

Agenda Item	<b>7.8</b>
Report No	<b>PLN/033/22</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 26 April 2022  
**Report Title:** 21/04108/FUL: Ossian Developments Ltd  
Land 50M NW Of Caberfeidh, Braes, Ullapool  
**Report By:** Acting Head of Development Management

### **Purpose/Executive Summary**

**Description:** Siting of 9 pods and 2 staff accommodation buildings  
**Ward:** 05 - Wester Ross, Strathpeffer And Lochalsh  
**Development category:** Local

**Reason referred to Committee:** More than 5 objections received.

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 The proposal seeks to site nine holiday letting pods and two staff accommodation units within an area of woodland and open ground Northwest of the Braes of Ullapool, which occupies an elevated position over the hills on the Southern approach into Ullapool. The proposal also seeks to site ancillary infrastructure including a 14-space car park, nine hot tubs and three drainage discharge routes; two of which ultimately discharge to Allt a Ghamhainn to the Northwest, and the third ultimately discharging to Ailt a Choire to the East.
- 1.2 The site is located at the end of an access track which adjoins the adopted U5605 Braes Road approximately 155m to the South. The site is bounded by post and wire fencing and is adjacent to a level area where a telecommunications mast and SSE substation are sited to the Southeast. To the North, West and East of the site lies further woodland and open hillside. The RC49.05 Ullapool hill Core Path runs across the site from the East to the North and continues Northwest outwith the site towards Ullapool. There are two woodland compartments within the site which are currently stocked with productive Spruce conifers. The proposal also seeks to fell this crop and restock with native broadleaves, while undertaking off-site compensatory planting.
- 1.3 Pre-Application Consultation: 20/01452/PREAPP – sought advice for 8 pods with one administration building, rather than 9 pods with two staff accommodation buildings as per the current application. Applicant was advised that some consultees had concerns regarding the proposal, albeit these stopped short of objections, but the Planning Authority would only be minded to support the proposal if these could be satisfactorily addressed. These concerns were expressed by The Forestry Officer and Transport Planning.

The Forestry Officer advised that the site is located within a mosaic of plantation woodland and open hill ground and recommended that pods are sited within an existing open area. Otherwise, the Scottish Government policy on the Control of Woodland Removal will apply, which would generate a requirement for compensatory planting. While encouraging the use of the open ground, the applicant was advised that this may raise other potential issues in terms of visual impact, as much of the unplanted ground is exposed rock which may need to be blasted and excavated. Deer numbers are also likely to be high in this area and so it is important that the appropriate fencing remains intact or is re-routed around the development.

Transport Planning advised that the impact of the development on the local road network was unlikely to be significant, but that the road serving the site is narrow with limited formal passing places. The applicant was therefore advised that localised carriageway widening and/or the provision of at least 2 no. additional passing places would be required. The current condition of the road is also poor around the proposed site access and some remedial works would be necessary to enable the road to withstand the effects of development traffic. Applicant was also advised that a Construction Traffic Management Plan (CTMP) would be required and that any

subsequent planning application should include information on the anticipated number and type of vehicle movements that will be required during the construction phase. Applicant was also advised that depending on the level and type of construction traffic to be generated, the developer may be required to enter into a Section 96 Wear and Tear Agreement with the Roads Authority.

- 1.4 Supporting Information: Construction Traffic Management Plan (CTMP), Design Statement, Document Register, Drainage Impact Assessment (DIA), Planning Statement, Proposed Methods Statement for Hot tubs discharge, Transport Statement, Travel Plan, Tree Report, Drainage Statement, Micro Drainage Specifications, Appendix 1 Planting in Lieu, Appendix 2 Restocking.
- 1.5 Variations: Revised Location Plan, Site Layout Plan and Landscape Plan received on 28<sup>th</sup> September. Amended Land Ownership Certificate (C ) was received on 28<sup>th</sup> September 2022 and again on 7<sup>th</sup> October 2022. A response to the Access Officers comments was received on 25<sup>th</sup> November 2022. A Drainage Statement, Micro Drainage specifications, Drainage Calculations and Drainage Layout Plan, and Section Plan was received on 25<sup>th</sup> January 2022. A Tree report, restocking plan, planting en lieu, Block Plan and Landscape Plan were received on 31<sup>st</sup> January 2022. Revised Location Plans, Site Layout Plans, Landscape Plan were received on 8<sup>th</sup> March 2022.

## **2. SITE DESCRIPTION**

- 2.1 The site is an area of woodland and open ground Northwest of the Braes of Ullapool, which is a residential area with a semi-rural character situated to the Southeast of Ullapool. The open ground areas encompass expanses of exposed rock and shallow soils and shrubs. The upper area on the Northeast of the site is largely level while the lower level to the Southwest slopes down the hillside. While the Braes is within the Settlement Development Area of Ullapool, the site itself is just outside of this and falls within wider countryside. The site however must be accessed via the U5065 Braes Road if travelling by vehicle as there are no other roads serving the site. The Braes and the site can only be accessed from one access point with the A835 Trunk Road South of Ullapool, which has a 40mph speed limit at the point where the U5065 Braes junction adjoins the A835. There is also pedestrian access from the site via the RC49.05 Ullapool hill Core Path which connects the site to Ullapool via a route to the Northwest.
- 2.2 The site occupies an elevated position over Ullapool and views of the town can be seen from the clearings in the trees on the site. There is currently no vehicular access directly into the site as the access track adjacent to the site currently stops at an area of hardstanding fenced off from the site where a telecommunications mast and an SSE substation are sited. Pedestrian access at present is evident through a gate onto the core path which runs through the site. The tree cover within the site is largely contained within two compartments, one large compartment to the North and a smaller area to the South which has a sparser coverage due to windblow.
- 2.3 The Highland Council has in recent times restricted further development within the Braes owing to Trunk Road and drainage constraints with regards to public water and wastewater connections. The previous Wester Ross Local Development Plan (2006) made specific reference that no further potential for development existed at

the Braes and consents granted therefore were confined to renewals of existing permissions, or instances where an existing property was to be demolished and replaced, so that the overall number of properties at the Braes could be contained. The new West Highlands and Islands Local Development Plan (2019) does not contain this policy restriction.

### **3. PLANNING HISTORY**

- 3.1 1 March 2021 20/05130/FUL Erection of 16no eco-lodges, Application reception building, seasonal staff quarters and a dwellinghouse Withdrawn

### **4. PUBLIC PARTICIPATION**

- 4.1 Advertised: Unknown Neighbour / Ross-shire Journal

Date Advertised: 17 Sept 2021 as part of original validation;

12 Nov 2021 readvertised due to red line boundary changes as initial application site boundary did not adjoin the end of the adopted road, but stopped approximately 155m short of it; and

18 Mar 2022 readvertised due to red line boundary changes in response to consultee comments from The Forestry Officer and Flood Risk Management.

Representation deadline: 1 April 2022

Timeous representations: 244 (224 Households)

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- a) The U5065 Braes public road is of poor quality due to the topography, incline, bends and lack of passing opportunities and crash barriers. Further development within the Braes would exacerbate existing road conditions to the detriment of road safety.
- b) The A835 Trunk Road junction with the Braes is a junction with poor visibility and further development within the Braes intensifies the use of this junction to the detriment of road safety.
- c) The U5065 Braes Road has poor pedestrian infrastructure and further traffic on the road will increase conflicts between motorists and other road users.
- d) The development of this area impacts on the enjoyment of the woodland for residents and others who come to use the core path for recreational walks by placing holiday letting pods adjacent to the core path.
- e) The development would be highly visible from several vantage points including central Ullapool and Loch Broom owing to the elevated position of the site on the hills on the approach to Ullapool and would detract from the landscape.
- f) Planning applications within the Braes have historically been consistently refused due to transport concerns over the local road network and the A835 Trunk Road junction into the Braes.



- g) The sewage network is at capacity at the Braes resulting in some homes being connected to private treatment systems, despite being within the Settlement Development Area.
- h) The discharge points identified by the applicant are dry and contain no running water for much of the year and suitable dilution cannot therefore be achieved.
- i) The loss of trees due to felling has a detrimental impact on amenity to the nearby residents and may cause potential flash flooding risks.
- j) The loss of trees would also make the development even more visible and prominent within the wider landscape.
- k) The application is not of a local development scale and should have been assessed as a major development
- l) The application should have required an Environmental Impact Assessment

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](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

5.1 **Lochbroom Community Council** object to the proposal and consider that the development if allowed to go ahead will pose a serious additional road traffic risk to walkers, cyclists, resident and visitor traffic, service vehicles and to the trunk road traffic. They advise that as of February 2021, there were 67 houses on the Braes which are served by a narrow, steep single track road (U5065) which climbs from the A835 just south of Ullapool to an altitude of 150m above sea level. It climbs 107m in only a kilometre of distance. The sight lines are short, with several blind bends, one on a steep slope. Many steep access roads lead off it with hairpin bends and poor visibility. They advise that the gritter lorry has already slid off the U5065 Braes road once. They also consider that the Braes junction with the A835 trunk road is a known hazard, where drivers have limited visibility to join the carriageway and where traffic speeds are often in excess of the 40mph limit and where traffic volumes have also increased over the past ten years.

They note that the lower half of the road has no pedestrian walkway and little space for pedestrians to escape the traffic. Passing places are far apart and there are drops with no crash barrier. Passing often requires the use of private driveways. They note that the applicant's submitted Transport Statement suggests that pedestrians use the Ullapool Hill Path as a means to access Ullapool shops and cafes. The path is a scenic walk, but the route is rough, winding, indirect and in places steep. It would not be easy for people with restricted mobility, or people carrying shopping, or in the dark. Thus, it is disingenuous to suggest it as a form of pedestrian access.

They provided a further response in March 2022 advising that their objection still stands on the grounds of transport and access. They note that Transport Planning have removed their objection but remain concerned at the junction between the U5065 Braes Road and the A835 Trunk Road, and also the condition of the U5065 Braes Road itself due to obscured sight lines from sharp bends and steep gradients. They do not consider the Core Path link to Ullapool to be a credible means of

pedestrian access from the site to Ullapool given the terrain, surfacing and the lack of lighting on the path. They have also queried why a development factor within The Wester Ross Local Plan adopted in 2006 which restricted potential for development at Braes due to trunk road access constraints was removed from the West Highlands and Islands Local Development Plan (2019).

5.2 **Access Officer** advise that the proposed development includes a section of the Core Path referenced RC49.05 Ullapool hill path. It is noted from drawing 101 Proposed Block Plan, that the intention is to leave the core path alignment untouched as it is now. As such, if permission were to be granted The Access Officer's comments would be as follows:

- The applicant must ensure that responsible access users can continue to enjoy use of the core path at all times during construction, and that such access is not frustrated by the developer. In accordance with the Land Reform (Scotland) Act 2003, any disturbance to the surface of a core path must be re-instated within 14 days of the beginning of that disturbance or longer only if agreed by the local authority.
- The path alignment should not be diverted either permanently or temporarily without express written agreement from the local Access Officer.
- Way markers should be provided where the core path crosses the pod access path to avoid any confusion.
- We would seek that the surface of the path through the site is brought up to standard by topping up with graded sub-base and capped with a nominal depth of 20mm compacted quarry dust. In addition, any drainage should be cleared out and functioning.
- The gate within the deer fence must be easy to use and accessible for all users wishing to exercise responsible access.
- As landowner, the applicant will be responsible for ensuring that free access along the core path is maintained in perpetuity.
- The development does not appear to include any cycle storage for either staff or visitor despite the Travel Plan seeking to encourage access to the site by active travel methods. This should be considered.

5.3 **THC Forestry Officer** initially objected to the development, pending further information. He considered that the initial 'keyholing' of certain elements of the woodland to accommodate the development as originally proposed, is not realistic in practice given the exposed location and the instability of the remaining trees due to the loss of windfirm edges.

With reference to the Control of Woodland Removal CWR policy, The Forestry Officer questioned whether the proposal demonstrated a 'significant and clearly defined additional public benefit'. If this could be demonstrated, then the following information was required:

1. Review the areas of permanent woodland removal, to include an assessment of the proposed drainage wayleaves.
2. Clearly identify an equivalent area for compensatory planting within suitable ground conditions, along with a detailed specification, including future maintenance.

3. Review the suitability of the proposed retentions and identify the total area of temporary felling and a specification for restocking, including future maintenance.
4. Consideration should be given to the short and long-term visual impact of any felling proposals.

**Following on from this, a site meeting between the Forestry Officer and the applicant's forestry consultant (Treeline Forestry Ltd) occurred and a revised Trees, Woodland & Development Report was submitted on 31 January 2022.**

The forestry report addressed the issues raised in The Forestry Officer's consultation response and subsequent site meeting. However, a number of documents required to be updated to reflect the proposals made in the forestry report. The application boundary required to be amended to encompass the revised drainage proposals and additional areas now proposed for felling. A revised drainage layout for consideration based on the proposals within Figure 2 in Section 5 of the forestry report was required in addition to an amended proposed Landscape Plan reflecting the felling and restocking requirements outlined within the report.

**Following from this, additional information consisting of revised Site Layout Plans and Landscape Plans was submitted on 8 March 2022.**

The amended drainage layout has been incorporated in the amended Proposed Block Plan (Drg No.101 Rev C 08/03/22) and the application boundary has been adjusted to capture these changes. The application boundary has also been adjusted to capture all areas due for felling. This enables felling, restocking and compensatory planting to be controlled by the planning authority, should consent be granted. The Proposed Landscaping Plan (Drg No.103 Rev D 08/03/22) now clearly shows both the felling area (1.59Ha) and the restock plan (0.7Ha). This leaves a Compensatory Planting requirement of 0.89Ha, which is to be provided at Woodlands Estate, Ballachulish.

This now addresses the Forestry Officer's previous concerns, and the holding objection is now withdrawn subject to conditions.

- 5.4 **THC Flood Risk Management** initially objected on the grounds of lack of drainage information and note that there was not sufficient drainage information initially provided to allow the use of a planning condition for a finalised DIA. They note that the site lies outwith any indicated areas of fluvial, pluvial or coastal flooding during a 1 in 200-year and a 1 in 1000-year return period storm event as referenced from SEPA's mapping. This suggests the flood risk from these sources may be low.

Given that the three discharge routes (two storm and one foul) appear to be very long, the applicant was advised that they should confirm that suitable wayleave for installation and maintenance, in perpetuity is available from the landowner. These should be included in a drainage plan.

