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| Agenda Item | 6.3       |
| Report No   | PLS-18-22 |

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 22 March 2022  
**Report Title:** 21/03755/FUL: Edge Hospitality  
Onich Hotel, Onich, Fort William, PH33 6RY  
**Report By:** Area Planning Manager – South

### Purpose/Executive Summary

**Description:** Siting of 5 Accommodation Pods in grounds on Onich Hotel,  
**Ward:** 21 – Fort William And Ardnamurchan  
**Development category:** Local  
**Reason referred to Committee:** More than 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.

### Recommendation

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

## **1. PROPOSED DEVELOPMENT**

- 1.1 Planning permission is sought for 5 camping pods, each with a footprint of 6m x 3m and 2.4m in height, containing a bed, bathroom and basic kitchen facilities. The pods have a curved roof in the style of an upturned boat hull, with glazed double doors in the front and a small window in the rear. The pods incorporate timber decking to the front with one car parking space allocated per pod.
- 1.2 Access to the site will be via the existing hotel entrance and through the car park to reach the pods and a turning head is included in the site layout plan. The pods are intended to be let for short term holiday accommodation use and managed by the owners of The Onich Hotel.
- 1.3 Pre Application Consultation: Yes – Response indicated that a smaller number of pods may be able to be accommodated on the site, provided Transport Scotland do not object to the increased use of the access. Advised that pods will need to be sited far enough off the road to provide a sufficient standard of amenity for occupants and so as not to block the visibility splay from the access to the west, and far enough away from the shore not to be within the flood risk zone.
- 1.4 Supporting Information: Design and Access Statement
- 1.5 Variations: Minor variation to site layout to accommodate manoeuvrable parking for fifth pod.

## **2. SITE DESCRIPTION**

- 2.1 The pods are sited within the grounds of the Onich Hotel to the west of the main building. The site is bounded by the A82 Trunk Road to the north and by the shoreline of Loch Linnhe and gravel and stone beach to the south. The site slopes gently southwards towards the beach, on sunken ground below the level of the trunk road and a 1-metre-high stone wall separates the site of the proposed pods from the road.
- 2.2 The site sits directly opposite Nether Lochaber Parish Church and one residential property on the north side of the A82.
- 2.3 The site is located within the Ben Nevis and Glen Coe National Scenic Area and adjacent to the boundary of the Site of Special Scientific Interest (SSSI) which is contained to the shoreline.

## **3. PLANNING HISTORY**

- |     |            |  |                             |
|-----|------------|--|-----------------------------|
| 3.1 | 13.04.2021 | 19/04099/PREAPP - Siting of four self-contained accommodation pods |                             |
| 3.2 | 04.03.2019 | 18/03165/FUL - Siting of four self-contained accommodation pods    | Planning Permission Granted |

|     |            |  |                                   |
|-----|------------|--|-----------------------------------|
| 3.3 | 06.02.2012 | 11/03808/FUL – Erection of House                                     | Application<br>Withdrawn          |
| 3.4 | 14.12.2011 | 11/03811/FUL - Retention of marquee                                  | Planning<br>Permission<br>Refused |
| 3.5 | 31.01.2011 | 10/04066/FUL – Extension of hotel                                    | Planning<br>Permission<br>Granted |
| 3.6 | 13.08.2009 | 09/00278/FULLO - Landscaping garden area                             | Planning<br>Permission<br>Granted |
| 3.7 | 11.08.2009 | 09/00129/FULLO - Erection of semi-permanent marquee in hotel gardens | Planning<br>Permission<br>Granted |
| 3.8 | 16.06.2009 | 09/00120/FULLO – COU of staff accommodation to holiday letting       | Planning<br>Permission<br>Granted |

#### 4. PUBLIC PARTICIPATION

4.1 Advertised: Yes

Date Advertised: 26.08.2021

Representation deadline: 29.09.2021

Timeous representations: 11 (9 addresses)

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) Road safety concerns in relation to the existing hotel access and also the obstruction of splays caused by the proposed planting as well as an increase in traffic to the A82.
- b) Non-compliance with Policy 49 (Coastal Development) which there is a presumption against development between a public road and the open seaboard.
- c) The pods are identified as being within an identified area of flood risk
- d) Concerns regarding the stability of the bank and its potential to be undermined by tidal forces given the historic unauthorised upfill of the site and consistent tidal action on this area of the shore.
- e) Proposal is not in-keeping with the character of the area and disrupts open water views from the village.
- f) Siting of pods and associated activities will be in conflict with the Church of Scotland practices including mourning at funerals and disruption to Sunday services at the Onich Church directly opposite the site.

- g) Impact upon the SSSI designation from littering and historic land contamination which include hydrocarbons.
- h) Loss of residential and local business amenity due to the increased noise from holiday makers
- i) The pods will disadvantage existing residential properties which remain unconnected to the public sewer as this will cause future capacity issues at the North Ballachulish Wastewater Treatment Works.
- j) Adverse impact upon the setting of the listed Manse building opposite the site and to the built and cultural heritage of the village.
- k) Adverse impact upon the National Scenic Area designation.

4.3 A general comment was received from Lochaber Panel which requests that the parking area and paths to and from the holiday pod are created with a smooth, hard bound surface and that the pod should have a level threshold doorway. Alternatively, if the low-level access is not achievable, then a portable ramp should be provided when required.

4.4 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).

## 5. CONSULTATIONS

5.1 **Contaminated Land:** The site has been upfilled in the past with road planings. Road planings can be reused provided they meet SEPA guidance and waste classification. However, the applicant cannot supply the testing information to support the reuse of the planings as this occurred prior to their ownership of the site. A pre-commencement condition is therefore recommended to be attached to any permission in order for any potential contamination of the site to be dealt with.

5.2 **Environmental Health:** No objection to the proposals however advises that the development would require a caravan site licence.

5.3 **Historic Environment Team – Archaeology:** There are no sensitive historic environment issues with regard to this application. No mitigation is recommended.

5.4 **Flood Risk Management Team:** The Site Sections plan indicates that the finished floor level (FFL) would be at 6.20m, which is above the minimum FFL of 5.74m. The FRM Team has no objection to the proposals on the grounds of flood risk.

5.5 **SEPA:** The topographic information provided shows that the pods are located on ground around 6m AOD and Finished Floor Levels (FFL) are 6.20m AOD and therefore above the 1 in 1000 year flood level plus freeboard plus climate change. It has no objection to this application on the grounds of flood risk.

