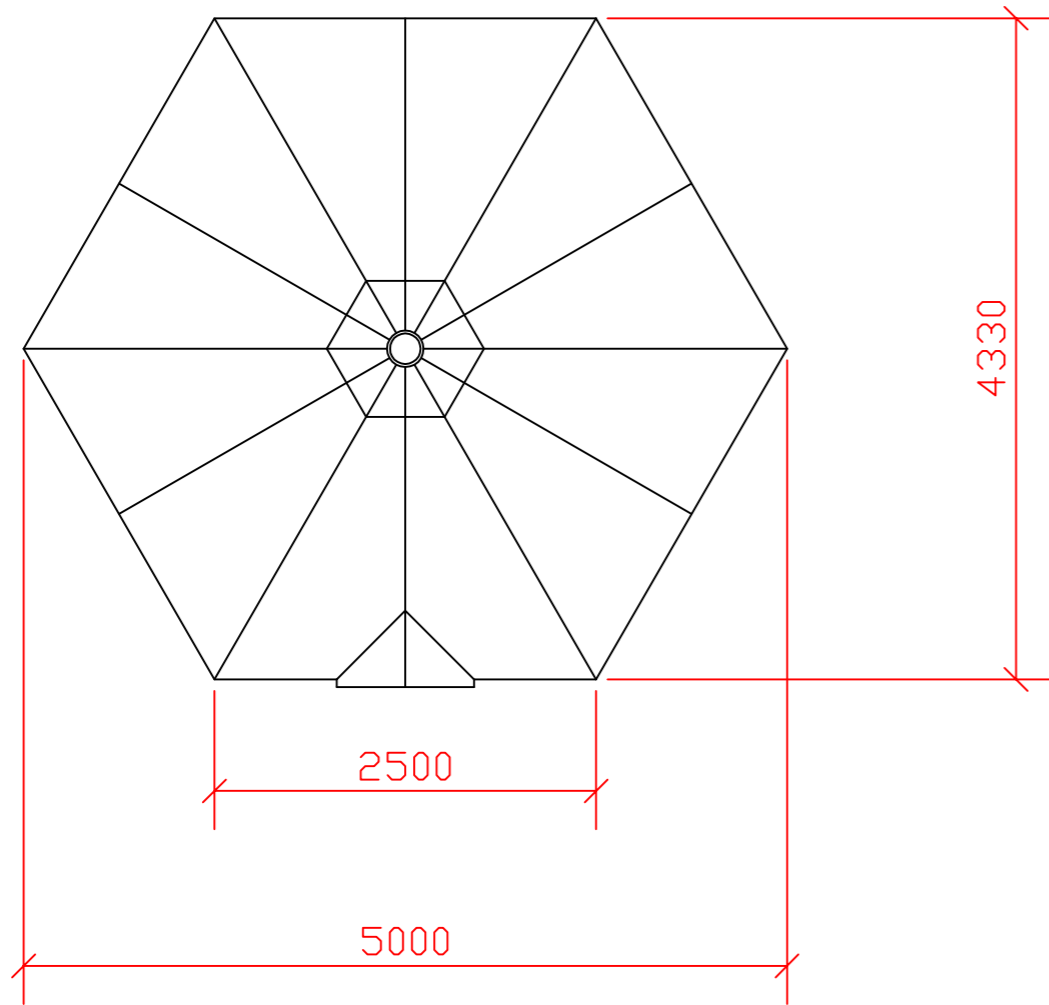
North East Elevation



North West Elevation







Excavated material shown hatched

Approximate profile of site

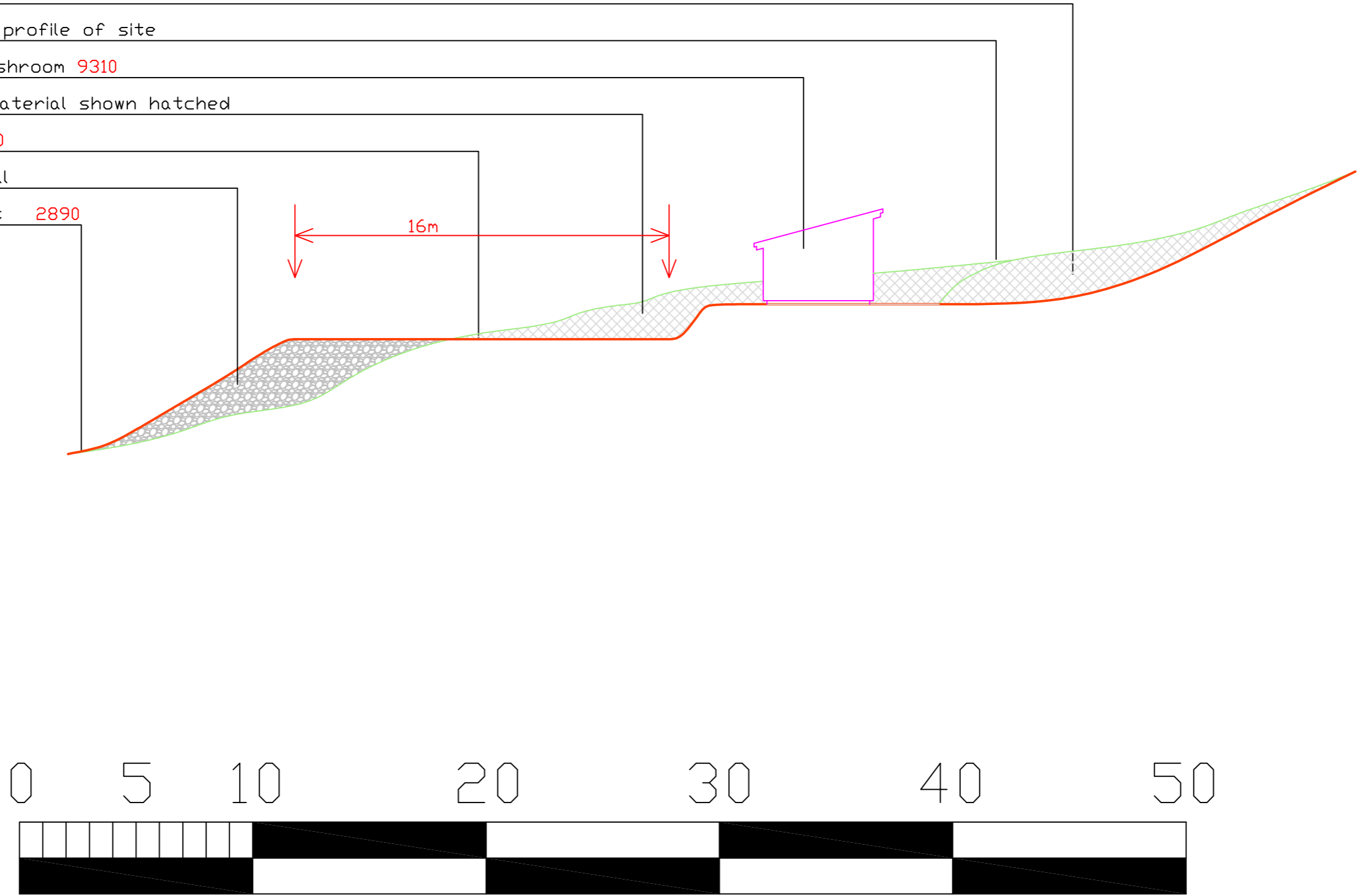
Office & Washroom 9310