As partial soakaways were shown for the foul discharge to Ailt a'Choir, the applicant was advised that they should demonstrate that the ground is suitable for this to be effective.

**Following from this, revised information was submitted relating to the drainage proposals on 25 January 2022. This included a Drainage Statement and Drainage Layout Plan.**

The Flood Risk Management Team reviewed the information provided by the Applicant and provided a further response on 24 February 2022 maintaining their objection on the grounds of a lack of drainage information. While the suite of new drainage information, hinted at a better developed drainage strategy, the requested update was not provided to show a finalised/ complete plan. Proposed Site Drainage General Arrangement drawing no. 02, Rev A shows two surface water and one foul system, each system requiring comparatively 'very long' discharge routes. Surface water drainage was supported by attenuation calculations.

The Applicant provided a statement by IPM Associates (Scotland) Ltd which appears to confirm control of the land needed for the discharge routes.

FRM required further clarity over the drainage of the tracks road connecting to the pods and the hot tub drainage as these appeared to be networked together and then to a 'node', before discharging to open ground, outside the site boundary, which was not acceptable. An acceptable discharge location requires to be provided. A finalised DIA is required to provide enough information for the FRM Team to understand the proposal given this and the above points.

**Following from this, revised information was submitted relating to the drainage proposals on 31 March 2022.**

FRM reviewed the submitted information and have removed their objection on the grounds of lack of drainage information subject to the use of a planning condition to ensure the provision of finalised drainage information for the FRM Team's review before the commencement of any construction on the site. They note that the tracks to the pods demonstrate no drainage arrangements, although it is noted that they are made of gravel, as a permeable surface. Full details and specifications of the tracks including any subsurface materials will be required by condition. A suspensive condition will also be used to secure a finalised drainage layout plan before any development commences.

- 5.5 **THC Transport Planning** initially raised an objection both on the grounds of a substandard access into the site directly from the U5065 Braes public road, and also on the basis of the substandard access between the A835 Trunk Road and the U5065 Braes public road. It was initially understood that visibility at the junction with the A835 into the Braes measured 2.4m x 60m to the left (eastwards) and 2.4m x 40m to the right (north-westwards). At the time of the initial consultation response, Transport Planning understood this information to be a definitive record of visibility at the junction. As the recorded splays fell so well short of the recommended standards for a junction of this type, they lodged an objection.

Through later communication with Transport Scotland, however, it was confirmed that the visibility splays had been re-measured by BEAR Scotland and recorded as 2.4m x 73 m to the left and 2.4m x 80m to the right. Transport Scotland also advised that following these new measurements, an instruction had been issued to the Operating Company to cut back roadside vegetation on each side of the junction in September 2021. This work was expected to provide a further slight improvement in junction visibility.

Transport Planning advise that whilst junction visibility is still less than desirable, it is acknowledged that as a trunk road junction this is a matter for Transport Scotland to consider and not the Council, as local roads authority.

Transport Planning also raised concerns within their initial objection with the level of road mitigation/improvement measures proposed between the A835 trunk road and the site. After further consideration, they acknowledge that due to the geometry of the lower section of the route from the A835 and the topography of adjoining land, the provision of meaningful additional mitigation/ improvement measures is generally impractical.

With regard to predicted trip generation, this is not an exact science, however, it seems clear that the traffic generated by the development will amount to very few additional vehicle movements per hour on the U5065 Braes road.

Given the location of the application site in relation to the trunk road and Ullapool, it also seems unlikely that the development will result in a material increase in pedestrian movement on Braes road. It seems more likely that the Core Path to the northwest of the site will offer a more suitable and attractive walking route to and from Ullapool.

- 5.6 **Transport Scotland** does not object to the proposal and provided no substantive or site-specific information within their consultation response dated 23 Sept 2021. The Planning Service sought clarification on 6 Oct 2021 to establish the position with regards to the access between the U5065 Braes Road and the A835 Trunk Road, in light of several representations being made objecting to the proposed development on road safety grounds.

Transport Scotland responded that they were content that their response to the current planning application remains consistent with their response to the previous planning application (Ref: 20/05130/FUL) which was subsequently withdrawn by the applicant. They also remain satisfied that the additional vehicle trips generated by a development of this type and size will not have a material impact on the safe and efficient operation of the existing junction on the A835(T), particularly when considering that this junction already serves a significant level of development in comparison to what is proposed. Although it is recognised that visibility at the junction does not meet current design standards, Transport Scotland reiterate that this is an existing junction onto the A835(T) with no reported personal injury accidents to indicate that this presents a pre-existing road safety issue that would potentially be exacerbated by this development. In addition, Transport Scotland also recognises that the level of development proposed under the current planning application is generally commensurate with the level of development proposed at the pre-application stage (Ref: 20/01452/PREAPP) to which Transport Scotland did not object.

The Planning Service sought clarification on 14 December as to how long this section of the A835 where the Braes junction adjoins has been a 40mph limit. Transport Scotland provided information demonstrating that this 40mph limit has been in place since 1996 and that the road was previously a 60mph limit prior to this.

- 5.7 **SEPA** were consulted but advised that they no longer provide site specific advice on foul drainage matters and referred to their standing advice on wastewater, swimming pools and surface water drainage.

5.8 **Scottish Water** note that the development would be served from the Ullapool Water Treatment works but could not confirm capacity and advised the applicant to complete a predevelopment enquiry (PDE). They also note that there is no Scottish Water wastewater infrastructure within the vicinity of the development and advise the applicant to consider private treatment options.

## 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
- 34 - Settlement Development Areas
- 36 - Development in the Wider Countryside
- 43 - Tourism
- 44 - Tourist Accommodation
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 56 - Travel
- 61 - Landscape
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 77 - Public Access

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

Outwith Ullapool SDA

### 6.3 **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)
- Trees, Woodlands and Development (Jan 2013)

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

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

- Scottish Planning Policy (as amended December 2020)
- National Planning Framework 3
- Creating Places

## **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) Forestry
  - c) Transport and Access
  - d) Drainage
  - e) Siting and Design
  - f) Amenity
  - g) Landscape and Visual Impact
  - h) any other material considerations

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

- 8.4 The site lies to the Northwest of the Braes of Ullapool. While the Braes is within the Ullapool, Settlement Development Area, the application site is largely outwith this, and only the access track from where it connects the site to the end of the adopted road falls within the Settlement Development Area. As there are no Hinterland areas surrounding Ullapool, the determining policies are therefore Policy 36 Development in Wider Countryside, Policy 44 Tourist Accommodation.
- 8.5 Policy 36 stipulates that outwith Settlement Development Areas, development proposals will be assessed for the extent to which they:
- are acceptable in terms of siting and design;
  - are sympathetic to existing patterns of development in the area;
  - are compatible with landscape character and capacity;
  - avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics
  - avoid, where possible, the loss of locally important croft land; and
  - would address drainage constraints and can otherwise be adequately serviced, particularly in terms of foul drainage, road access and water supply, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

Subject to suitable drainage proposals and compliance with Policy 28 Sustainable Design, the principal of the development in principle is acceptable in this location, provided other material issues can be addressed satisfactorily as being compliant with the relevant policies within the Highland wide Local Development Plan.

- 8.6 Policy 44 stipulates that tourist accommodation within the open countryside will be supported where: it can be demonstrated that a demand exists for this type of accommodation; that it can be achieved without adversely affecting the landscape character or the Natural, Built and Cultural Heritage features of the area; and it is consistent with the other guidance on siting and design set out in Policy 36: Wider Countryside. In these circumstances, the Council will generally attach a condition to permissions in order to control occupancy and use of the accommodation.
- 8.7 The West Highlands and Islands Local Development Plan (2019) designates the Braes of Ullapool as being within the Ullapool Settlement Development Area, as did the previous Wester Ross Local Development Plan (2005). Although the site is outwith the Braes, vehicular access to it is only possible via the Braes which takes one access point from the A835 Trunk Road. The previous Wester Ross Local Development Plan (2006) made specific reference to a development factor stating that no further potential for development existed at the Braes and consents granted therefore were confined to renewals of existing permissions, or instances where an existing property was to be demolished and replaced, so that the overall number of properties at the Braes could be contained. This resulted in the Highland Council in recent times taking a restricted approach towards further development within the Braes owing to Trunk Road and drainage constraints with regards to public water and wastewater connections.

The new West Highlands and Islands Local Development Plan (2019) does not contain this development factor.

- 8.8 In light of the new West Highlands and Islands Local Development Plan where no development allocation or development factor applies to the site, and the existing Highland wide Local Development Plan, there is no policy which prohibits the development in principal provided that the details within the proposal can demonstrate accordance with the determining policies 28, 36 and 44 of the Highland wide Local Development Plan, and that all other material planning issues can be satisfactorily addressed.

### **Forestry**

- 8.9 The application site encompasses two woodland compartments and an area of open ground between them. The larger compartment to the North spans 1.2Ha and is situated on a roughly level area. It is bound by a ride to the Northeast, the Core path track to the South and West, and post and wire fencing to the Southeast. The smaller 0.39Ha compartment is situated further South on a sloped area and is visible from Ullapool, as part of the hillside landscape. Both compartments are currently stocked with an existing Spruce plantation. There is an area of open ground consisting of shallow soils and exposed rock in between these compartments. The proposal seeks to site the two staff accommodation units and the parking area within the larger woodland compartment, then four of the pods on the area of open ground and five pods further south within the smaller woodland compartment.



- 8.10 The Forestry Officer initially objected to the development questioning whether the principal of the development insofar as it relates to woodland removal was acceptable and in compliance with Policy 52 Principle of Development in Woodland, and the Control of Woodland Removal (CWR) Policy, as it was not considered that the applicants had initially demonstrated that the proposal presented a significant and clearly defined additional public benefit. The Forestry Officer also objected on technical matters such as the initial 'keyhole' approach where areas of the woodland compartment would be opened up to accommodate the proposed staff accommodations units, parking area, and some of the holiday letting pods, as , it was not considered that the retention of 'fingers of woodland between pods' or the proposed retentions around the car parking and staff accommodation could be a realistic option due to thin soils and exposed rock, exposed location and loss of windfirm edge. Many objections from the public have also expressed concern at the felling proposed and the visual impact that this would have for the amenity of Core Path users crossing the site, and the benefit of the woodland itself. Many also objected on the grounds of a lack of any apparent public benefit to the proposal, and indeed raised concerns that felling trees and causing areas of windblow would arguably be to the detriment of public enjoyment of the woodland when using the Core Path.
- 8.11 Following on from subsequent information received by the applicant on 31 January and 8 March 2022, The Forestry Officer has reviewed Section 4 of this revised report (Public Benefit) and considers this proposal to demonstrate a significant and clearly defined additional public benefit. This focusses on the demand for tourist accommodation on the NC500 and increasing the length of stay, which in turn, increases the amount of money spent in the local area. The forestry report also highlights the mid-long term landscape and biodiversity improvements created by the conversion from productive conifer crop to native woodland. The Forestry Officer has reviewed the proposals with regards to the public benefit and accepts that the proposal increases tourism provision within the area with an impact on creasing the length of stay and the money spent within the local area. He also accepts that biodiversity improvements would be facilitated by removing the productive conifer crop and replacing with native broadleaf species. In this regard, the applicant has demonstrated that a significant public benefit can be achieved.
- 8.12 The Forestry Officer also agrees that the forestry report demonstrates that the proposed development meets the following acceptability criteria with reference to Annex C of the Scottish Government policy on the Control of Woodland Removal (CWR policy), which includes a requirement for compensatory planting, meaning that consideration can be given to the area of both temporary and permanent woodland removal. Section 7 of the forestry report (Regeneration & Planting) identifies 0.7Ha of temporary felling, to be restocked with native broadleaves and 0.89Ha of permanent woodland removal, which will be subject to off-site compensatory planting, which is to be provided on other land owned by the applicant on Woodlands Estate, Ballachulish.
- 8.13 With regards to the technical proposals, The Forestry Officer has noted that the initial keyhole approach has been rationalised and the Spruce compartments are to be fully felled and restocked with native species. While accepting that this will have a greater visual impact in the short term, in the longer term it is considered that this approach

would be more appropriate for enabling the landscape to absorb the development and would result in a more resilient woodland than initially proposed. The Forestry Officer's requests for drainage routes to be rerouted to account for existing rides and open areas also has been accepted by the applicant and these drainage routes have been adjusted accordingly, with the relevant redrawing of the application boundary as required. This enables the felling, restocking and compensatory planting to be controlled by the planning authority, should consent be granted. The Proposed Landscaping Plan (Drg No.103 Rev D 08/03/22) now clearly shows both the felling area (1.59Ha) and the restock plan (0.7Ha). This leaves a Compensatory Planting requirement of 0.89Ha, which is to be provided off-site at Woodlands Estate, Ballachulish.

- 8.14 This addresses the Forestry Officer's previous concerns, and the holding objection is now withdrawn subject to suspensive conditions. One such condition prohibits any development, including tree felling, from commencing until a detailed Compensatory Planting Plan (including future maintenance) has been submitted and approved in writing by the planning authority, following consultation with Scottish Forestry and other relevant stakeholders. The second is in light of the substantial number of concerns raised by the public in relation to the impact of tree felling on the amenity of the woodland, and therefore also prohibits tree felling from commencing until the Planning Authority are satisfied that wider development of the site is imminent, so as to prevent a prolonged period of time whereby the felled area lies undeveloped, which would be to the detriment of the public using the Core Path. In this regard, given that the applicant has demonstrated clear public benefits and reasonable operational measures to restock and replant, it is considered that the proposal therefore complies with Policies 51 and 52 of the Highland wide Local Development Plan.

### **Transport and Access**

- 8.15 The site is accessed from the U5065 Braes Road, which is a single-track road serving circa 60 residences within the Braes and adjoins the A835 Trunk Road at a single access point South of Ullapool. The proposal includes a car park with 14 spaces to serve the 9 pods and two staff accommodation units. The current application is supported by a Transport Statement (TS) and a Travel Plan (TP), both prepared on behalf of the applicant by Milestone Transport Planning. Almost all of the objections received regarding this development have raised concerns on the grounds of transport and access, which centre around four key aspects:
- The substandard junction between the U5065 Braes Road and the A835 Trunk Road.
  - The impact of the development on traffic numbers within the Braes and on the A835 Trunk road
  - The condition of the U5065 Braes Road itself, and
  - The conflict between vehicles and other road users – namely pedestrians.
- 8.16 With regards to the junction with the A835 Trunk Road, it is recognised that the A835 is a Trunk Road, owned and maintained by Transport Scotland, as opposed to the local authority. It is also accepted that the A835 has a 40mph speed limit at this location and that this would require visibility splays of 120m in either direction of a

central position 2.4m back from the edge of the junction. As part of the previous application, 20/5130/FUL which was subsequently withdrawn, visibility splays provided to the Planning Authority recorded by BEAR Scotland (Operational contractor for Transport Scotland) as being 40m to the South and 60m to the North, which falls significantly below the required standards.