### 5.6 **NatureScot:**

Onich to North Ballachulish Woods and Shore SSSI: The proposal is just outside the SSSI but the objectives of the designation and the overall integrity of the area will not be compromised.

Ben Nevis and Glen Coe NSA: The proposal is entirely within the NSA but the scale and location mean it will not have an adverse effect on the integrity of the or the objectives of the designation.

- 5.7 **Scottish Water:** No objection. However, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

“There is currently sufficient capacity in the Camisky Wellfield Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

There is currently sufficient capacity for a foul only connection in the North Ballachulish Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.”

- 5.8 **Transport Scotland** does not propose to advise against the granting of permission.

## 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  
30 - Physical Constraints  
36 - Development in the Wider Countryside  
43 - Tourism  
44 - Tourist Accommodation  
49 - Coastal Development  
54 - Mineral Wastes  
55 - Peat and Soils  
56 - Travel  
57 - Natural, Built and Cultural Heritage  
58 - Protected Species  
59 - Other important Species  
60 - Other Importance Habitats  
61 - Landscape  
64 - Flood Risk  
65 - Waste Water Treatment  
66 - Surface Water Drainage  
72 - Pollution

### 6.2 **West Highlands and Islands Local Development Plan 2019**

No specific policies apply.

### 6.3 **Highland Council Supplementary Planning Policy Guidance**

Access to Single Houses and Small Housing Developments (May 2011)

Flood Risk and Drainage Impact Assessment (Jan 2013)  
Sustainable Design Guide (Jan 2013)

## **7. OTHER MATERIAL POLICY CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (as amended December 2020)

83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:

- encourage sustainable development that will provide employment;
- support and sustain fragile and dispersed communities through provision for appropriate development, especially housing and community-owned energy;
- include provision for small-scale housing and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;
- where appropriate, allow the construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character, taking account of landscape protection and other plan policies;
- not impose occupancy restrictions on housing.

## **8. PLANNING APPRAISAL**

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

### **Determining Issues**

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

### **Planning Considerations**

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) siting and design
- c) impact upon the National Scenic Area
- d) impact on built and cultural heritage
- e) land contamination
- f) impact on SSSI
- g) drainage and flood risk
- h) access and parking
- i) servicing

j) any other material considerations

### **Development plan/other planning policy**

- 8.4 The site is located within an area identified within the Highland wide Local Development Plan as 'wider countryside' and therefore Policy 36 of the Highland-wide Local Development applies. This focuses on acceptability of proposals in terms of their siting and design, are sympathetic to the pattern of development, compatible with landscape character and capacity and can be adequately serviced. Policy 44 supports tourist accommodation within the wider countryside where the demand exists and it can be achieved without adverse impact on the landscape character or natural, built and cultural features of the area and is consistent with the guidance on siting and design contained within Policy 36. Policy 28 is also of relevance and, in addition to these aspects, seeks to ensure that development contributes to the economic and social development of the community without significantly detrimental impacts on community and individual residential amenity.
- 8.5 Other policies must be given due consideration, not least given its location within the Ben Nevis and Glen Coe National Scenic Area and adjacent to the boundary of a Site of Special Scientific Interest, where Policy 57 requires that development should not result in any significant adverse effects upon the natural environment, amenity and heritage resource. Given its location on the coast care needs to be taken in respect of susceptibility to coastal erosion.
- 8.6 As Highland continues to benefit from tourism, there is no doubt that there is a need for holiday accommodation, of all types, within the area. Subject to the development being sensitively sited and designed so as not to have a significantly detrimental impact on existing servicing, landscape character and capacity, natural, built and cultural heritage or on community and individual residential amenity, the proposal would accord with the Development Plan.

### **Siting and Design**

- 8.7 The proposed pods are to be sited on levelled ground within the western curtilage of the Onich Hotel. The site layout plan proposes a row of 5 holiday accommodation pods regularly spaced which will overlook the shores of Loch Linnhe. The timber structures are of a modest size and by virtue of the changing ground levels between the site and the road, the roof of the pods would sit at the same height as the top of boundary wall which separates the site from the A82 trunk road and the siting of the pods maintains the linear shape of the village.
- 8.8 While Policy 49 (Coastal Development) of the HwLDP expects new development to be prioritised to the landward side of the A82, there are however opportunities for development on the loch side where development already exists. The location of the pods will allow the development to be read as a continuation of the hotel operation and owing to their small size and nature of construction will not appear as being an incongruous addition to the character of the village. Likewise, the pods will not obstruct the outlook to open water from neighbouring properties opposite nor will they impede important shoreline views from the roadside.

- 8.9 Glazing is proposed to the front and rear of the pods only. The 2 small windows located to the rear will present no neighbouring privacy issues as these windows will have obstructed views of the roadside wall and public road with the nearest neighbours being approximately 20 metres away. Furthermore, the proposal also indicates the planting of boundary screening which will further reduce the visual appearance of the pods and a condition is recommended to provide details of this proposal. The proposed decking to the front of the pods will only have an outlook towards the coastline and likewise, presents no amenity concerns.

### **Impact on National Scenic Area**

- 8.10 Considering the size and scale of the pods, which are set within the grounds of the hotel and the wider village envelope of Onich, the proposals would have no significant impact on the special qualities of the National Scenic Area. NatureScot has raised no objection concerning the proposed development's impact on the designation.

### **Impact on Built and Cultural Heritage**

- 8.11 The site sits opposite the Old Manse which along with its garden wall are category C listed buildings. The site is separated from it by the A82 main road. The Pods themselves are sited to the southern most boundary of the site and would sit below the road and partially screened by the existing boundary wall and proposed landscaping. Consequently, due to the distinct physical separation between them and their relationship to one another, it is not considered that the development would have a detrimental impact upon the setting of the listed features.