Excavated material shown hatched

Carpark 7810










Infill material

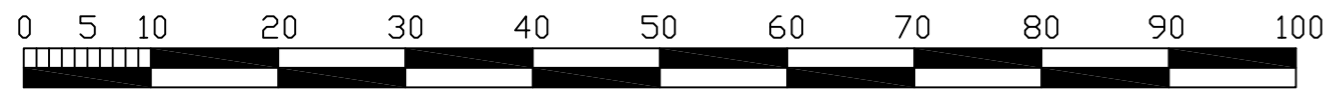
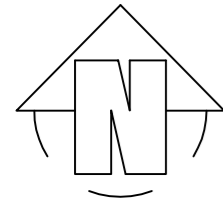
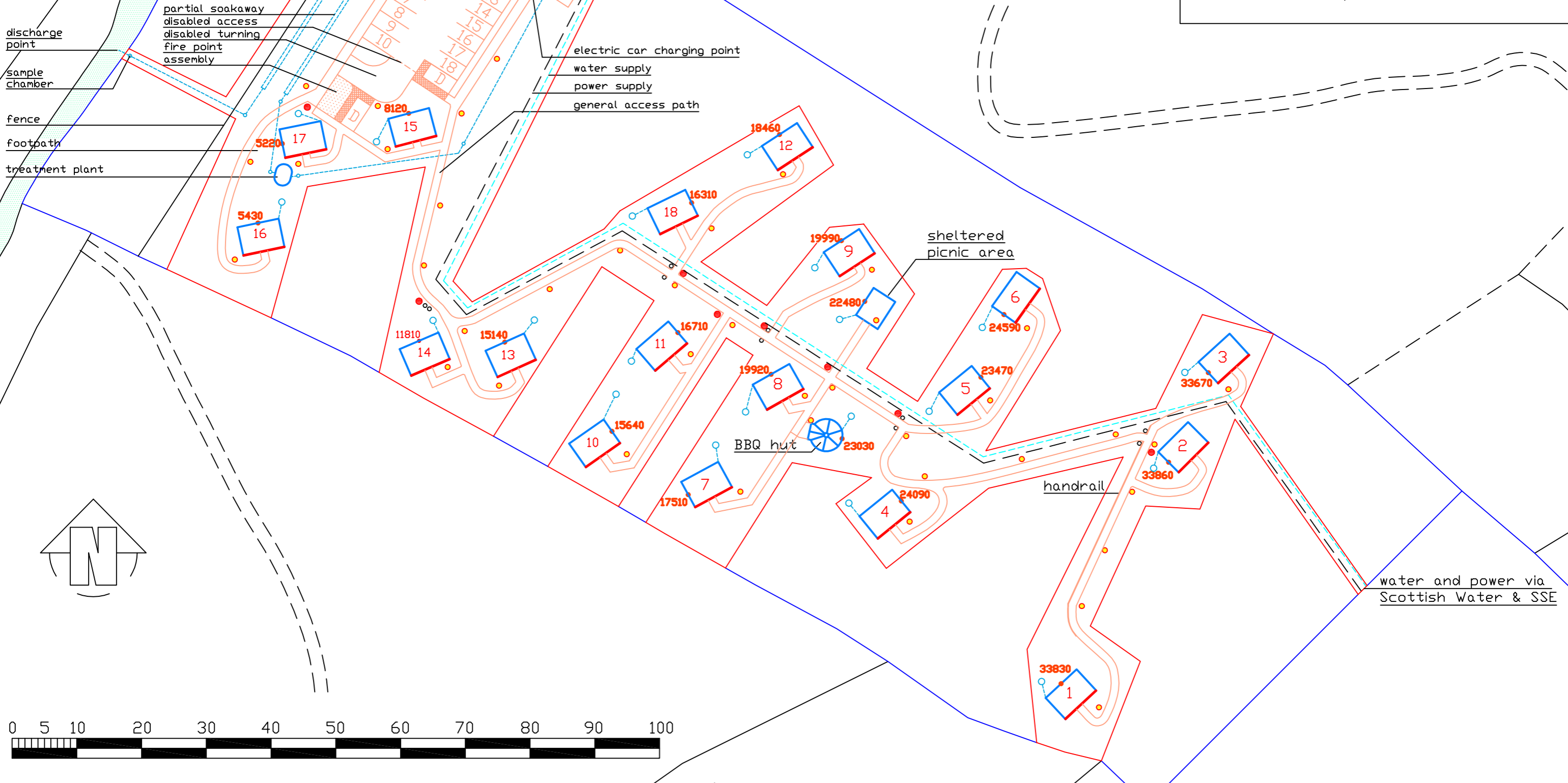
Access point 2890



Car Park