Transport Scotland were consulted as part of this application. While the site does not take its access directly from the A835 Trunk Road, Transport Scotland have requested to be consulted as a matter of course for any further development within the Braes given that this area can only be accessed by the A835 Trunk Road, and so that they can monitor any perceptible impact on the Trunk Road network. In this instance, Transport Scotland did not object and when contacted to provide further clarify on their position, they advised that as an existing junction with no recorded personal injury incidents, they did not consider that the development would result in a material impact on the safe and efficient operation of the existing junction, particularly when considering that this junction already serves a significant level of development in comparison to what is proposed.

- 8.17 THC Transport Planning initially objected on the issues surrounding the substandard A835 Trunk Road access with the Braes aforementioned, although it was recognised that objecting on the grounds of Trunk Roads related issues presented a challenging circumstance when Transport Scotland as the statutory consultee for these matters had not objected. Transport Planning would normally be seeking 120m of visibility splays in both directions at a junction adjoining a 40mph road to meet the current standards. At the time of the initial objection, Transport Planning were assuming that these splays were as previously measured by BEAR Scotland during the previous PREAPP as 40m to the South and 60m to the North, this represented a deficiency of 80m in one direction and 60m in another, and the splays were therefore substantially below the required standards. Transport Scotland were subsequently contacted by Transport Planning in November 2021 to clarify their position on the visibility at this junction and in response, they provided updated visibility splays which had been re-measured by BEAR Scotland on 14 September 2021 and were recorded as 2.4m x 73 m to the left (South) and 2.4m x 80m to the right (North). Transport Scotland also advised that following the above measurements, an instruction had been issued to cut back roadside vegetation on each side of the junction. This work, scheduled to take place 27.09.21, was expected to provide a further slight improvement in junction visibility.
- 8.18 It is disappointing that Transport Scotland in this instance have not provided any substantive or quantitative justification as to how this development is acceptable despite the substandard visibility, as despite the re-measurements, it is accepted that the visibility at the junction remains significantly below Transport Scotland's own standards which would normally require splays of 120m in either direction for a junction adjoining a 40mph road. THC Transport Planning have advised that while this is disappointing and remains a cause for some concern, the matter is ultimately one for Transport Scotland as the statutory consultee to advise on and not THC.
- 8.19 With regards to the trip generation and the impact on traffic within the Braes and the A835 Trunk Road network, as stated above, Transport Scotland have iterated that in accordance with the Transport Scotland publication, Transport Assessment Guidance, a development of this size does not require a detailed Transport

Assessment. The anticipated vehicle trip generation as identified in Table 4.1 of the applicant's supporting Transport Statement has been determined using a widely accepted approach and methodology. This demonstrates that the proposed development, if fully occupied, is anticipated to generate up to 2 vehicle trips per hour and up to 21 vehicle trips over the course of a day. Transport Scotland does not consider this low level of vehicle trip generation to be a material impact at this location. THC Transport Planning have advised that while predicted trip generation is not an exact science, it seems clear that the traffic generated by the development will amount to a limited increase in additional vehicle movements per hour on the U5065 Braes Road.

- 8.20 With regards to the condition of the U5065 Braes Road, it is accepted that this single-track road has in parts steep inclines, sharp bends and limited opportunities for passing other than access points to existing residences. In line with advice provided by THC Transport Planning at pre-application stage, the applicant provided details of two new additional passing places to be provided on the U5065 Braes Road and passing place signage to be provided throughout the rest of the route within the Site Layout Plan. These proposals will be secured by condition and will require a Road Opening Permit alongside coordination with the Roads Department and third party landowners through civil proceedings. It is recognised that the applicants land ownership falls short of the adopted road by some 155m, and the additional passing places are therefore proposed on land which is held by third parties. While THC Transport Planning initially objected on the grounds of inadequate local road mitigation/improvement measures between the A835 trunk road and the site, after further consideration they acknowledge that due to the geometry of the lower section of the route from the A835 and the topography of adjoining land, the provision of any further meaningful additional mitigation/improvement measures is generally impractical.
- 8.21 The Construction Traffic Management Plan submitted as part of this application corresponds to the development as it was initially proposed at the time of submission. In recognition that the felling operations proposed are now greater, this CTMP is treated as indicative and a condition requiring a new CTMP based on the development as now proposed will be required by suspensive condition.
- 8.22 Finally with regard to conflicts between vehicles and other road users, both the applicant's Transport Statement and the Travel Plan include a detailed visual assessment of the vehicular access route between the A835 trunk road and the site, consideration of the opportunities for walking and cycling on or alongside the route, and assessment of the junction with the trunk road. THC Transport Planning indicated that the Transport Statement and the Travel Plan would appear to confirm the deficiencies of the route between the A835 and the site in terms of the lack of suitable facilities for pedestrians. It is also recognised however that the mitigation of this is severely constrained by the geometry of the U5065 Braes Road, and that the condition of this is likely has a deterrent effect on pedestrians within the Braes at present. The provision of the RC49.05 Ullapool hill Core Path through the site provides an alternate route for pedestrians to access Ullapool without navigating

down the U5065 Braes Road. It is accepted that as a Core Path, this is not a fully accessible route for all abilities owing to the distance, gradient, terrain and lack of lighting during darker periods, but it is not considered that the U5065 Braes Road is an accessible route either and pedestrian trips from the Braes to Ullapool are likely to be low regardless of which route is assessed.

- 8.23 The Access Officer has not objected to the development and has provided comments aforementioned regarding the Core Path and how it's use should be unimpeded by the development, both during and after the construction phase. While the development did not appear to include any cycle storage for either staff or visitor despite the Travel Plan seeking to encourage access to the site by active travel methods, more recent Site Layout plans submitted in response to the Access Officer's comments have included cycle storage for the staff accommodation units and the respective pods.
- 8.24 Upon reflection of the transport and access issues detailed above, it is noted that the Planning Authority and THC Transport Planning are concerned about the junction between the A835 Trunk Road and the U5065 Braes Road. Officers remain disappointed that Transport Scotland as the statutory consultee has not provided any information which could reassure those of the public who have raised concerns on this issue, as to how they consider that this development can be accommodated without undue impact on Trunk Road safety. THC have consulted with Transport Scotland for several months now in this regard and THC remains unconvinced that this development can be deemed compliant with Policy 28 with respect to its compatibility with service provision (in this case roads), but accept that as a statutory consultee with the authority and expertise to advise on Trunk Roads matters, the means by which the THC and the local roads authority can superimpose their outstanding concerns on this issue is limited.

### **Drainage**

- 8.25 THC Flood Risk Management initially objected on the grounds of lack of drainage information and note that there was not sufficient drainage information initially provided to allow the use of a planning condition for a finalised DIA. They note that the site lies outwith any indicated areas of fluvial, pluvial or coastal flooding during a 1 in 200-year and a 1 in 1000-year return period storm event as referenced from SEPA's mapping. This suggests the flood risk from these sources may be low.
- 8.26 With regards to drainage, the applicant proposes to dispose of storm water and treated foul water to surface watercourses due to thin, discontinuous and waterlogged soils, which FRM advised was acceptable in principle. Proposed Site Drainage General Arrangement drawing no. 02 shows two storm water drainage systems which combine at a distal location near the apparent spring location of Alltan a' Ghamhainn. One system would take "run-off from the lodge roofs to an attenuation tank, the flow being controlled to 0.511 sec by an orifice. The other system would collect water from significant hardstanding, including access roads, carparking and staff huts. The resulting flow would then be delivered to a SUDS Basin with a discharge controlled at 0.51/s by orifice. No calculations were initially provided. The

applicant was advised that calculations showing that stormwater will be attenuated to greenfield rates should be provided and that the size and depth of all attenuation features should be clear. They were also advised that it should be shown what elements of the drainage system (including discharge routes) will require rock excavation and how this would be done.

8.27 Following from this, revised information was submitted relating to the drainage proposals on 25 January 2022. The Flood Risk Management Team reviewed the information provided by the Applicant and provided a further response on 24 February 2022 maintaining their objection on the grounds of a lack of drainage information. While the suite of new drainage information, hinted at a better developed drainage strategy, the requested update was not provided to show a finalised/complete plan. Proposed Site Drainage General Arrangement drawing no. 02, Rev A shows two surface water and one foul system, each system requiring comparatively 'very long' discharge routes. Surface water drainage was supported by attenuation calculations.

8.28 Upper System - based on the information submitted on 25 January 2022, it appeared that the applicant proposes a SUDS basin to provide surface water attenuation, controlled by a hydrobrake but the proposal states, 'orifice plate'. The drainage drawing indicates appropriate discharge rates limited to 1.71/s. The FRM Team notes that construction of the SUDs basin on the ground suggested in the site information may represent a significant challenge.

Lower system - based on the information submitted on 25 January 2022, the applicant proposes to attenuate water from the lower part of the site using a crate based attenuation unit, controlled by an orifice to a discharge of 0.4l/s. The size of the storage facility was not clear and required to be shown, to ensure that the necessary storage would be available under the proposals. FRM note that this system may prove to be challenging to install.

8.29 The Applicant provided a statement by IPM Associates (Scotland) Ltd which appears to confirm control of the land needed for the discharge routes. It is not clear if the discharge locations are shown at their exact locations, relative to the site, though the FRM Team accepts that they would be to the watercourses stated. Typical head walls are shown but as the FRM Team has been provided with no details of the receiving watercourses, it cannot comment if they would be suitable. Though outwith the FRM Team's remit, it notes several third-party representations stating that the receiving watercourses dry up. If true, they would be unable to dilute the foul water, at all times of the year.

8.30 FRM required further clarity over the drainage of the tracks road connecting to the pods and the hot tub drainage as these appeared to be networked together and then to a 'node', before discharging to open ground, outside the site boundary, which was not acceptable. An acceptable discharge location requires to be provided. A finalised DIA is required to provide enough information for the FRM Team to understand the proposal given this and the above points.

8.31 Following from this, revised information was submitted relating to the drainage proposals on 31 March 2022. FRM reviewed the submitted information and have removed their objection on the grounds of lack of drainage information subject to the

use of a planning condition to ensure the provision of finalised drainage information for the FRM Team's review before the commencement of any construction on the site. They note that the tracks to the pods demonstrate no drainage arrangements, although it is noted that they are made of gravel, as a permeable surface. Full details and specifications of the tracks including any subsurface materials will be required by condition. A suspensive condition will also be used to secure a finalised drainage layout plan before any development commences.

### **Siting and Design**

- 8.32 The development is proposed to be installed within the slopes of the site, with the staff accommodation units located within the upper level, and the nine pods situated in two rows, lower within the hillside. The Core Path would continue to be in the same location running between the staff accommodation units and the holiday letting pods. The pods are proposed to be erected onto their own respective beams with adjoining decking areas, which are in turn connected to a gravel path (ranging between 1.5m – 2.5m in width) linking the pods back Eastwards across the Core Path to a gravel road serving the parking area, turning head and staff accommodation units. Each of the pods proposed also has its own respective hot tub situated on the exterior decking area.
- 8.33 The pods are all identical in form and comprise an elongated semi-circular, or "armadillo" appearance with a footprint of 3m x 5.9m at their widest points, with a maximum external height of 3.1m. The pods and their decking areas are raised on posts as a means of reducing the underbuilding required on the site, and these posts are proposed to be screened with vertical timber slats. An entrance door to each pod is provided on the front façade facing East, while a single circular window is proposed on the rear (Western) elevation of each pod. The principal materials used for the pods and their decking areas are timber.
- 8.34 Since the pod structures are designed or adapted for human habitation, are capable of being moved by road from one place to another, and within the maximum permitted dimensions of 20 metres in length, 6.8 meters in width and 3.05 meters in internal height, they are therefore considered to be defined as caravans in a legal sense under the Caravan Sites Act 1968. Several objections have expressed concerns that there would be limited means to prevent the expansion of the site to include more pods in future. A condition will however be attached to any consent which limits the development in terms of number and designs of the structures hereby approved, effectively meaning that any further expansion of the site to increase the numbers of pods or change their appearance would require further planning permission as a matter of course.
- 8.35 Both of the staff accommodation units are identical with a largely square 5.6m x 5.9m footprint and are two storey in height with a mono pitch roof reaching a maximum height of 4.9m. They do not meet the definition of caravans under the Caravan Sites Act 1968 owing to their height. The proposed materials are untreated larch boards for the exterior walls with profiled metal sheet roofing, coloured in dark grey. Double entrance doors are proposed on the front (Southwest) elevation. All fenestration arrangements are positioned on the remaining elevations, with three on the rear and two on the respective sides.

- 8.36 Several objections received have raised concerns about the introduction of novel building forms within the site, which sets a poor precedent for other incongruous forms within the wider area. The proposed designs are considered to be suitably recessive within the mixed and sloping landscape and are positioned suitably away from the immediate view of the Core Path running through the site. While it is accepted that the “armadillo” form of the pods is not reflective of traditional highland vernacular, their position away from and lower within the landscape than areas such as the Core Path reduces their prominence, and their absorption within the site would be expected to be even greater after the maturity of the restocking proposed. The staff accommodation units positioned at the upper section of the site alongside the car park and SUDS basin will be located in a felled woodland compartment while native broadleaf species mature and develop, which is envisaged by the Forestry Officer to take 10-15 years in this location.
- 8.37 The proposed designs are considered therefore to be acceptable and reflective of other holiday letting sites within the wider region. The topography alongside the mixed composition of the land and vegetation on the site increases the ability of this development to be absorbed and sensitively sited. While it is recognised that there are significant levels of public opposition to the development from local residents, the development itself will not be visible from nearby residences within the Braes owing to the ample distance between them.