### **Land Contamination**

- 8.12 Several objections raise the issue of historic land contamination. The suggestion is that the site was used to dump road scrapings along with infill works. The application site was indeed the subject of enforcement action taken against the previous owners of the Onich Hotel. In June 2009, a stop notice was served and enforcement notice issued relating to the unauthorised tipping and upfilling of the land on which the proposed pods sit. Comments received from the previous owners' attribute this to excavated gravel material from a new water main that was laid in the village before 2010. While road plainings can be reused, they must conform to SEPA's guidance whereby material should be subjected to testing, which the applicants have not carried out.
- 8.13 Planning permission was subsequently granted (09/00278/FULLO) for the landscaping of the site and for works to be carried out which conditioned the site to be surfaced with quality graded topsoil and grass seed and for it to be maintained in perpetuity as an open grassed area of ground.
- 8.14 Given the history, the Council's Land Contamination Team consider it appropriate to request a condition that will require the applicant to submit a scheme to deal with any potential land contamination in order to ensure that the site is suitable for the proposed use. The land contamination officer has also provided advice to the applicant on invasive species, such as Japanese Knotweed, and the applicant has



confirmed that it will appoint a landscaping company to manage any knotweed on site.

### **Impact on SSSI**

- 8.15 The application site is located adjacent to, but outside of, the Onich to North Ballachulish Woods and Shore Site of Special Scientific Interest (SSSI). The locality of this SSSI is contained to the shoreline with Dalradian rocks identified as a notable feature within this designation.
- 8.16 NatureScot has confirmed that the proposal will not adversely impact the integrity of the SSSI.
- 8.17 Several objections have been received regarding the possible anti-social disruption caused by future holiday pod occupiers and the impact this will have on the SSSI such as litter and open beach fires. The applicant has confirmed that signage will be placed within the pods to explain to guests the importance of the area and its unique features in order to raise awareness and ensure the area is left undisturbed.

### **Drainage and Flood Risk**

- 8.18 The site is identified as being at risk of a coastal flooding event. Having said that, the finished floor levels of the pods would be above the minimum threshold of 5.74m AOD for a 1 in 1000 year flooding event at 6.20m AOD. Neither SEPA nor the Council's Flood Risk Management Team have raised any objection to the proposal on this basis.
- 8.19 The Community Council raised concerns regarding the stability of the embankment which supports the site of the proposed pods. Not being part of natural ground having been upfilled in 2009, initially through unauthorised tipping and depositing of waste road material, there is a concern that the ground is not suitable for the proposed development. The response of the community council further suggests that the impact of consistent tidal forces that the bay has experienced in recent years represent a danger to development on this site. These concerns are noted and in response a condition is recommended requiring the applicant to carry out appropriate site investigations to ensure that the land is suitable for the intended use.

### **Access and Parking**

- 8.20 The pods will be accessed via the existing hotel entrance with cars directed through the main car park to the east of the site to a new access track that will serve each of the 5 pods. Each pod is allocated one car space which is sufficient given the occupancy of the unit. The access track incorporates a turning head.
- 8.21 In light of the road safety concerns raised by the Community Council, further comments were sought from Transport Scotland which has advised that its Operating Company visited and inspected the existing access to the Onich Hotel that will be used to access the pods. This inspection found that the visibility in either direction from the access onto the A82(T) meets current standards and that the annual average daily traffic flows on this 40mph section of the A82(T), past the Onich Hotel, are not considered excessive, accepting of course that these flows will be higher

during the summer months. Further details will be sought on the proposed landscaping which indicatively sits behind the boundary wall at low level. It is not considered that this landscape will cause an obstruction of the required visibility splays.

- 8.22 Transport Scotland further added that although five additional pods will result in a small increase in vehicle movements using the hotel access and the A82(T), when considering the vehicle trip generation potential of a development of this type and size, this increase is not considered to be significant.
- 8.23 An examination of the historic accident data along the A82(T) in the vicinity of the Onich Hotel highlights that there have been no injury accidents reported during the past 5 years, which is the normal period Transport Scotland considers when reviewing planning applications. There have therefore been no reported accidents at the hotel access that would present any road safety concerns in terms of any intensification of use associated with the five pods.
- 8.24 Transport Scotland remains satisfied that the impact of the proposed development on the safety of A82(T) trunk road will be minimal.

### **Servicing**

- 8.25 It is proposed to connect the pods to the public water supply and the public sewer. Nether Lochaber Community Council has objected to this latter element of the application on the basis of lack of spare capacity at the North Ballachulish Waste Water Treatment Works (WWTW).
- 8.26 The concerns relate to existing properties from Inchree to Onich not being provided with a connection to the sewer and that this should be provided ahead of new developments in the North Ballachulish WWTW catchment being granted a connection. This is due to perceived capacity issues at the WWTW.
- 8.27 As Scottish Water has confirmed there is sufficient capacity within the public sewer to accommodate the development. There is no basis for requiring anything other than connection to the public infrastructure for this proposed development. This approach accords with Policy 65 of the Development Plan which resists the use of private drainage systems in areas serviced by a sewer network.

### **Other material considerations**

- 8.28 In the interest of amenity, it is considered appropriate to attach a condition requiring the management of the pods to the operation of the Onich Hotel and also to attach a condition to the occupancy of the pods to ensure that they are not used as permanent residential accommodation, which is standard practice.

### **Non-material considerations**

- 8.29 None

## **Matters to be secured by Legal Agreement / Upfront Payment**

8.30 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued:

a) None

## **9. CONCLUSION**

9.1 As a small row of pods within the wider-countryside, the development would accord in principle with Policies 44 and 36 of the Highland-wide Local Development Plan. The pods are acceptable in terms of siting and design and access and servicing arrangements are considered adequate for the proposed use. The small-scale development would have no adverse impact on the NSA or SSSI designations nor would it adversely impact the setting of the listed building and complies with policy 57. Land contamination issues can be appropriately satisfied by condition.

9.2 Conditions tying the management of the pods to the Onich Hotel and limit the use to holiday accommodation only can address perceived amenity issues.

9.3 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**

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| <b>Action required before decision issued</b> | <b>N</b> |
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| Notification to Scottish Ministers | N |
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| Conclusion of Section 75 Obligation | N |
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| Revocation of previous permission | N |
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**Subject to the above actions**, it is recommended to **GRANT** the application subject to the following conditions and reasons

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

**Reason:** To ensure that the development does not become used for permanent residential occupation in the interest of the amenity, in recognition of the design of the units, the lack of private amenity space and in accordance with the use applied for.

2. The five camping pods hereby approved shall be managed in conjunction with the owners of Onich Hotel only.

**Reason:** In the interests of the amenity of the neighbouring occupiers and other users of the Onich Hotel.

3. No development shall commence until a scheme to deal with potential contamination within the application site has been submitted to, and approved in writing by, the Planning Authority. The scheme shall include:

- i. the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be first submitted to and approved in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A1:2017 Investigation of Potentially Contaminated Sites - Code of Practice;
- ii. the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;
- iii. measures to deal with contamination during construction works;
- iv. in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;
- v. in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority.