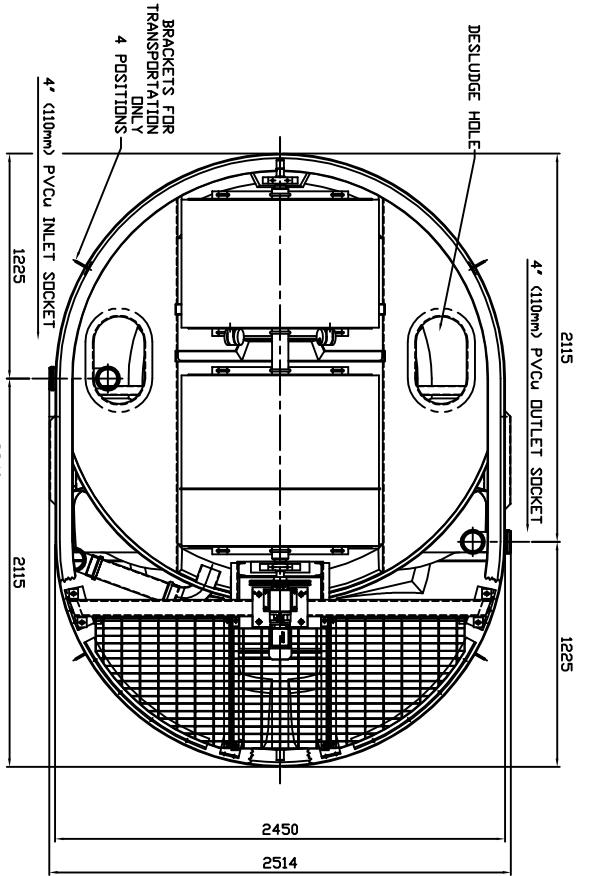
- entrance to comply with roads detail SDB 2
- pedestrian entrance
- refuse & recycling bins
- bike stand to hold 8 bikes
- car park to comply with 6.3.4 Parking Bay Design
- office & wash room