### **Amenity**

- 8.38 Several objections have raised concerns about the amenity impact for users of the Core Path, with the view that a popular walking route for Braes residents and those further afield visiting the area will be disrupted by the felling of the woodland and the creation of a campsite straddling either side of the Core Path. As stated above, the proposed designs of the structures are considered to be suitably recessive within the mixed and sloping landscape and are positioned suitably away from the immediate view of the Core Path running through the site.
- 8.39 As the lower woodland compartment sits lower within the landscape, it is not immediately contiguous with the Core Path and is separated from it by the areas of open ground and exposed rock, which is raised as a mound immediately West of the Core Path before sloping down behind it. The impact of the felling works and the siting of the pods in this location are therefore considered to have limited perceptible impact on the enjoyment of Core Path users given its physical detachment from the area and the topography. The first row of pods closest to the Core Path therefore sits lower than the Core Path behind a mound of rock, and the closest pod within this row is 12m away from the path, while some of the others are up to 32m away. Given that no windows of the pods face onto the Core Path and that the external recreational areas and hot tubs of the pods are on the opposite elevations and therefore obscured from view of the Core Path, it is not considered that the pods themselves or the development within the lower section of the site will introduce any negative impacts on amenity for Core Path users.
- 8.40 The dominant impact on the site therefore relates to the felling of the upper woodland compartment in the short term as this woodland compartment as this woodland compartment is contiguous with the Core Path and is indeed bound by it to the West



and North. The siting of the staff accommodation units some 60m further back within the site to the North is therefore appropriate in maintaining amenity between the development and the users of the Core Path.

- 8.41 While the removal of the conifer crop from the upper woodland compartment could negatively impact upon the enjoyment of Core Path users in the short term, it is recognised that the section of the Core Path that runs through this site represents only a very small portion of the overall Core Path as a whole; the vast majority of which lies outwith the application site and would be unaffected by the proposals. Similarly, the proposals to restock the compartment with native species are anticipated to produce a more resilient woodland less susceptible to windblow once they reach maturity in the medium term. The anticipated improvements in biodiversity from restocking with native species are also expected to contribute materially towards the woodland and the temporary impacts caused by felling in the short term are likely compensated by the restoration of amenity in the longer term.

### **Landscape and Visual Impact**

- 8.42 The site occupies an elevated position Northwest of the Braes of Ullapool, which lies on the hillside over the Southern approach to Ullapool. The site and the surrounding hillside are visible from central locations within the town, namely Shore Street at the lowest elevation within the town, where the open views over Loch Broom provide ample visibility of the hills to the Southeast and the Southwest, on the other side of Loch Broom.
- 8.43 The hills to the Southwest incorporate sparsely populated and largely unpopulated areas such as Altnaharrie, while small established communities are further located to the South including Blarnalearoch and Loggie. Other communities continue further to the South such as Letters, although these are no longer visible from central Ullapool owing to their distance. In contrast to the development on the South-westerly viewpoint, the hillside to the Southeast has greater levels of development, in particular residential and tourism development. Several residences, B&Bs, hotels and self-catering holidays lets are in place along the coastline of Loch Broom immediately to the Southeast of Ullapool, while residences and self-catering holiday lets continue up the hillside. The visibility of these buildings varies throughout the year as seasonal changes to vegetative cover provide more seclusion and obscured views during the summer months, but around 30 buildings are evident within the landscape to the Southeast as assessed in the Winter (18<sup>th</sup> January 2022) from Shore Street, Ullapool. The majority would appear to be discretely absorbed into the landscape and date from various points in time with a variety of forms, massing and architectural styles.
- 8.44 The telecommunications mast to the Southeast of the site provides a focal orientation point as to where the site lies within the landscape. The lower woodland compartment (which is the smaller of the two, spanning 0.39Ha) is visible although its coherence as a woodland compartment from central Ullapool is obscured due to the instability of the crop owing to windblow which has already opened up this compartment, and also due to the vegetative mix of the lower lying shrubs and fauna. The open ground which sits slightly higher than the lower compartment is covered by shallow soils and exposed rock, and this area is partially visible through the compartment. Deer fencing denoting the Northwestern boundaries of the site were

evident without visual aids. The upper woodland compartment is almost wholly obscured from view. The mix of ground conditions and terrain on the whole provides a mosaic of various green, browns, grey and purple hues within the landscape and it is considered that this has a greater capacity to absorb the proposed development than a more homogenous setting, such as an open field.

- 8.45 As the proposed holiday letting pods are delineated in two lines, the upper line places five pods within the area of open ground, although two of these will not be visible owing to another plantation area outwith the application boundary to the Northwest of the site which sits further down the hillside. The second row of four pods sits lower within the hillside within the small of the two woodland compartments. Again, it is considered that at least one of these will be largely obscured owing to the placement of trees outwith the site boundary which are not subject to any of the felling works proposed. It is not considered that the two staff accommodation units and car park would be visible from central Ullapool, as the woodland compartment they would be sited within is largely obscured from lower lying views.
- 8.46 The proposed felling of both woodland compartments to be restocked with native broadleaf species is accepted as introducing a greater visual landscape impact in the short term, particularly with regards to the lower compartment which is more visible at present within the landscape. However, it is not considered that the visual impact from wider viewpoints will be substantial, and it is accepted that enabling the productive conifer crop to be replaced with native broadleaves will enable the woodland to replenish with windfirm edges which will make it less susceptible to windblow and in the longer term. It is expected that these proposals would in fact benefit the landscape both in terms of visual impact and biodiversity. The Forestry Officer has provided comments within their response that indicate it would be expected to take 10-15 years for this native crop to become fully established given the exposed location on the hillside. The restocking with mixed native species is also expected to enhance the ability of the landscape to absorb the development in that the compartment is not due to be restocked with one homogenous crop.
- 8.47 It is not considered that the development, once fully realised, will have an undue visual impact on the landscape to the Southeast of Ullapool. The proposed structures each with a footprint of 3m x 6m, and 3m in height are not considered to be of a scale that will be highly prominent, and even accounting for the felling works proposed, it is still likely that at least three of the pods will be entirely obscured due to the position of surrounding woodland compartments outwith the application site. The proposed use of predominantly timber materials for the pods and decking is further anticipated to assist in the development being absorbed recessively into the landscape. It is accepted that the proposed felling will likely have a short-term impact which will be offset with greater long term benefits in terms of visual impact and biodiversity. Nonetheless, it would be unwelcomed for the areas to be felled awaiting restock for any period greater than necessary and the condition requested by the forestry officer is anticipated to restrict felling from commencing until such time occurs that the Planning Authority is assured that the rest of the development is imminent, so as to prevent a prolonged period where the visual impact would be greater. It is considered that the requested suspensive conditions can enable the Planning Authority the appropriate level of control in this regard to consider this issue satisfactorily addressed.

## **Other material considerations**

- 8.48 Several objections received have queried whether this proposal can be classed as a local development and instead suggest it should have been considered as a major development. The site area when initially submitted amounted to less than 2Ha and was therefore considered as a local development. The application boundary changes in early March 2022 as a result of comments by the Forestry Officer and Flood Risk Management were requested to include the full extent of the woodland compartments and drainage routes, which increased the site area to 2.4 Ha but this remains to be considered as a local development owing to the definition of the developable site area within Scottish Planning Series Circular 5 2009: Hierarchy of Developments, which for the calculation as to whether a development is major refers to some exclusions that are operations or uses of land that shall not be taken for the purposes of this Act to involve development of the land, and are specified within section 26. One of these (e) is works relating to forestry and afforestation, which is essentially what these larger areas included within the site to include the woodland compartment would essentially be. When these areas are excluded from the calculation of the developable area, the area of the site to be developed amounts to just under 9,000sqm, which is below 1Ha. The development therefore remains considered as a local development.
- 8.49 Several objections received queried whether an Environmental Impact Assessment (EIA) should be required. The development does not meet any of the Schedule 1 criteria which would require an EIA. Within Schedule 2 development, Section 12 (e) states that the creation of permanent camp sites and caravan sites would require an EIA if the development area exceeds 1Ha. As previously stated, while the site area extends to 2.4Ha, the development area amounts to under 1Ha, and is therefore not at a sufficient scale as to require screening for an EIA. None of the other Schedule 2 categories of development are applicable to the proposal. An EIA is therefore not considered to be required in this instance.
- 8.50 Several objections have raised concerns regarding the impact of the drainage proposals and the environmental impact of the both the hot tub discharge and the surface water and foul drainage discharge routes. Some have further queried why there have been no objections from SEPA. Although SEPA have indicated that the scale of the development is not one that they would provide site specific foul drainage advice for at the planning stage, the applicant would be required to obtain building warrants and SEPA licenses for the proposals and it would be at that stage were any outstanding issues regarding drainage could be discussed further between SEPA, Building Standards and the applicant.

There are no other material considerations.

## **Non-material considerations**

- 8.51 The issue of tourists accessing the site being less familiar with the U5065 Braes Road and more likely to impact road safety than the Braes residents using the road is not a material planning consideration.

- 8.52 One objection has been received by a potential third party landowner who claims ownership of land between the proposed vehicular access to the site and the end of the adopted road, which is also where the telecommunications mast is situated. The blue line (ownership boundary) of the applicant's land holdings clearly shows that they do not own the access track up to the point where it adjoins the adopted road but falls short of this by some 155m. The applicant has provided the appropriate land ownership certificate (C) in this instance which applies to circumstances where not all third party land owners have been identified despite reasonable efforts to do so. Notice has however been served to one landowner that has come forward. The issues of land ownership and servitudes to access the land are civil matters which are not dealt with by the Planning Authority and it would be for the respective parties to agree to any access arrangements through civil proceedings as required.

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

- 8.53 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 The development proposes a further provision of tourism accommodation within wider countryside of the wider Ullapool Area, which is a popular tourist destination within Wester Ross. The Highland wide Local Development Plan makes specific reference to the support for the principal of development of this nature provided that it complies with all other relevant material policies within the plan.
- 9.2 The principle of the development in this location is acceptable under the existing policy context derived from the Highland wide Local Development Plan and the West Highlands and Islands Local Development Plan. The material considerations of Forestry, Drainage, Siting & Design, Amenity, and Visual Impact have been satisfactorily addressed and suspensive conditions have been attached to this development if consented to secure these matters before commencement and/or first occupation of the development. THC remain concerned about the remaining material issue of transport and access, primarily on the basis of substandard visibility at the junction between the U5065 Braes Road and the A835 Trunk Road, but have pursued this with Transport Scotland for some considerable time and accept their view as a statutory consultee with the remit for Trunk Road related matters.
- 9.3 While the Planning Authority remains concerned about the safety of the A835 Trunk Road junction which is outwith the remit of The Highland Council to mitigate, the development is considered to comply with the determining policies applicable. Specifically, the development is considered to comply with Policies 28, 29, 36, 44 and 52 with the Highland wide Local Development Plan, and the material planning issues raised are considered to have been suitably addressed through appropriate suspensive conditions. The scale of the development is considered to be appropriate for this location and it is considered that it can be suitably absorbed into the landscape without undue disruption to Core Path users or nearby residents.

9.4 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 actions**, it is recommended to **GRANT** the application subject to the following conditions and reasons

1. No tree felling shall commence until the planning authority are satisfied that the development of the site is imminent. Thereafter, the approved felling (1.59 hectares) must be carried out as shown on the Proposed Landscaping Plan (Drg NO.1 03 Rev D 08/03/22). The approved restocking (0.7 hectares) must then be planted as shown on the Proposed Landscaping Plan (Drg NO.103 Rev D 08/03/22) and as detailed in Appendix 2 of the Trees, Woodland & Development Report prepared by Treeline Forestry Limited (January 2022).

All felling and restocking shall be implemented under the supervision of a suitably qualified forestry consultant and completed in full prior to first occupation. The restocking shall be maintained until established to the full satisfaction of the planning authority.

**Reason:** To control the timing and extent of tree felling and to secure restocking in order to minimise woodland loss on site.

2. No development, including tree felling, shall commence until a detailed Compensatory Planting Plan (including future maintenance) has been submitted and approved in writing by the planning authority, following consultation with Scottish Forestry and any other relevant stakeholders.

The area of planting shall be no less than 0.89 hectares in size, consisting primarily of native species and located at Woodlands Estate, Ballachulish, PH49 4M, as outlined in Appendix 1 of the Trees, Woodland & Development Report prepared by Treeline Forestry Limited (January 2022).

The Compensatory Planting Plan shall be prepared and then implemented under the supervision of a suitably qualified forestry consultant and in accordance with Annex 6 of the Scottish Government's policy on Control of Woodland Removal: Implementation Guidance (February 2019).

All Compensatory Planting shall be implemented in full within 12 months following commencement of development, or as otherwise agreed with the planning authority. The planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the planning authority.

**Reason:** To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

3. The use of the land hereby approved shall not endure other than in respect of the layout and design of the 9 accommodation units and 2 staff accommodation units shown on the approved plans.

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

4. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan ref. 111 REV C shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

**Reason:** In order to ensure that appropriate transport and access arrangements are provided timeously for the proposed development.

5. The provision of two additional passing places shown on the approved plans and the provision of additional passing place signage along the B5065 Braes Road shall be provided prior to the first use of the development in conjunction with The Roads Authority and thereafter maintained in perpetuity.

**Reason:** To ensure that the mitigation and improvement measures to the B5065 are implemented timeously for the development.

6. No development shall commence on site until an updated construction phase Traffic Management Plan (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The approved traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete.

**Reason:** In order to ensure that the impact of construction traffic is effectively assessed and monitored by the Planning Authority.

7. Public access to the RC49.05 Ullapool hill Core Path within, or adjacent to, the application site shall at no time be obstructed or deterred by construction-related activities, unless otherwise approved in writing by the Council's Access Officer as a temporary measure required for health and safety or operational purposes. Under such circumstances, any temporary obstruction or deterrent shall cover only the smallest area practicable and for the shortest duration possible, with waymarked diversions provided as necessary. For the avoidance of doubt:

- In accordance with the Land Reform (Scotland) Act 2003, any disturbance to the surface of a core path must be re-instated within 14 days of the beginning of that disturbance or longer only if agreed by the local authority.
- The path alignment should not be diverted either permanently or temporarily without express written agreement from the local Access Officer.
- Way markers should be provided where the core path crosses the pod access path to avoid any confusion.
- The surface of the path through the site is brought up to standard by topping up with graded sub-base and capped with a nominal depth of 20mm compacted quarry dust. In addition, any drainage should be cleared out and functioning.
- The gate within the deer fence must be easy to use and accessible for all users wishing to exercise responsible access.
- As landowner, the applicant will be responsible for ensuring that free access along the core path is maintained in perpetuity.