Thereafter, no development shall commence until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

**Reason:** In order to ensure that the site is suitable for redevelopment given the nature of previous uses/processes on the site.

4. No development shall commence until a report, based upon site survey and investigation, to demonstrate that the stability of the site is sufficient for the proposed use has been submitted to, and approved in writing by, the Planning Authority.

**Reason:** In order to ensure that the site is suitable for the intended development.

5. No development shall commence on site until evidence that Scottish Water has granted permission to connect the proposed development to the public sewer and the public water main, has been submitted to, and approved in writing by, the Planning Authority. The development shall thereafter connect to the public sewer and the public water main.

**Reason:** In order to ensure that the development can be adequately serviced.

6. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;

- ii. A plan showing existing landscaping features and vegetation to be retained;

- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;

- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and

- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

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

7. The Finished Floor Level (FFL) of the 5 pods hereby approved shall be no lower than 6.20m AOD.

**Reason:** In the interest of protecting the intended occupants from coastal flood risk.

## **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.

## **INFORMATIVES**

### **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.

### **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](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](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species – Halting of Work**

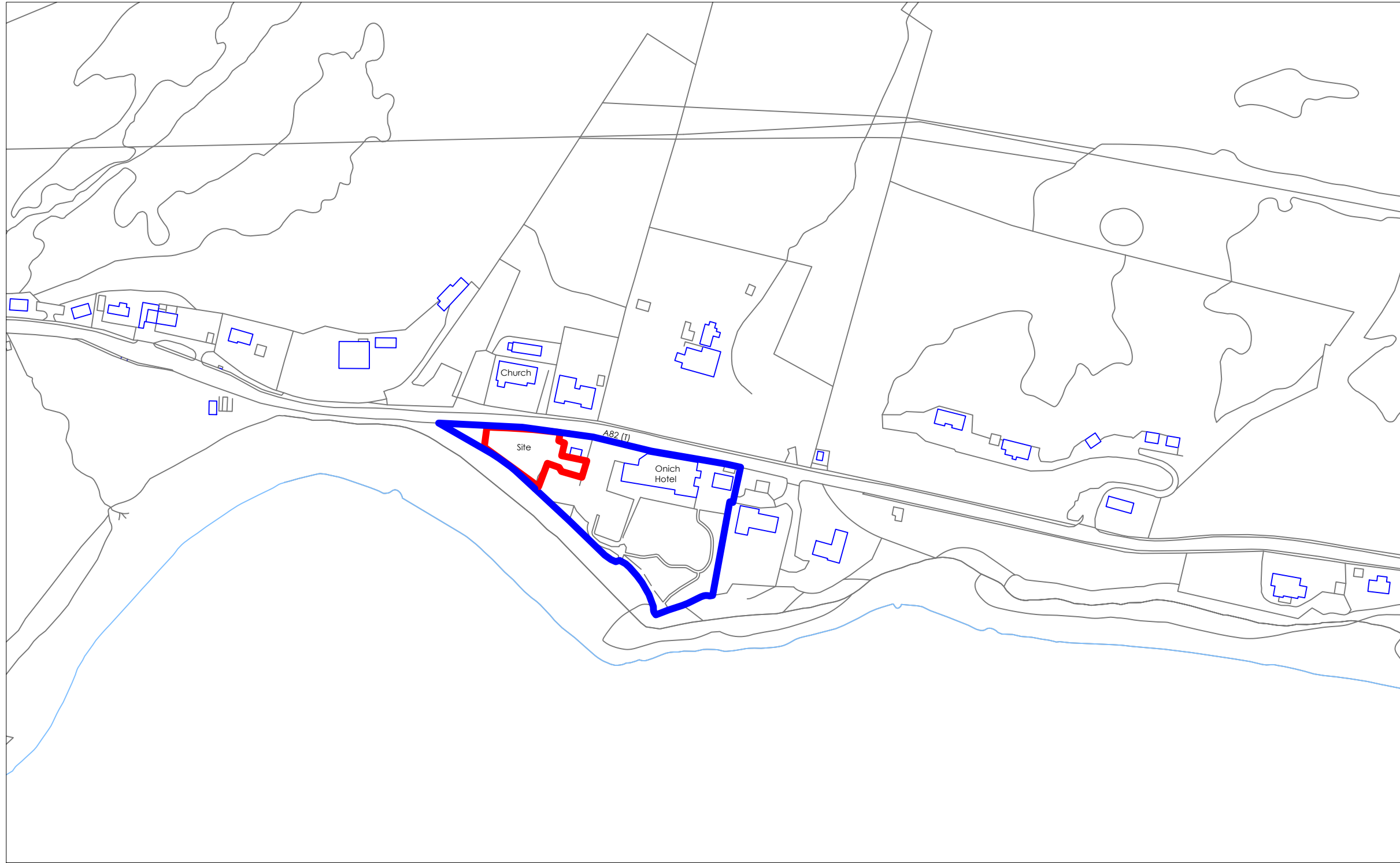
You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it 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 NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

### **All Abilities Access**

All paths leading to and from the holiday accommodation unit should be finished in a smooth, hard bound surface. If a level threshold is not possible, a temporary ramp should be provided which can be stored elsewhere when not required. Lochaber Disability Access Panel would welcome the opportunity to assist in creating an accessible facility. Please email [Lochaber.access@valochaber.org](mailto:Lochaber.access@valochaber.org) for further information.