- Footpaths = 
- Path Solar Down Lighters = 
- Pods 1 - 18 = 
- Planning Application Boundary = 
- Croft boundary = 
- Overall Sizes = 
- Fire Extinguisher = 
- Recycling & Refuse Bins = 
- Rainwater soakpits = 

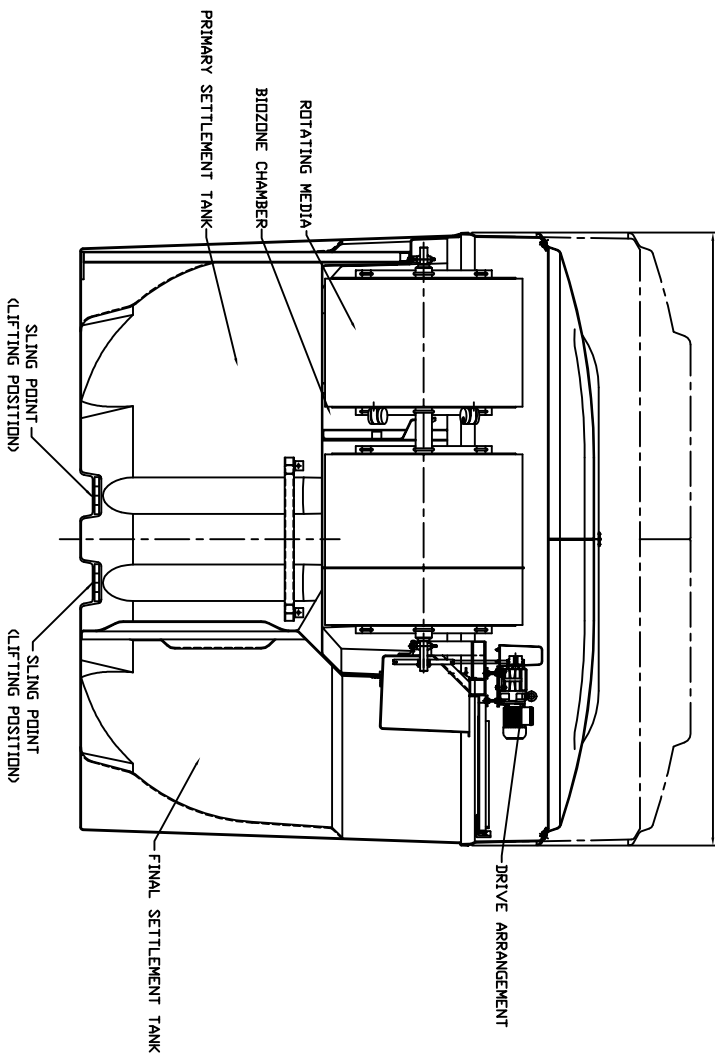


Heartland Home Services Ltd
 West Clyne, Brora. KW9 6NH. Tel 01408 621617 - Fax. 01408 621162

CLIENT	Mr A Munro	DESCRIPTION	Proposed Glamping Site at 148 Oldshoremore, Rhiconich.	AREA	0.70ha (within red boundary)
REF NO	1930A-Rev. "T1"	DETAILS	Spot Levels	SCALE	1 : 600
		GRID REF	NC 20375 58465	DATE	15-03-2019