8. No development shall commence until full details including sections of the paths within the site are provided and approved in writing by the Planning Authority. For the avoidance of doubt, these shall include finalised materials for surface and subsurface infrastructure.

**Reason:** In order to assess these matters before construction and in order to determine if appropriate drainage is provided within the paths.

9. No development shall commence until full details of all drainage infrastructure (including treatment plant and soakaway locations) have been submitted within a finalised drainage strategy, and approved in writing by the Planning Authority. Thereafter, development shall progress in accordance with the approved details. For the avoidance of doubt this strategy shall include full details on the specified location of the hot tubs discharge to a soakaway.

**Reason:** In order to ensure that private foul, surface water and hot tub drainage infrastructure is suitably catered for, in the interests of public health and environmental protection.

## **REASON FOR DECISION**

While the Planning Authority remains concerned about the safety of the A835 Trunk Road junction which is outwith the remit of The Highland Council to mitigate, the development is considered to comply with the determining policies applicable. Specifically, the development is considered to comply with Policies 28, 29, 36, 44 and 52 of the Highland wide Local Development Plan, and the material planning issues raised are considered to have been suitably addressed through appropriate suspensive conditions. The scale of the development is considered to be appropriate for this location and it is considered that it can be suitably absorbed into the landscape without undue disruption to Core Path users or nearby residents.

## **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>

Designation:	Acting Head of Development Management
Author:	Meadhbh Maguire
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - 002 Location Plan Plan 2 - 001 Rev B Location Plan Plan 3 - 101 Rev C Proposed Site Layout Plan Plan 4 - 103 Rev D Proposed Landscaping Plan Plan 5 - 111 Rev C Proposed Site Layout Plan Plan 6 - 201 General Plan Lodge Decking Plan 7 - 1 Elevations 1 Plan Plan 8 - 2 Elevations 2 Plan Plan 9 - 3 Floor Plan Plan 10 - 4 Section Plan Plan 11 - D001 Floor Plan Staff Quarters Plan 12 - D002 Elevations Plan Staff Quarters

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
Type	Contribution	Rate (per house)	Rate (per flat)	Total Amount* <sup>1</sup>	Index Linked <sup>1</sup>	Base Date* <sup>2</sup>	Payment Trigger* <sup>3</sup>	Accounting Dates* <sup>4</sup>	Clawback Period* <sup>5</sup>
<b>Schools<sup>2</sup></b>									
Primary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	No		TOC/CC	Apr/Oct	15 or 20
<b>Community Facilities</b>	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
<b>Affordable Housing</b>									
On-site provision <sup>3</sup>	X units. Insert details of unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision <sup>4</sup>	X units. Insert details of location, unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum <sup>5</sup>	£0.00 per affordable unit not delivered on/off site. Insert expected timescale for payment - can be in installments	N/A	N/A	£0.00	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	Y/N. If delivery for affordable housing has not yet been agreed, enter Y and specify the date/timescale that the scheme for delivery is to be submitted for approval	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A

<sup>1</sup> If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader

<sup>2</sup> Indicate whether or not 1 bed houses/flats are exempt

<sup>3</sup> Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

<sup>4</sup> As above

<sup>5</sup> Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

<b>Transport</b>									
Active Travel	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Safer Routes to Schools	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Public Realm	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Wayfinding	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Public Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
School Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Road Improvements	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Parking	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
EV Charging	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Traffic Signals	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Lighting	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Road Traffic Orders	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Cumulative Transport Contributions	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
<b>Green Infrastructure</b>									
Open Space	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Green Network	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Built/Natural Heritage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
<b>Water and Waste</b>									
Catchment Improvement Works	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Strategic Flood Scheme	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Maintenance of SuDs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Off Street Waste Storage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Recycling Point Provision	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Glass Banks	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
		£0.00	£0.00	£0.00					
<b>Public Art</b>	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
<b>Other (Please Specify)</b>	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20

\*1 Adjust total to take account of flat exemptions

\*2 Base Date – Set out in Supplementary Guidance on Developer Contributions

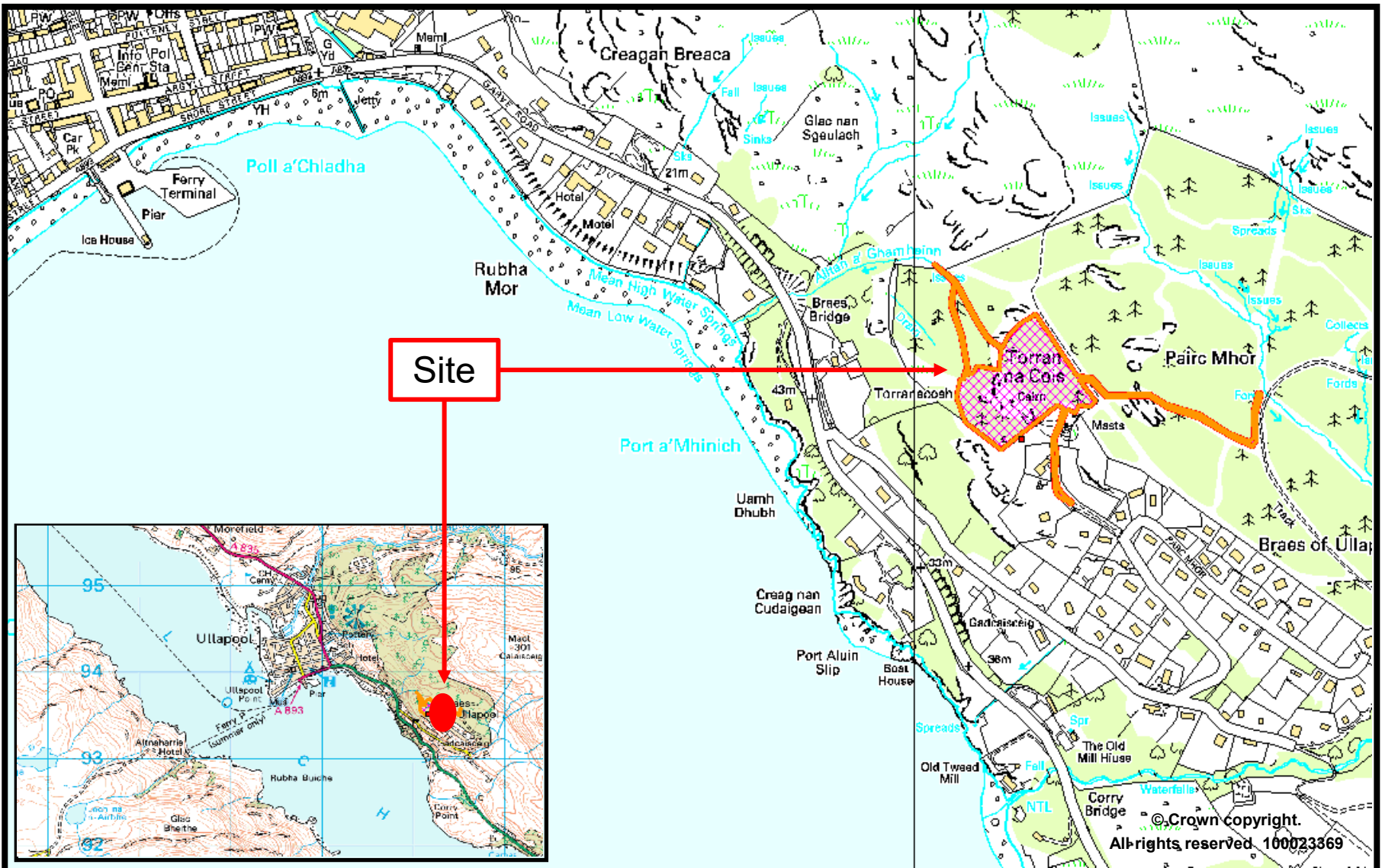
\*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

\*4 Accounting dates - 1 April and 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

\*5 Clawback – 15 years for Major development; 20 years for Local development

## Other Legal Agreement requirements

Type	Details
Bond	1. Describe the purpose of the Bond
	2. Specify the amount to be secured
	3. Restriction on Bond provider
	4. Set the review date and mechanism for review
	5. Describe the call on circumstances
	6. Any other relevant details
Habitat Management Plan	1. Describe what the Plan is to cover
	2. Describe the area the Plan is to cover (and provide a plan)
	3. Set the timetable for submission of the Plan
	4. Set the timescale for implementation of the Plan
	5. Describe requirements to consult third parties
	6. Specify the financial contribution (if any)
	7. Specify the clawback period (if any)
	8. Any other relevant details
Road Survey	1. Specify the timescale for the initial survey
	2. Describe which roads are to be surveyed (provide a plan)
	3. Specify an interim survey date (if required)
	4. Specify the final survey requirements and timescale
	5. Any other relevant details
Land and Asset Transfer	1. Describe the area of land / asset to be transferred (provide a plan)
	2. Describe the use of the land / asset
	3. Specify the cost of transfer
	4. Any other relevant details



**The Highland Council**  
**Comhairle na Gàidhealtachd**

Planning and Development Service

Location Plan  
 21/04108/FUL

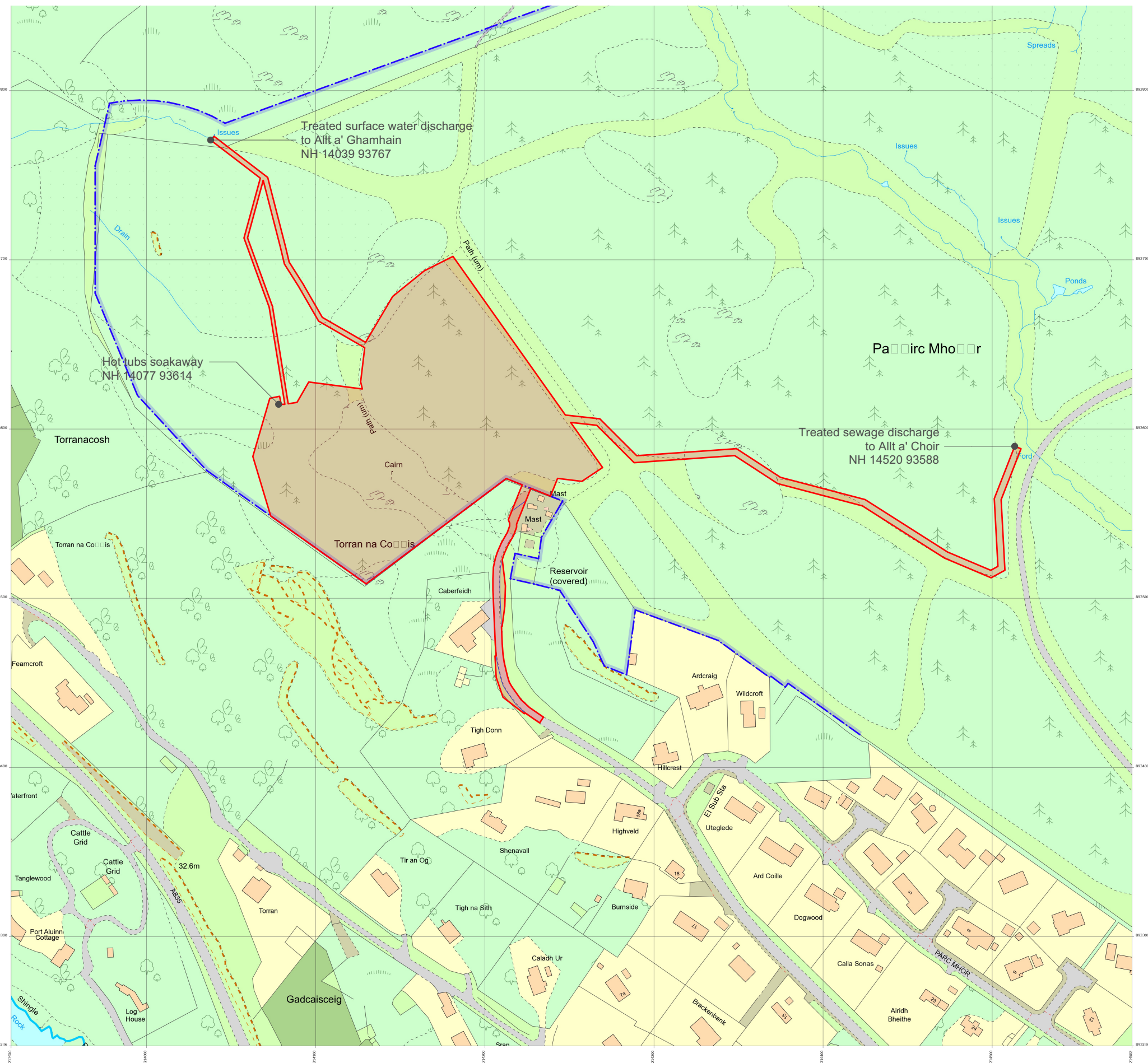
**Siting of 9 pods and 2 staff accommodation buildings**

April 2022



Scale:





2.34 Ha

Land affected by application



Land owned by applicant

REV	DATE	NOTE
B	08/03/2022	Red Line revised to forestry and drainage limits



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DRAWING SET  
**PLANNING**

DRAWING TITLE  
**LOCATION PLAN**

DRAWING NUMBER  
**001**

SCALE  
**1:2500**

CLIENT  
**809\_ULLAPOOL**

DRAWN BY  
**IH**

DATE  
**16/10/2020**

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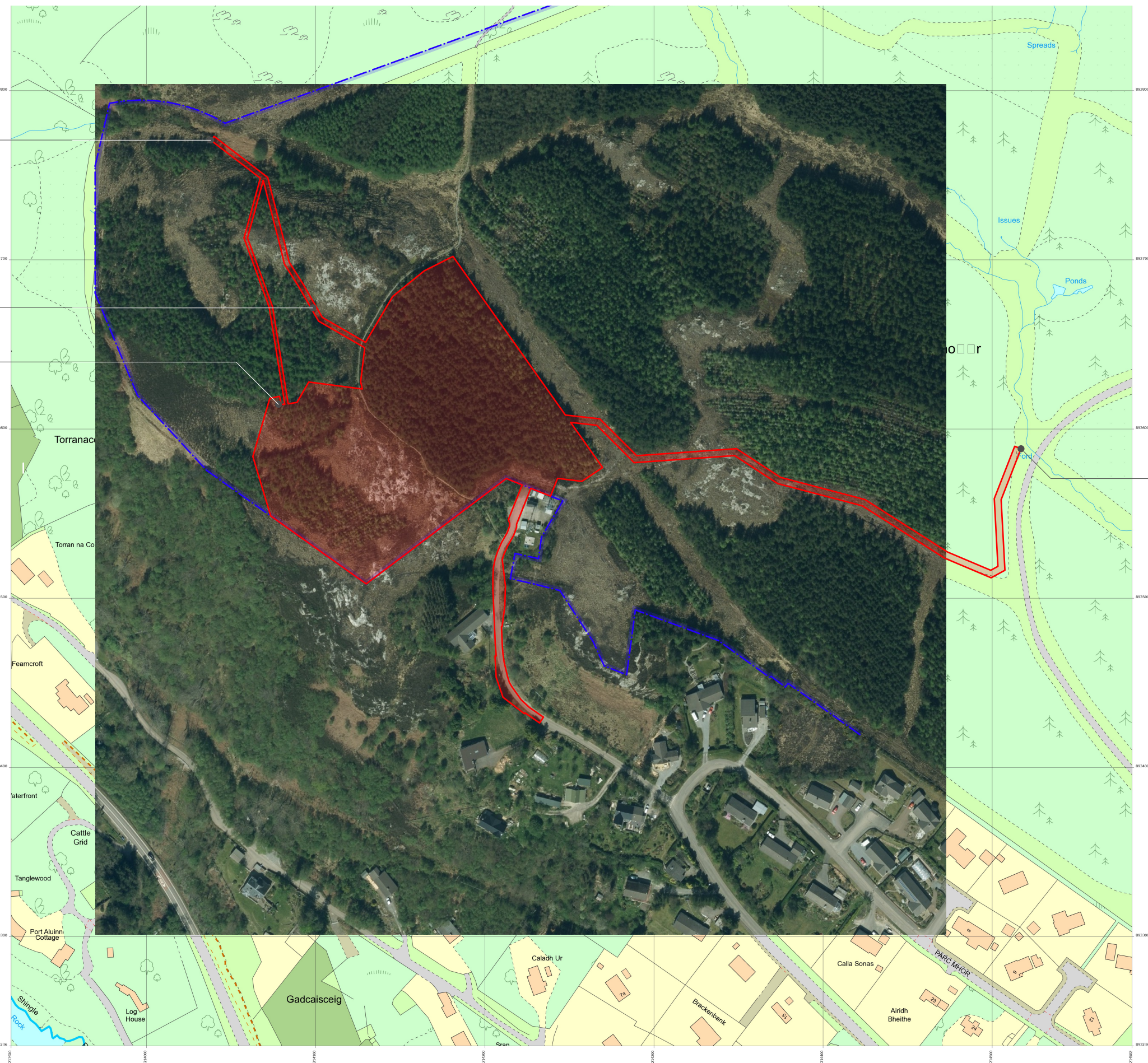


Treated surface water discharge to Allt a' Ghamhain NH 14039 93767

Alternative pipeline route to avoid forestry blocks on recommendation of Forestry Officer

Hot tubs soakaway NH 14077 93614

Treated sewage discharge to Allt a' Choir NH 14520 93588



Land affected by application

Land owned by applicant



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**PLANNING**

DRAWING TITLE  
**LOCATION PLAN AERIAL PHOTO**

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**002**

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**1:2500**

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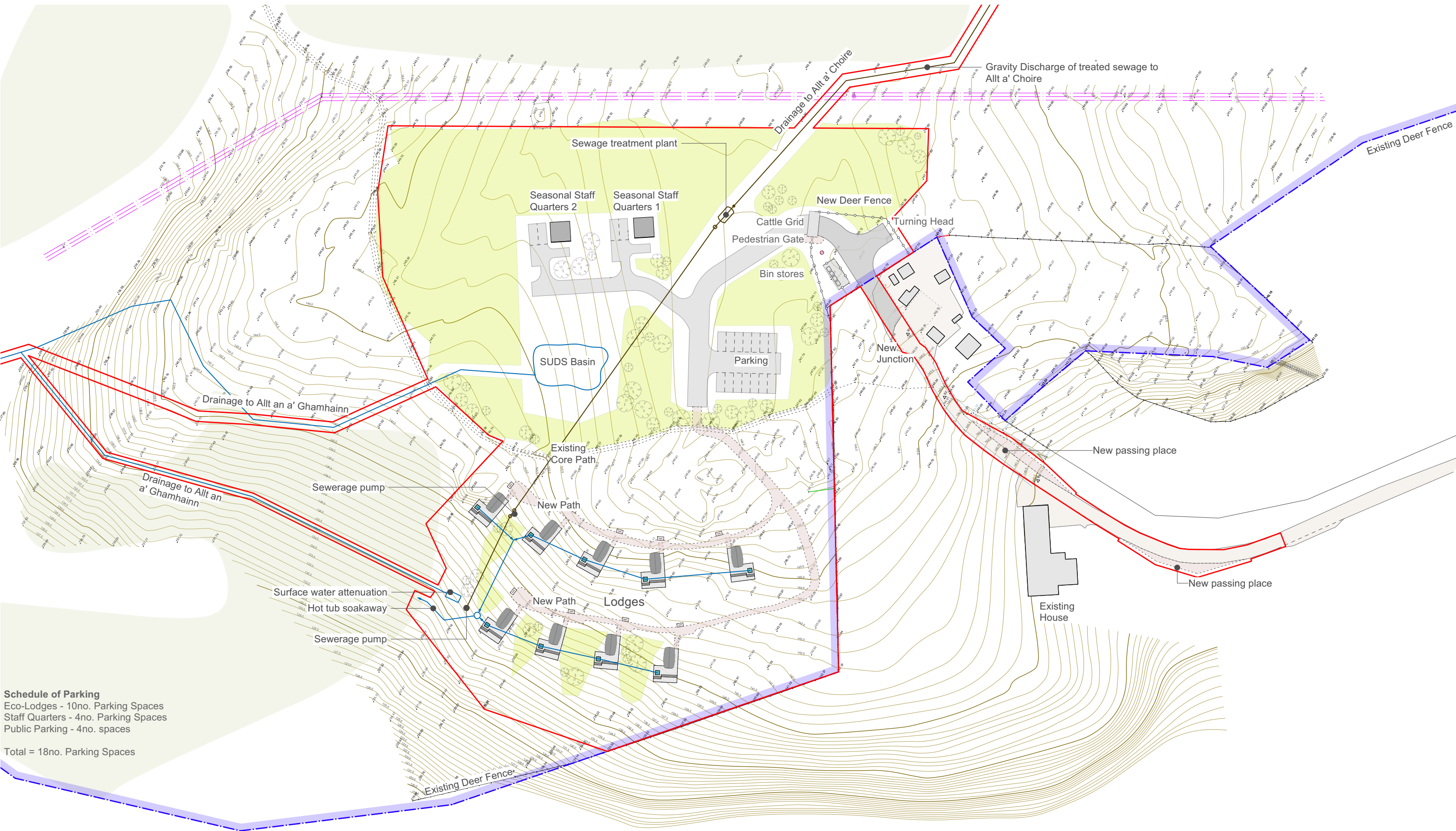
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**16/10/2020**

A 08/03/2022 Red Line revised to forestry and drainage limits

REV DATE NOTE

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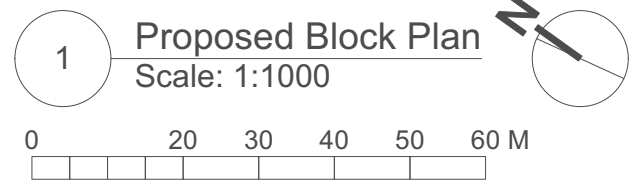




**Schedule of Parking**  
 Eco-Lodges - 10no. Parking Spaces  
 Staff Quarters - 4no. Parking Spaces  
 Public Parking - 4no. spaces  
 Total = 18no. Parking Spaces

**Paths and Roads Widths and Surfacing**  
 - New roads, parking and turning areas to be formed on bedrock with a sub-base of site quarried rock and capped with 50mm imported Type1 fill. Tarmac finish from public road end to cattle grid.  
 - New paths to be formed on bedrock with a sub-base of site quarried rock and capped with 50mm imported 15mm fill graded to dust. Path width: minimum 1200mm, maximum 2500mm

**Schedule of Proposed Buildings**  
 9no. Standard Luxury Eco-Lodges 'Family Pod'  
 2no. Seasonal Staff Quarters. Not for permanent occupation



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 REV DATE NOTE



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DRAWING SET  
**PLANNING**  
 DRAWING TITLE  
**PROPOSED BLOCK PLAN**  
 DRAWING NUMBER  
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 SCALE  
**1:1000**

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**16/10/2020**

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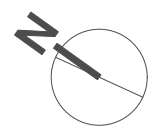
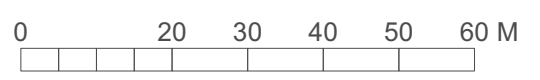




1 Proposed Tree Re-Stocking Plan  
Scale: 1:1000



2 Proposed Tree Felling Plan  
Scale: 1:1000



D 08/03/2022 Red Line revised to forestry and drainage limits  
REV DATE NOTE



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DRAWING SET  
PLANNING

DRAWING TITLE  
PROPOSED LANDSCAPING PLAN

DRAWING NUMBER  
103

SCALE  
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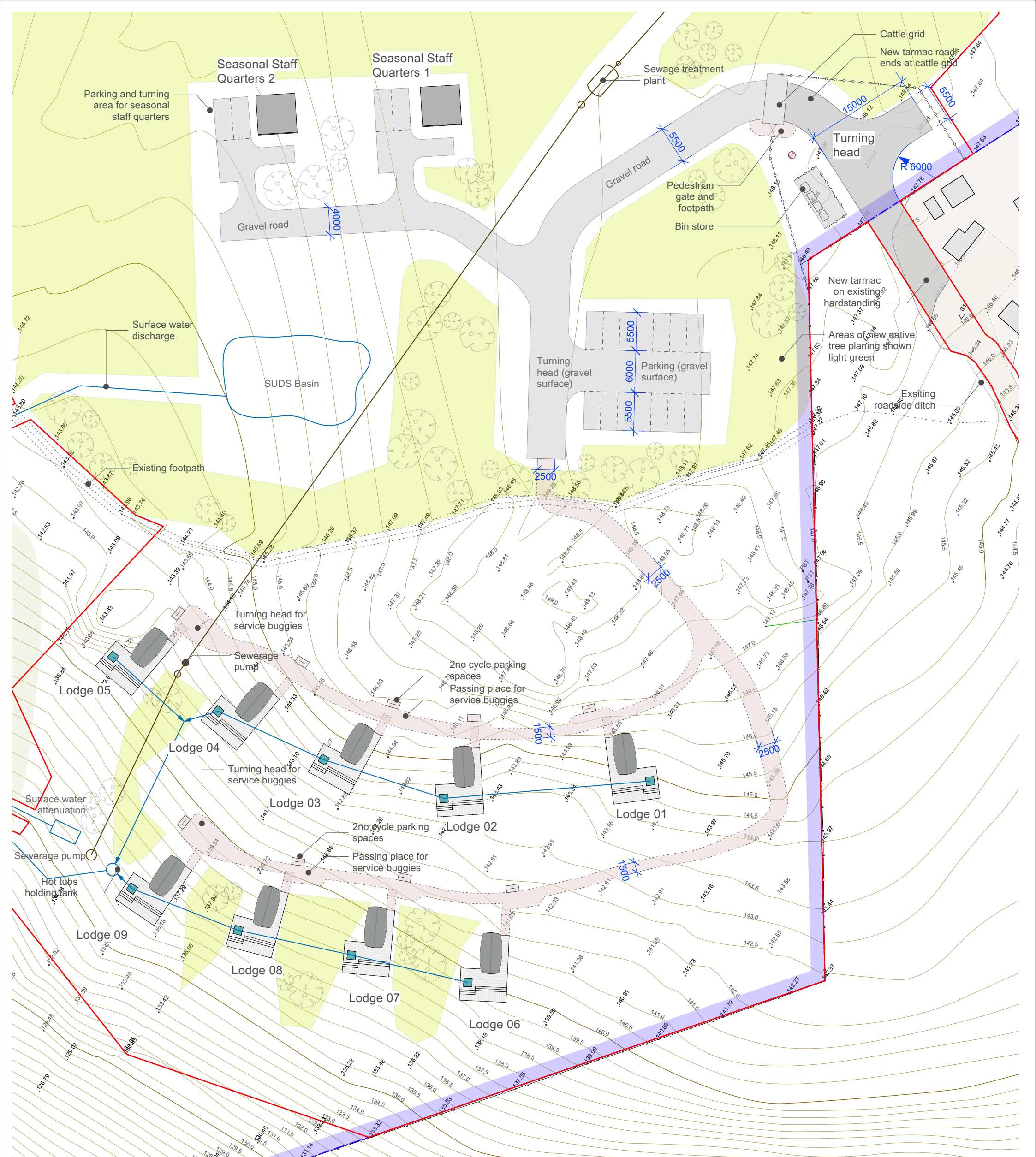
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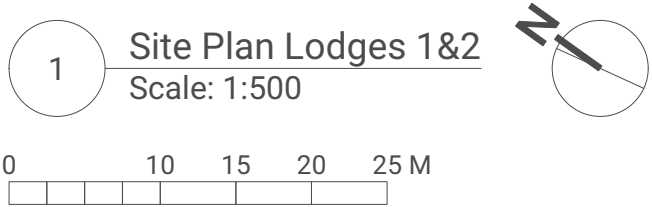
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**Paths and Roads Widths and Surfacing**  
 - New roads, parking and turning areas to be formed on bedrock with a sub-base of site quarried rock and capped with 50mm imported Type1 fill. Tarmac finish from public road end to cattle grid.  
 - New paths to be formed on bedrock with a sub-base of site quarried rock and capped with 50mm imported 15mm fill graded to dust. Path width: minimum 1200mm, maximum 2500mm