Signature: David Mudie  
Designation: Area Planning Manager – South  
Author: William Langdon  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - 14020-WHAS-ZZ-XX-PL-A-00-0001-00 Location Plan  
Plan 2 - 14020-WHAS-ZZ-XX-PL-A-00-0002-00 Existing Site Plan  
Plan 3 - 14020-OH-PL--0003 01 Proposed Site Plan Plan  
Plan 4 - 14020-WHAS-ZZ-XX-PL-A-00-0004-00 Elevations, Plans and drainage  
Plan 5 - 14020-WHAS-ZZ-XX-PL-A-00-0005-00 Section Plan





Application Site outlined in **RED**  
 Other land owned by the Applicant  
 outlined in **BLUE**

Project

Proposed Accommodation Pods at  
 Onich Hotel, Onich, Nr Fort William

Client

**Onich Hotel**

Detail

Planning Application  
**LOCATION PLAN**

Scale

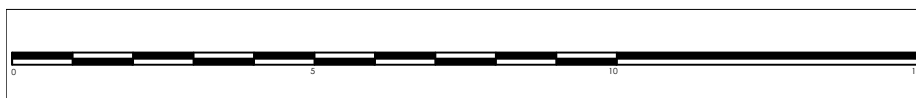
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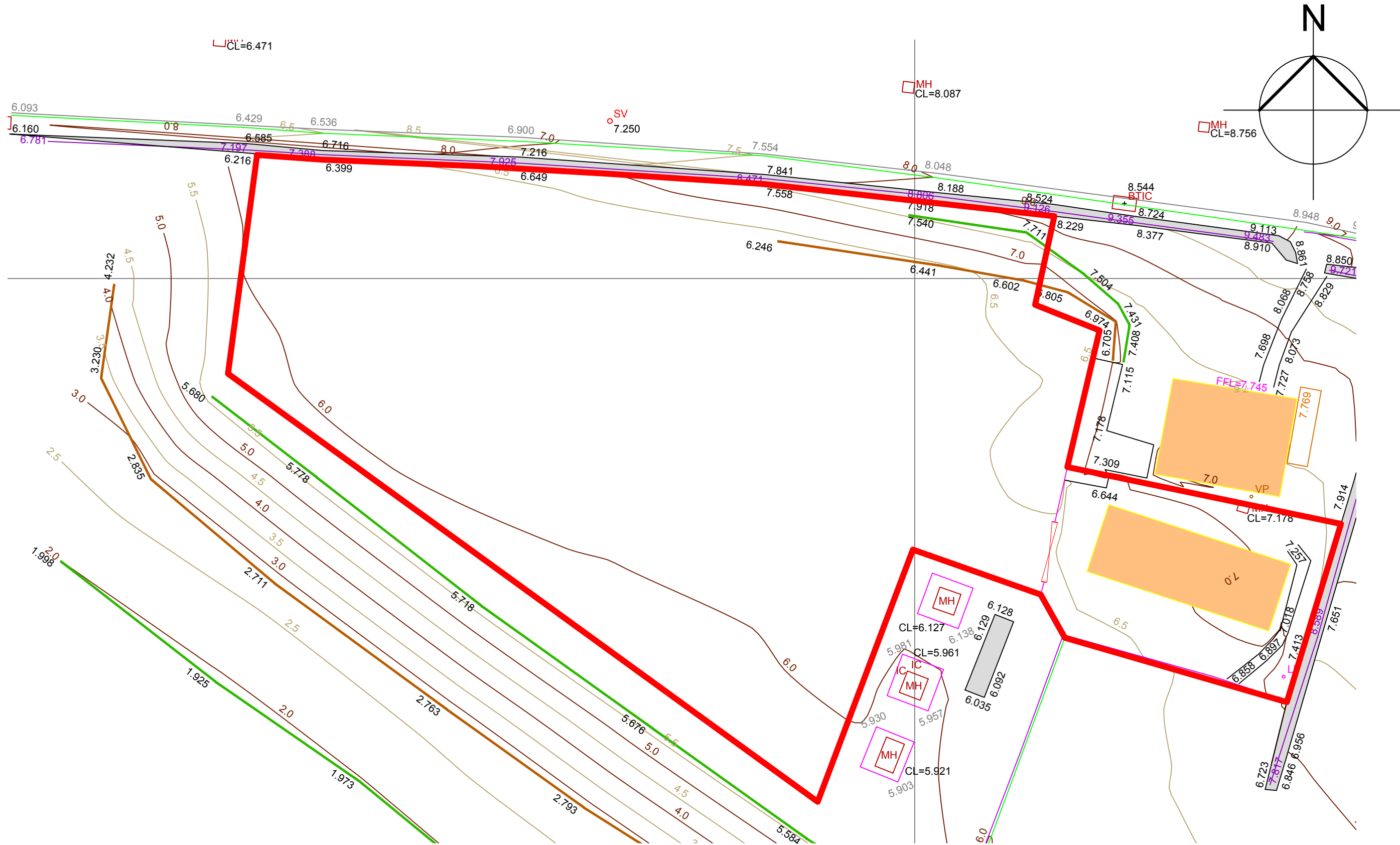
Date