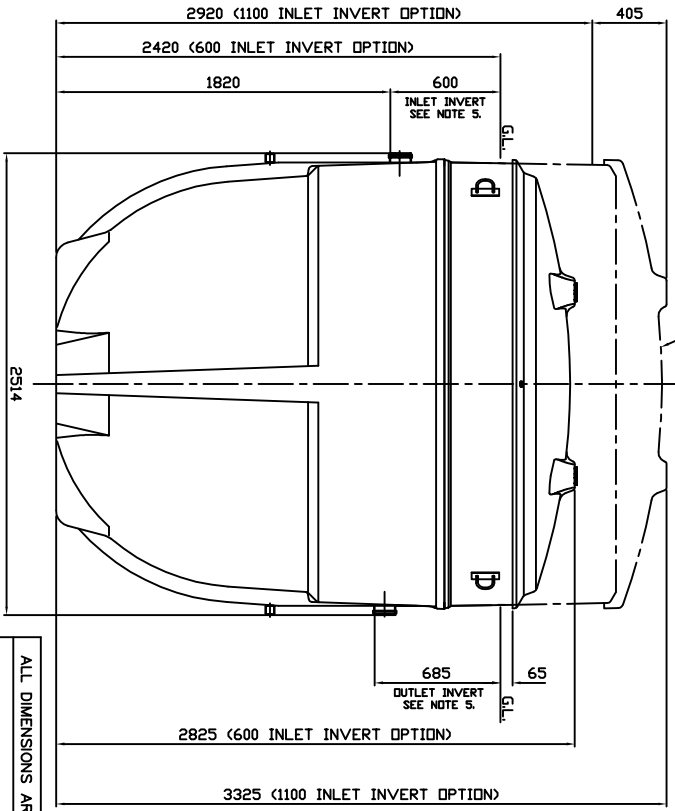


PLAN VIEW WITH TOP COVER REMOVED



NOTE 5:-

1. BIODISC TANK & COVER ARE MANUFACTURED IN GLASS REINFORCED PLASTIC (G.R.P.), COVER IS FINISHED IN GREEN TO BS 4800 TINT 12B/25
2. ELECTRICAL SUPPLY - 240 VOLTS, 2 AMPS, SINGLE PHASE (THREE PHASE OPTIONAL), CONTROL PANEL SUPPLIED.
3. MOTOR POWER (SINGLE PHASE = 75 WATTS / FLC = 1.1 AMPS) (THREE PHASE = 60 WATTS / FLC = 0.95 AMPS)
4. BIODISC MUST ONLY BE LIFTED USING WEBBING SLINGS OF A SUITABLE SPECIFICATION, AT THE LIFTING POINTS PROVIDED.
5. FOR INSTALLATION, OPERATION, MAINTENANCE & DESLUDGE DETAILS REFER TO PROCEDURE DOCUMENTS SUPPLIED WITH UNIT.
6. 600 INLET INVERT UNIT OPTION SHOWN. 1100 INLET INVERT / 1185 OUTLET INVERT OPTION AVAILABLE.
7. THIS DRAWING IS ALSO AVAILABLE ON OUR WEBSITE www.kingspan.com



APPROX. DRY WEIGHTS (KG)	BD	BE
600mm INVERT	1100	1200
1100mm INVERT	1200	1300

ISSUE	DATE	ISSUE	BY	DESCRIPTION
03	14/04/18	LS	CC1235	INLET / OUTLET DIMS FOR BD-BL BIODISCS
02	19/11/12	LS	CC1104	
01	16/10/09	M.H.		INITIAL ISSUE