**1 Site Plan Lodges 1&2**  
 Scale: 1:500



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DRAWING SET  
**PLANNING**

DRAWING TITLE  
**SITE PLAN - LODGES 1&2**

DRAWING NUMBER  
**111**

SCALE  
**1:500 @ A3**

CLIENT  
**809\_ULLAPOOL**

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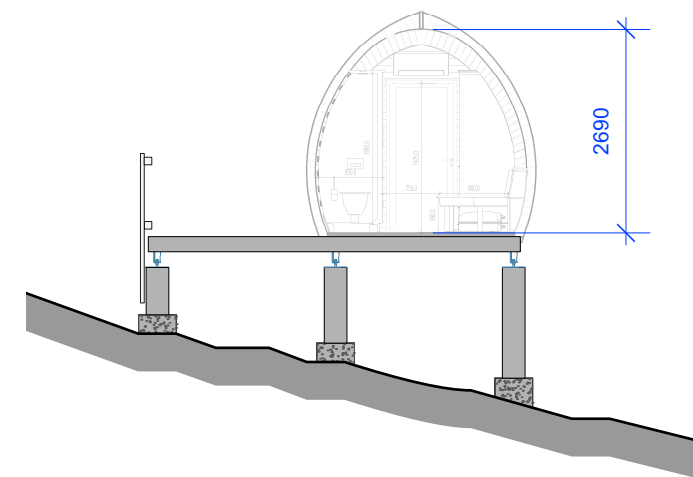
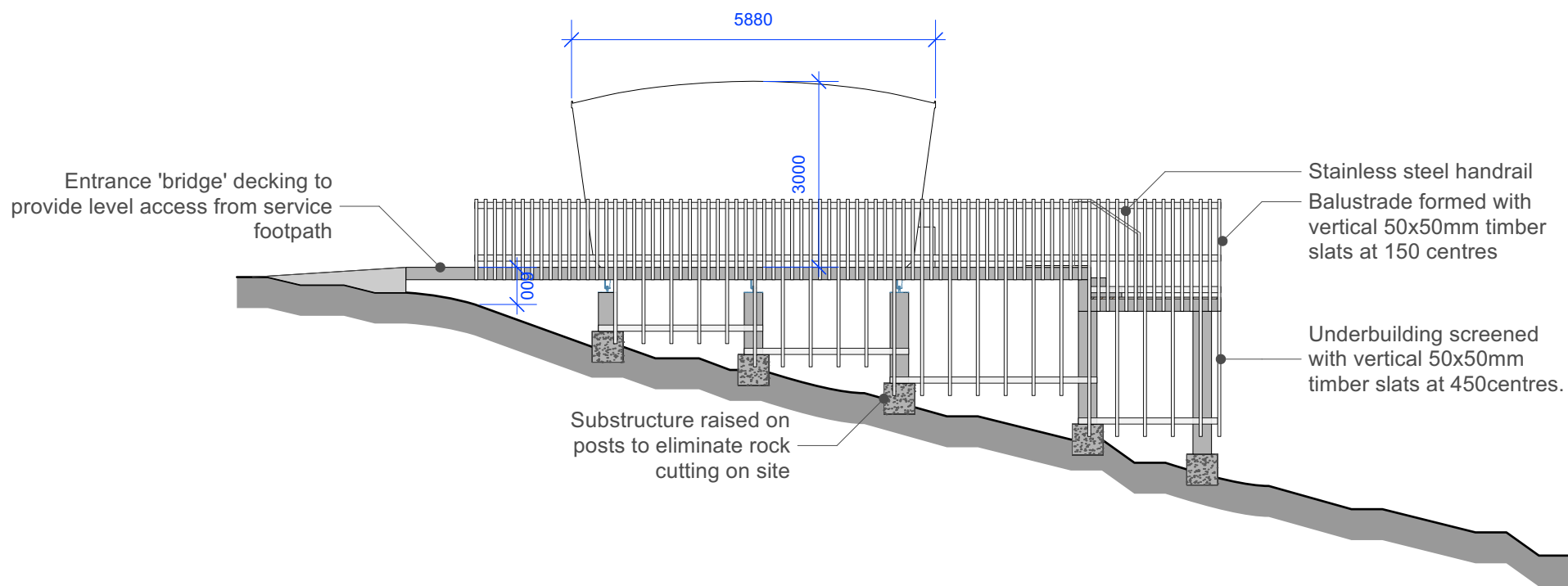
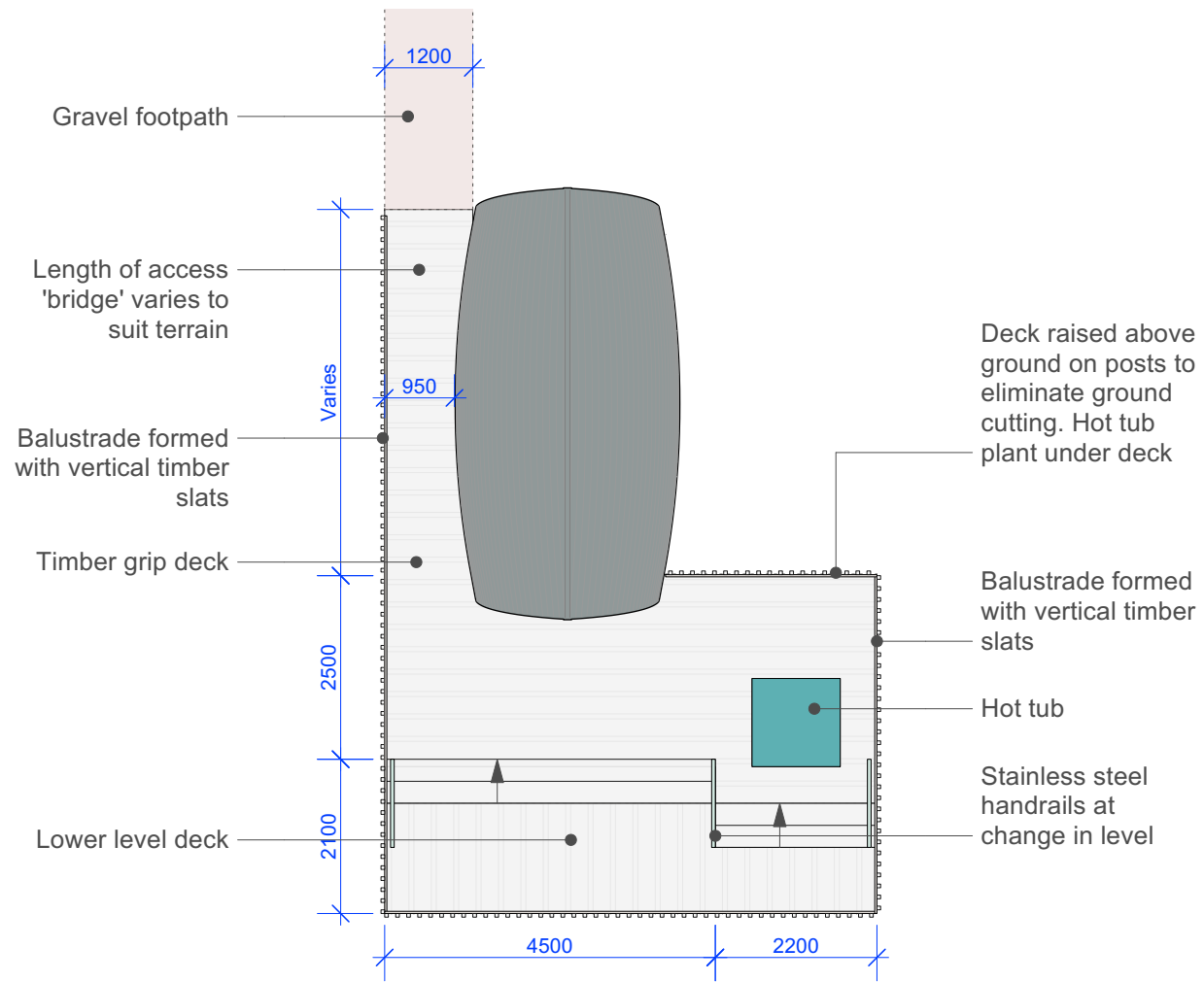
DATE  
**16/10/2020**