May 2021

Job No

14020-WHAS-ZZ-XX-PL-A-00-0001-00





Project  
 Proposed Accommodation Pods at  
 Onich Hotel, Onich, Nr Fort William

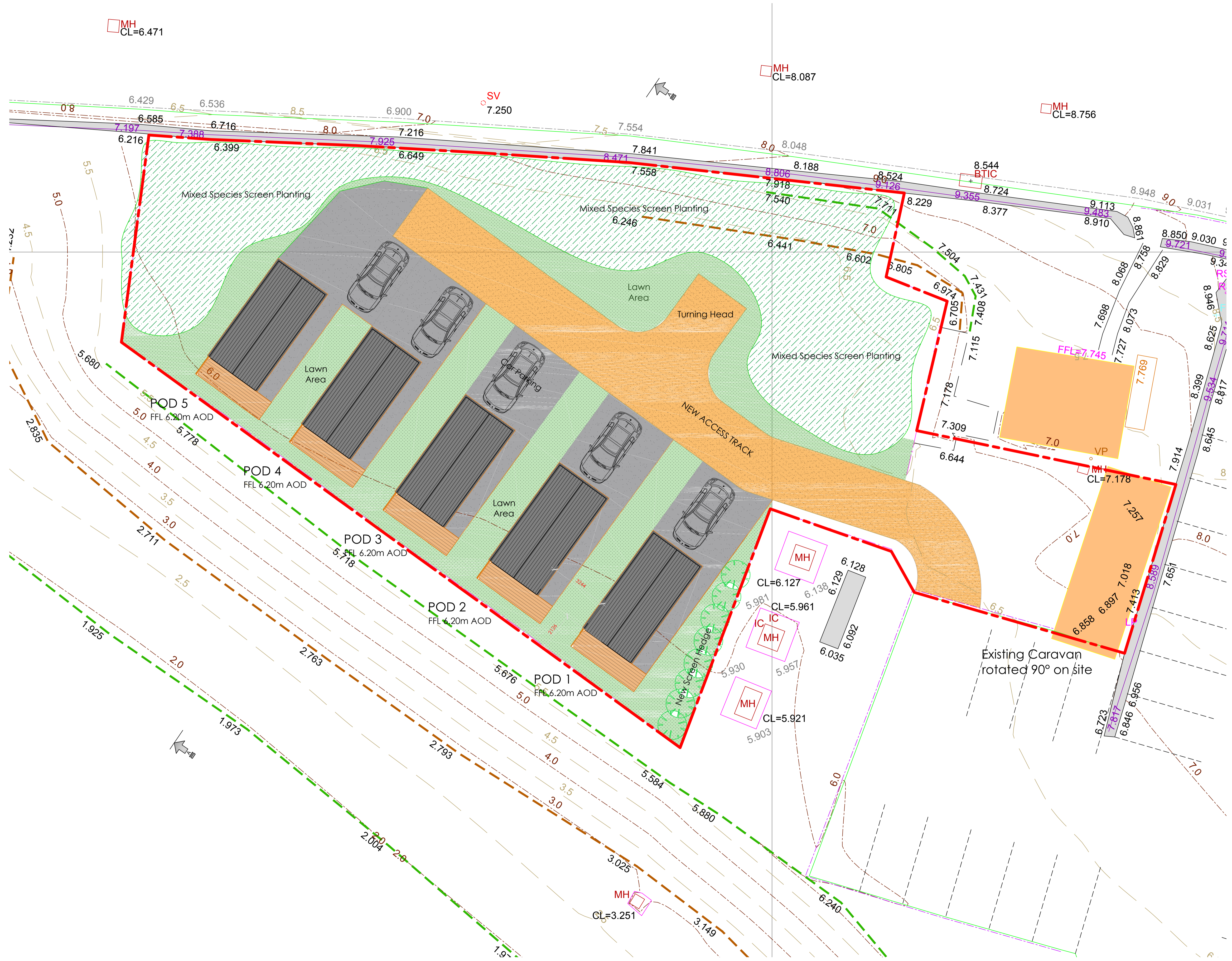
Detail  
 Planning Application  
**SITE PLAN - AS EXISTING**

Client  
**Onich Hotel**

Scale: 1:200  
 Date: May 2021

Job No  
 14020-WHAS-ZZ-XX-PL-A-00-0002-00





- Rev 01 Oct 21  
 1. Pods Re-numbered  
 2. Parking arrangement for pod 5 addressed to allow reversing