ALL DIMENSIONS ARE IN MILLIMETRES - DO NOT SCALE

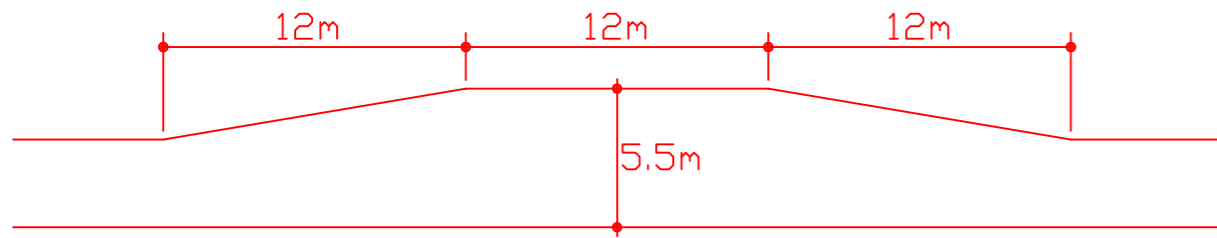
Kingspan
Environmental

TITLE: BD/BE BIODISC GENERAL DIMENSIONS CUSTOMER DRG

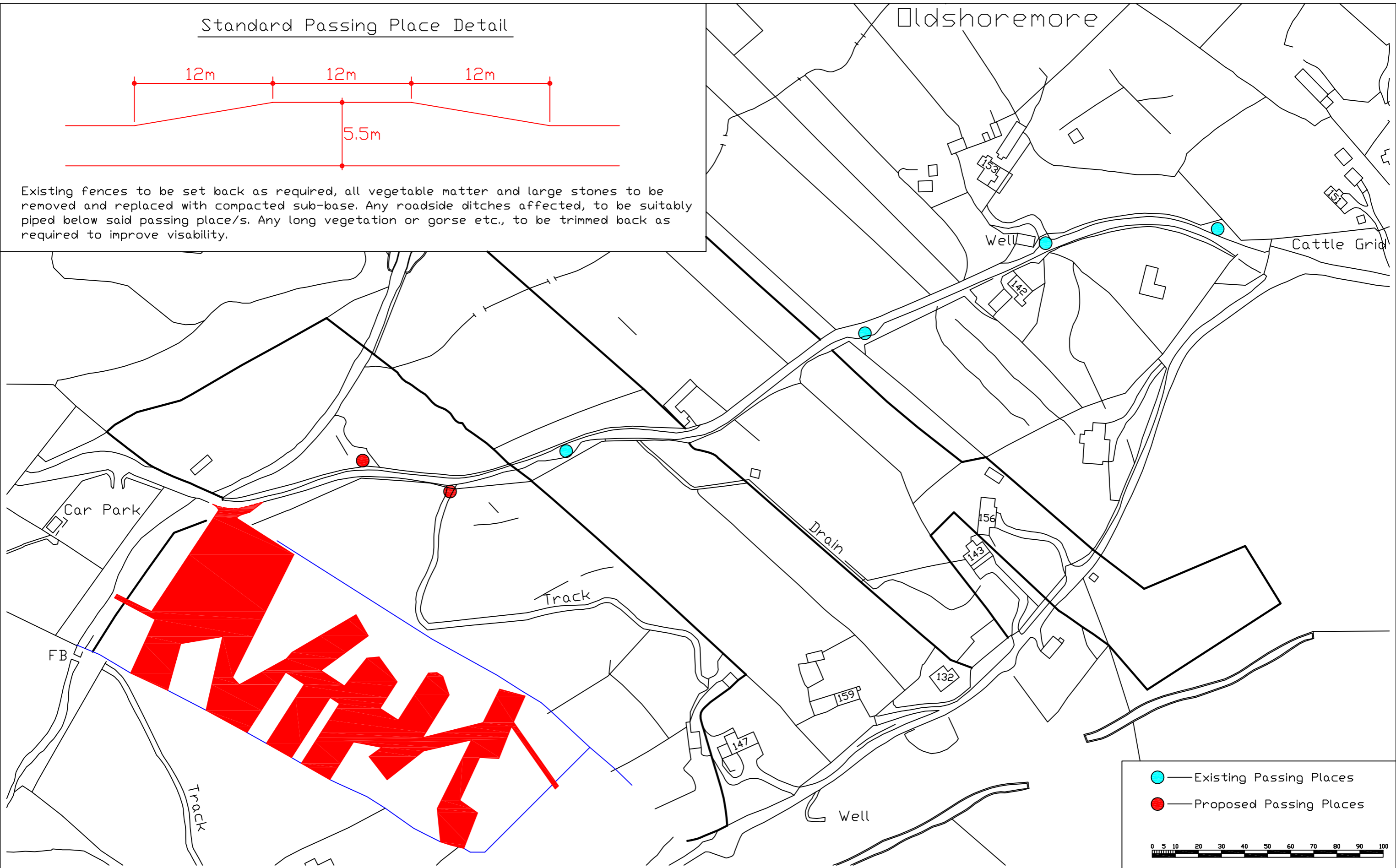
SCALE: 1:15 SHEET SIZE: A1

DRAWING No. DS0468P ISSUE: 3

Standard Passing Place Detail



Existing fences to be set back as required, all vegetable matter and large stones to be removed and replaced with compacted sub-base. Any roadside ditches affected, to be suitably piped below said passing place/s. Any long vegetation or gorse etc., to be trimmed back as required to improve visibility.



Heartland Home Services Ltd
 West Clyne, Brora. KW9 6NH. Tel 01408 621617 - Fax. 01408 621162

CLIENT Mr Alex Munro

DESCRIPTION Proposed Glamping Site at 148 Oldshoremore, Rhiconich.

REF_NO 1930A-Rev. 'T'

DETAILS Passing Places

GRID_REF NC 205 583

SCALE 1 : 1500

DATE 19-03-2019