Project  
 Proposed Accommodation Pods at Onich Hotel, Onich, Nr Fort William

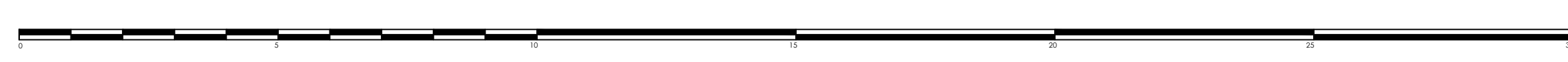
Client  
**Onich Hotel**

Detail  
 Planning Application  
**SITE PLAN - AS PROPOSED**

Scale  
 1:100

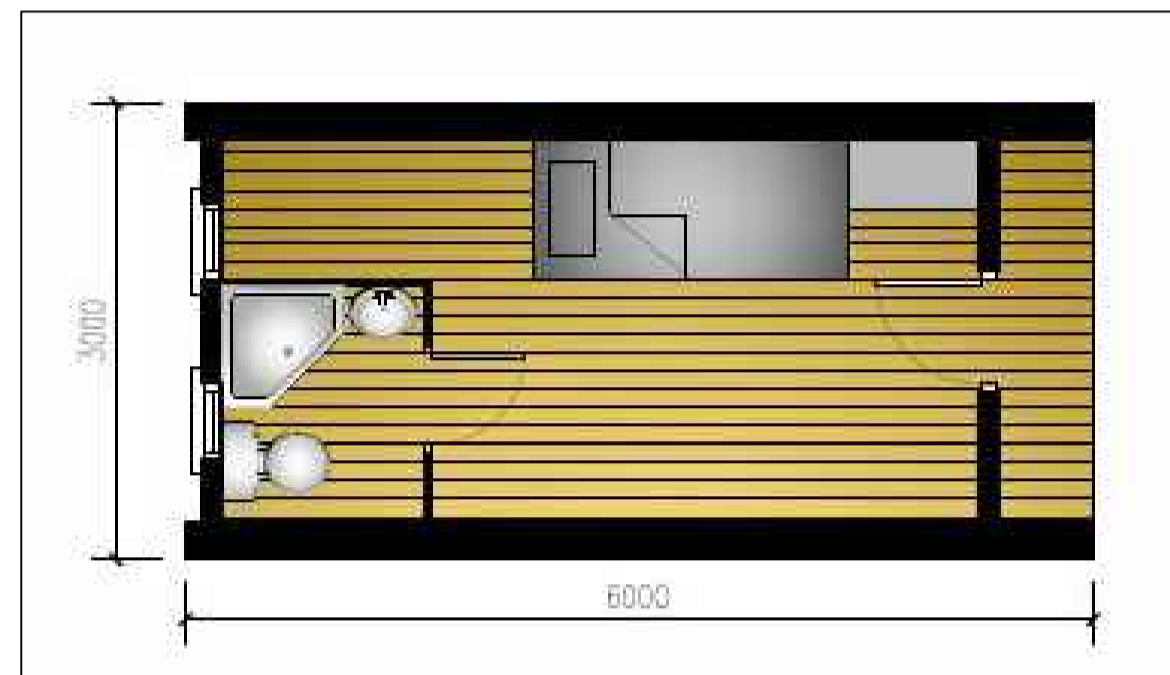
Date  
 May 2021

Job No  
 14020-WHAS-ZZ-XX-PL-A-00-0003-01

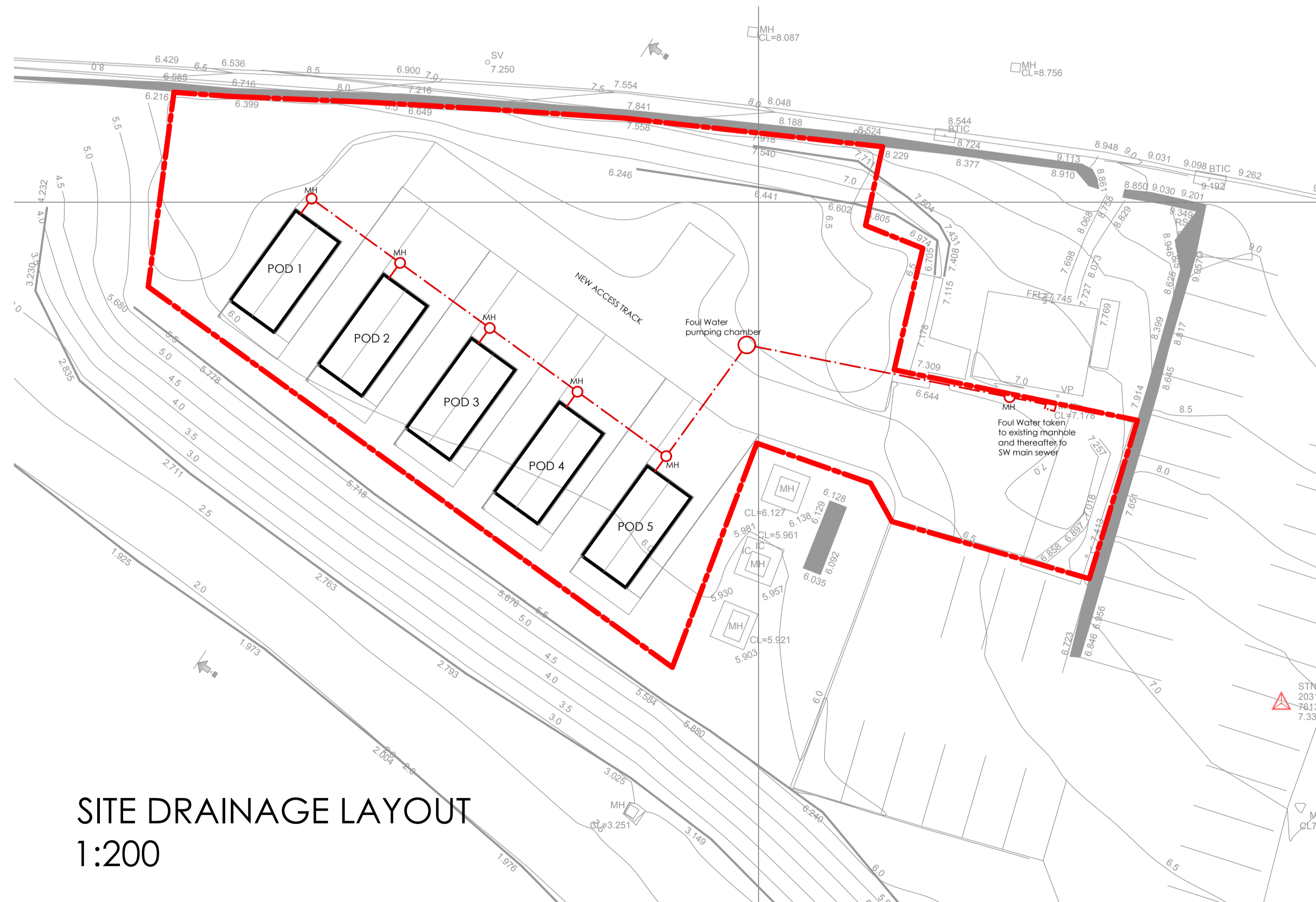




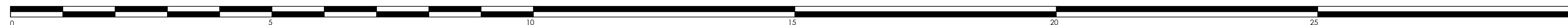
TYPICAL POD ELEVATIONS  
1:50



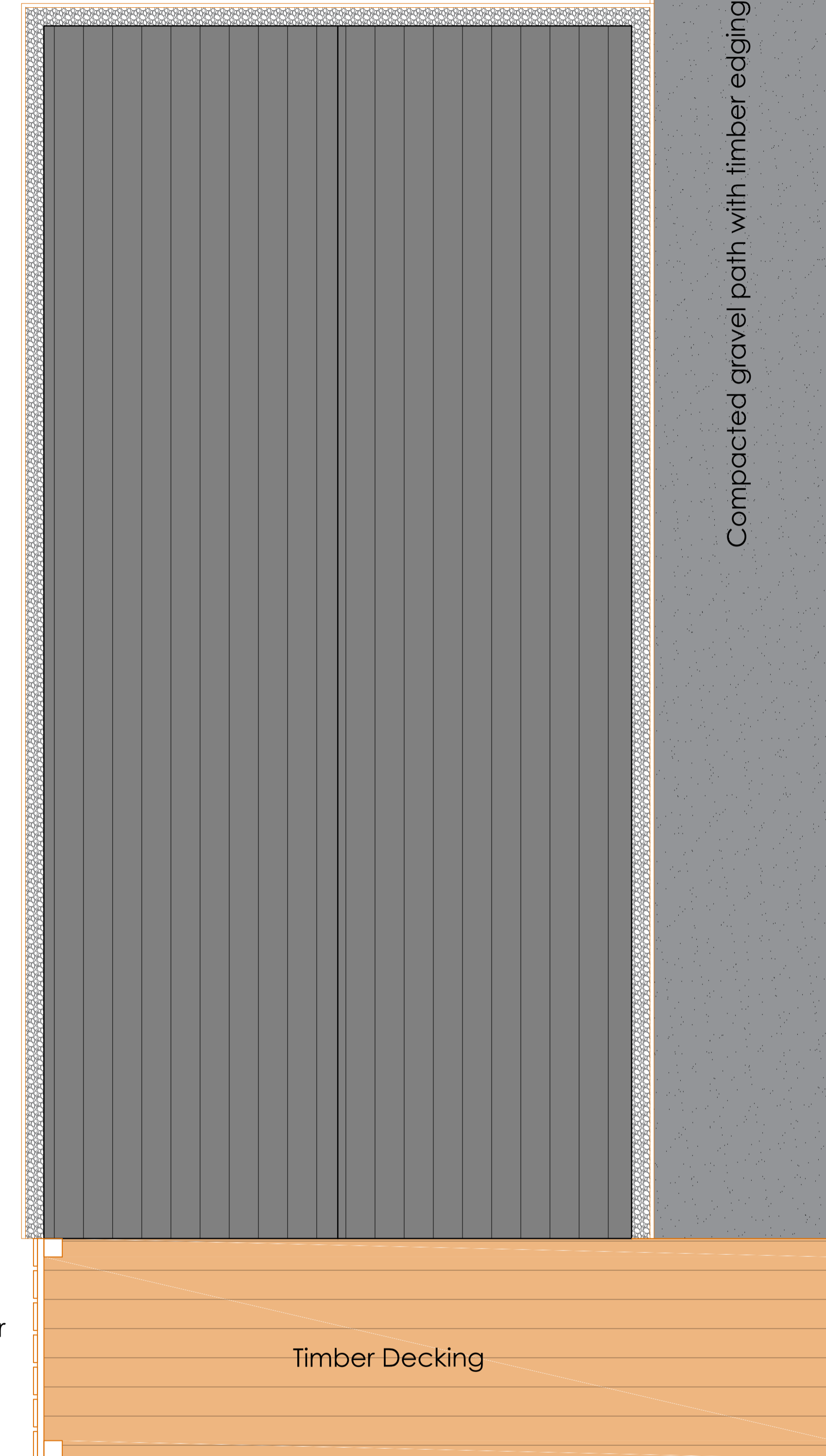
TYPICAL POD FLOOR PLAN  
1:50



SITE DRAINAGE LAYOUT  
1:200



100mm stone chipped border  
around pod with timber edging



1.8m high timber  
slatted fence

Timber Decking

TYPICAL POD SITE LAYOUT  
1:20

Compacted gravel path with timber edging

Project  
Proposed Accommodation Pods at  
Onich Hotel, Onich, Nr Fort William

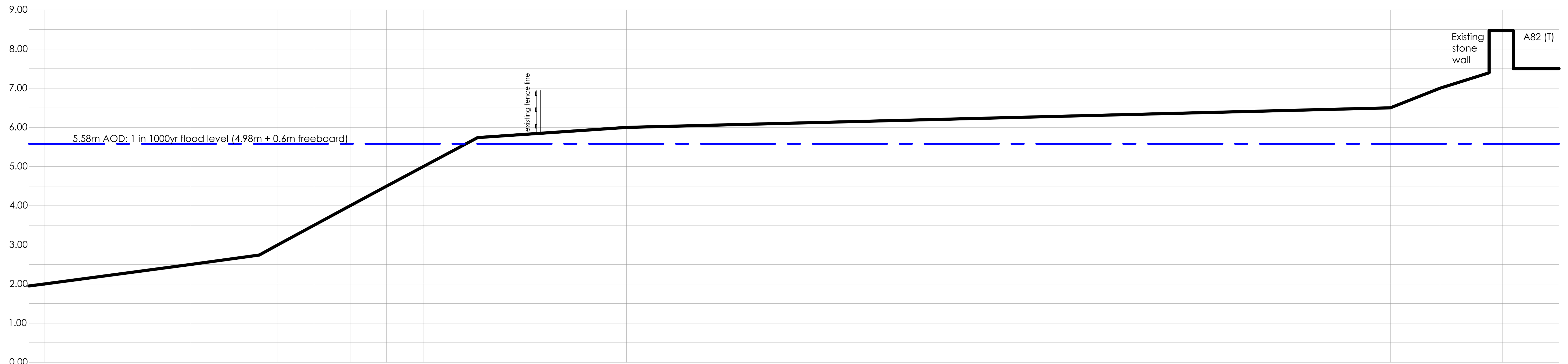
Client  
**Onich Hotel**

Detail  
Planning Application  
**PLANS, ELEVATIONS & DRAINAGE**

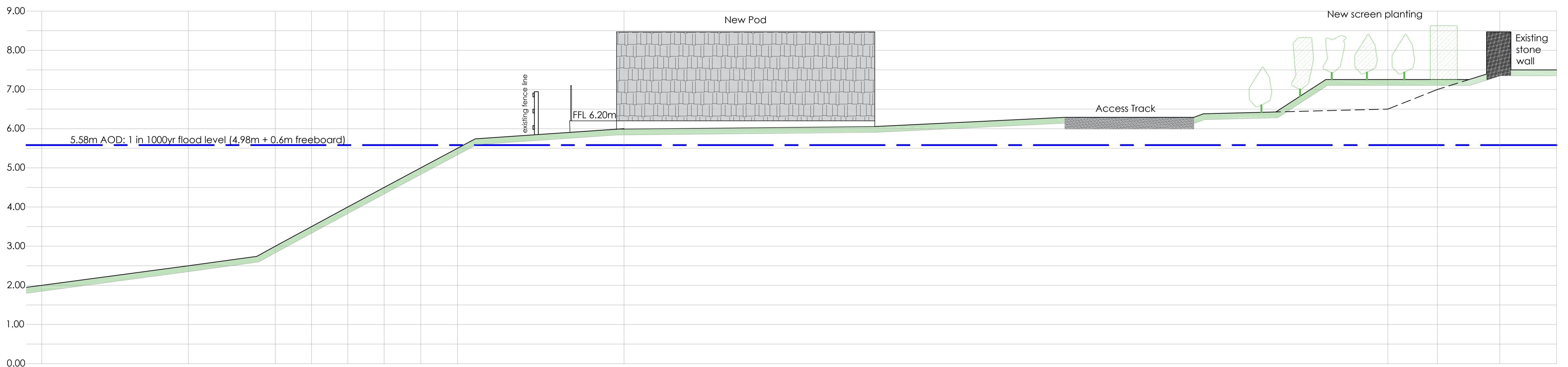
Scale  
As Shown

Date  
May 2021

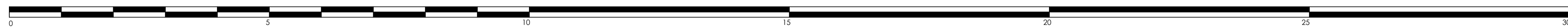
Job No  
14020-WHAS-ZZ-XX-PL-A-00-0004-00



SITE SECTION A-A - AS EXISTING



SITE SECTION A-A - AS PROPOSED



|  |          |
|--|----------|
| Project  |          |
| Proposed Accommodation Pods at Onich Hotel, Onich, Nr Fort William |          |
| Client   |          |
| <b>Onich Hotel</b>   |          |
| Detail   |          |
| Planning Application<br><b>SITE SECTIONS</b>                       |          |
| Scale  | Date     |
| 1:50   | May 2021 |
| Job No   |          |
| 14020-WHAS-ZZ-XX-PL-A-00-0005-00                                   |          |