C 08/03/202 Red Line revised to forestry and drainage limits

REV DATE NOTE

BY

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DRAWING SET  
PLANNING

DRAWING TITLE  
LODGE DECKING

DRAWING NUMBER  
201

SCALE  
1:100 @ A3

CLIENT  
809\_ULLAPOOL

DRAWN BY  
IH

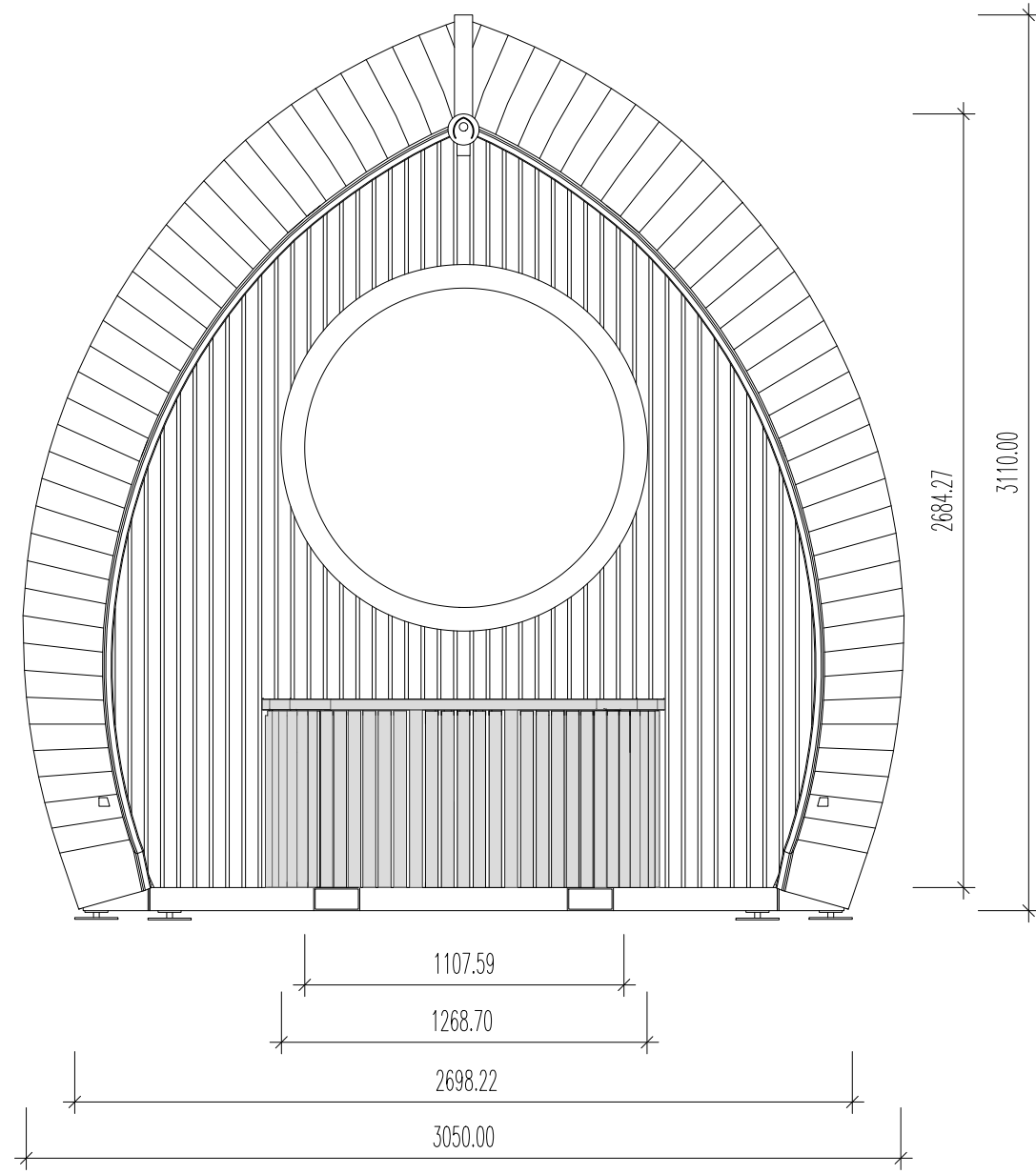
DATE  
16/10/2020

C 30/03/2022 Lodge dimensions added  
REV DATE NOTE

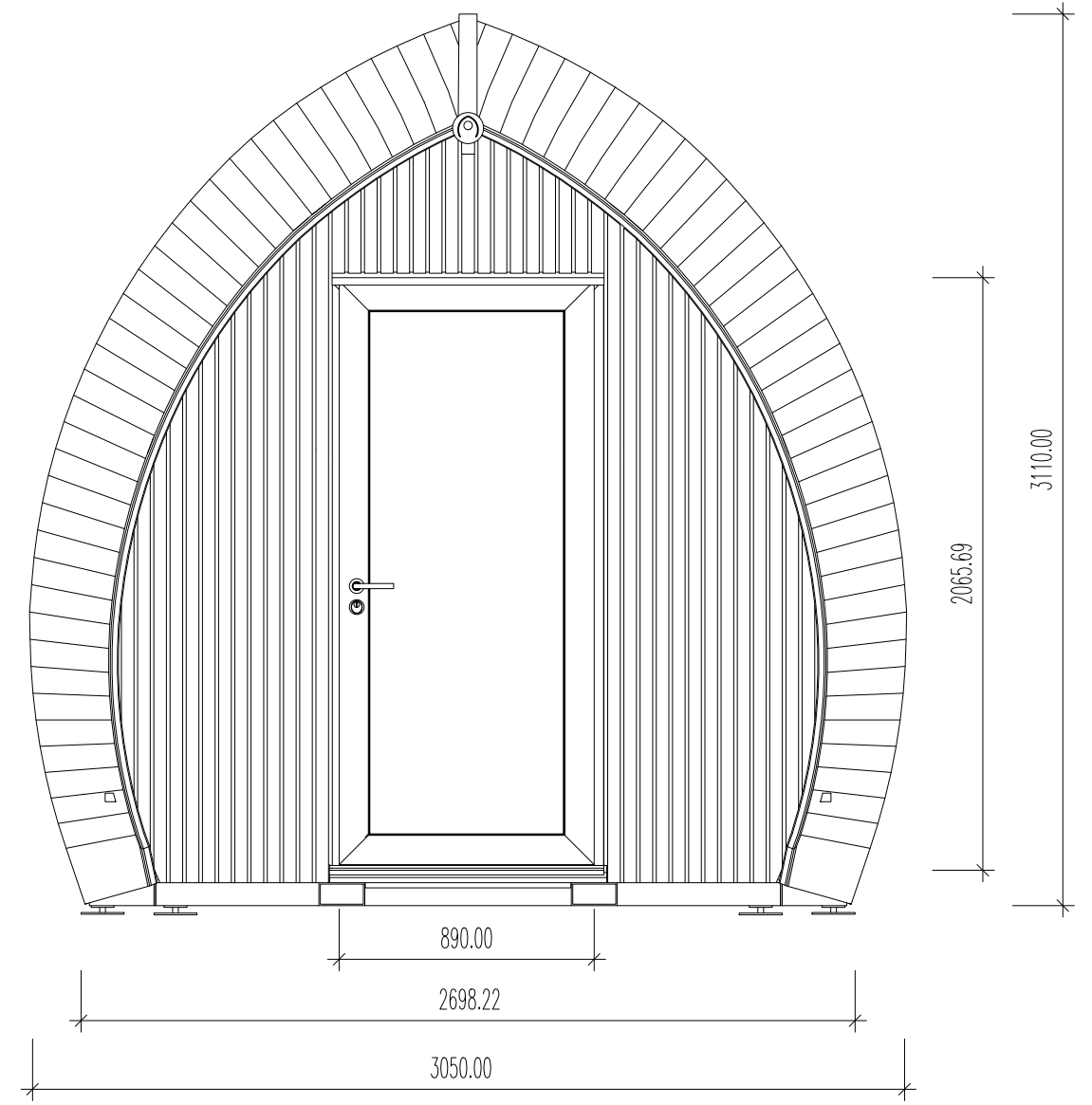
BY

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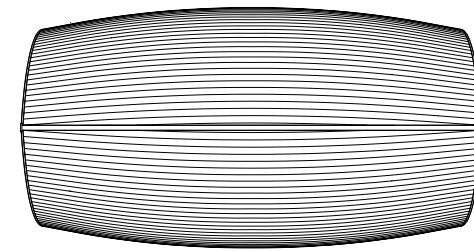
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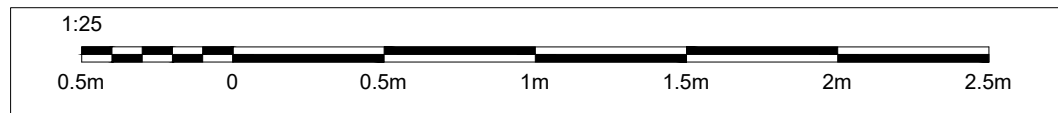
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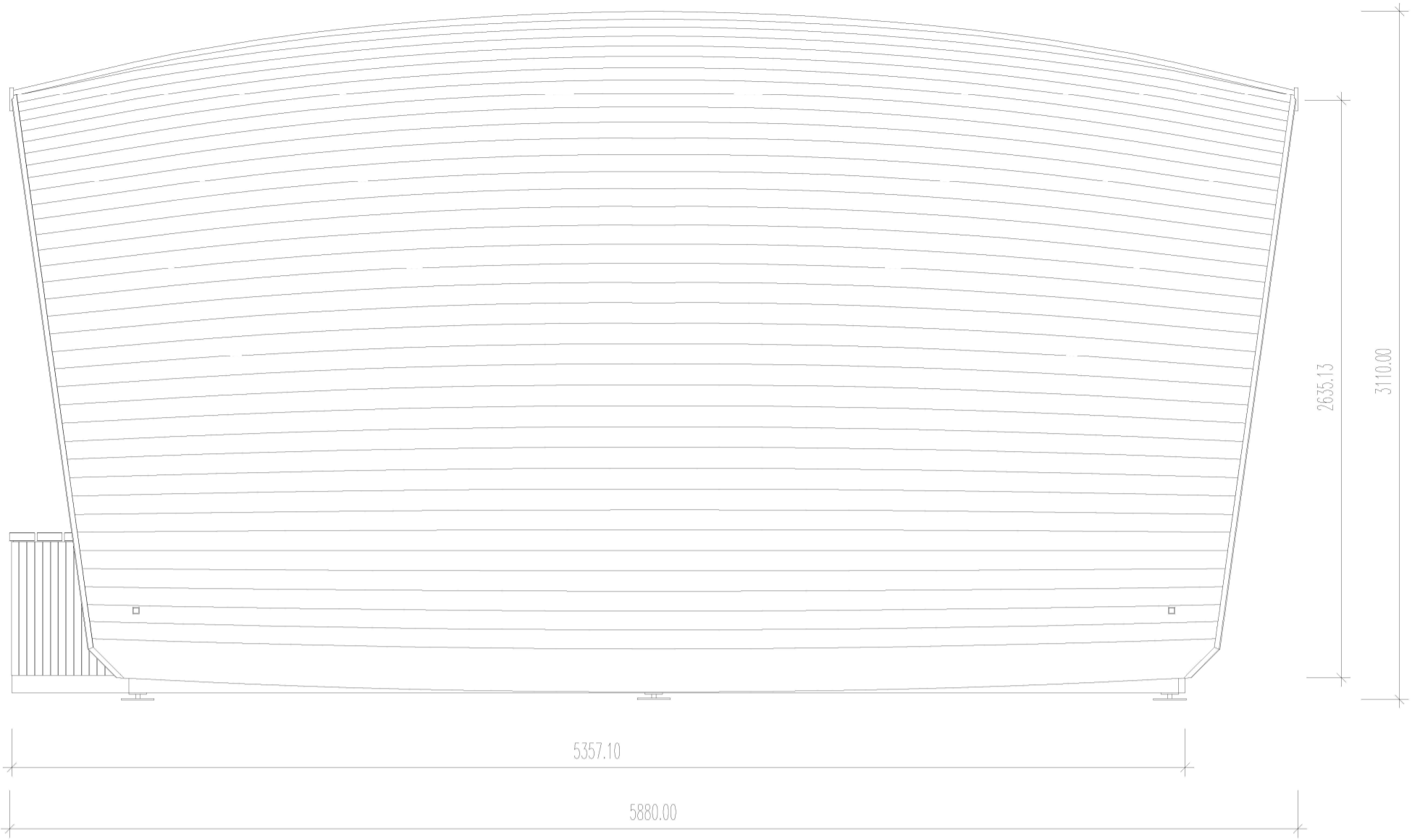


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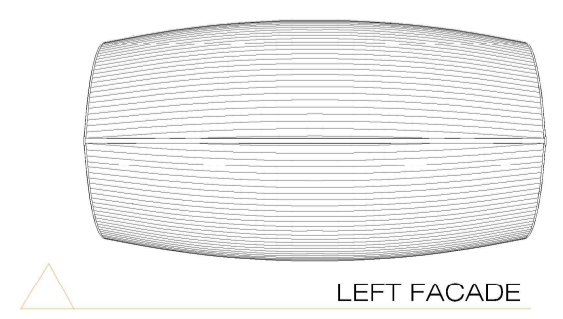
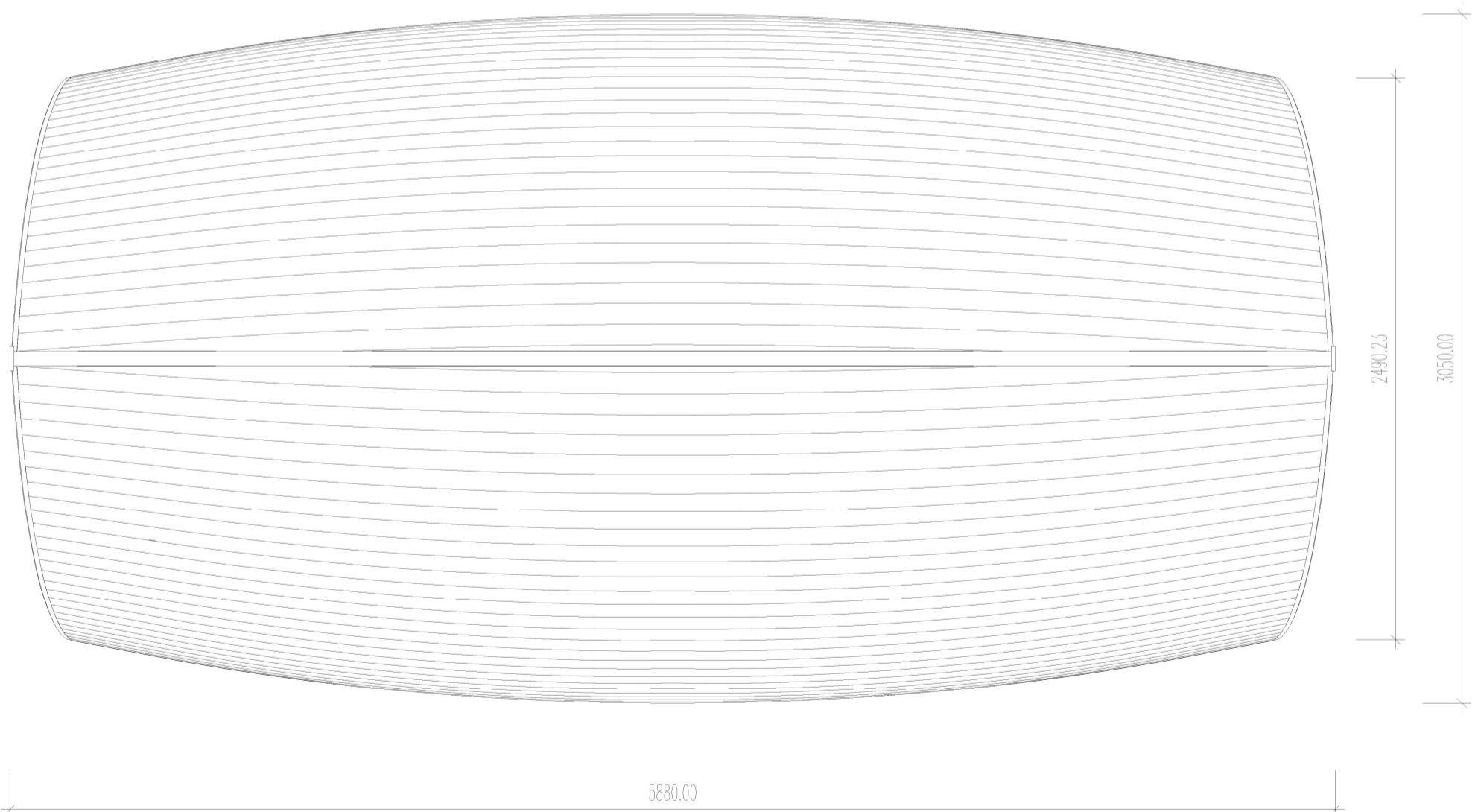




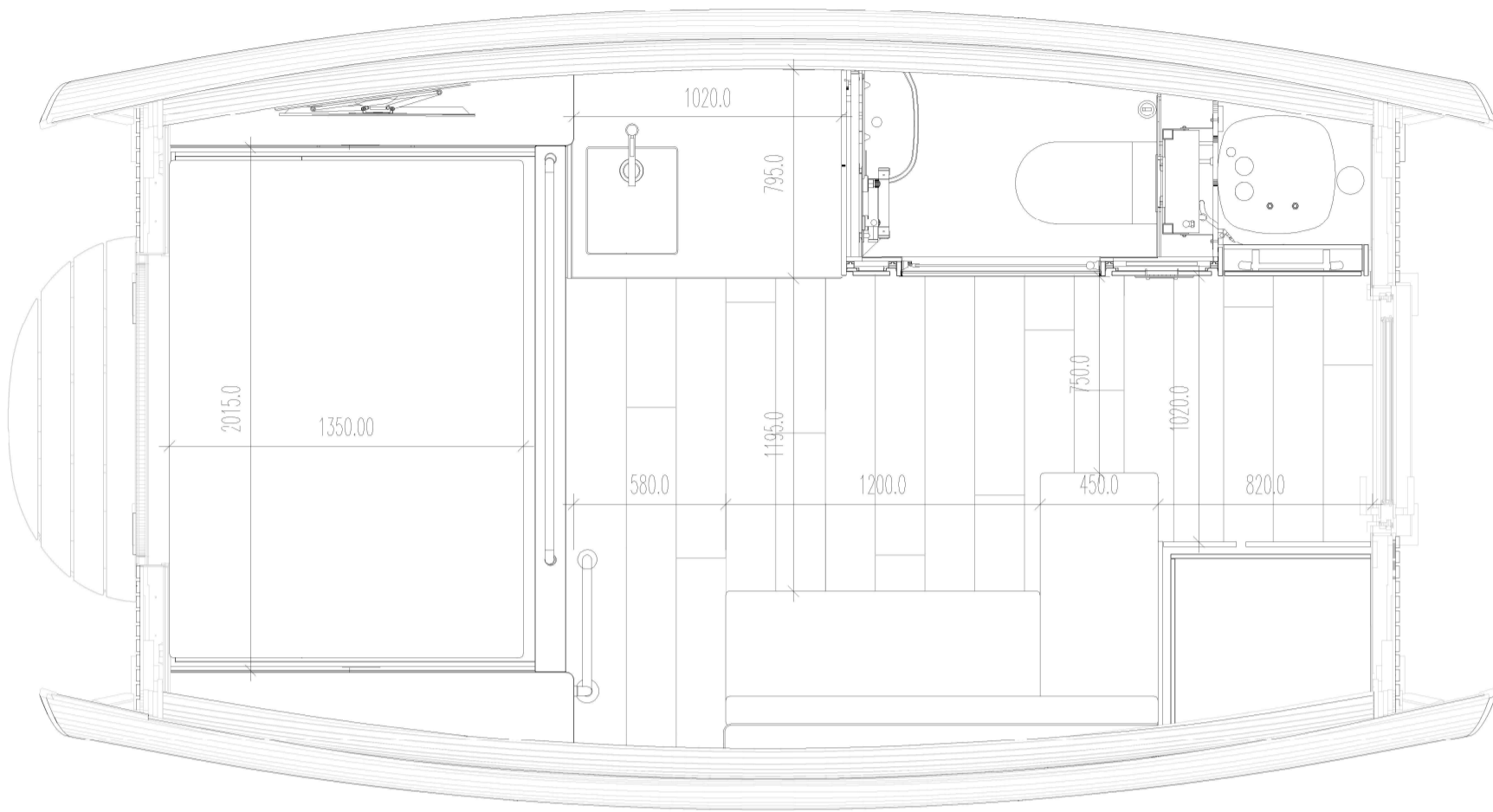
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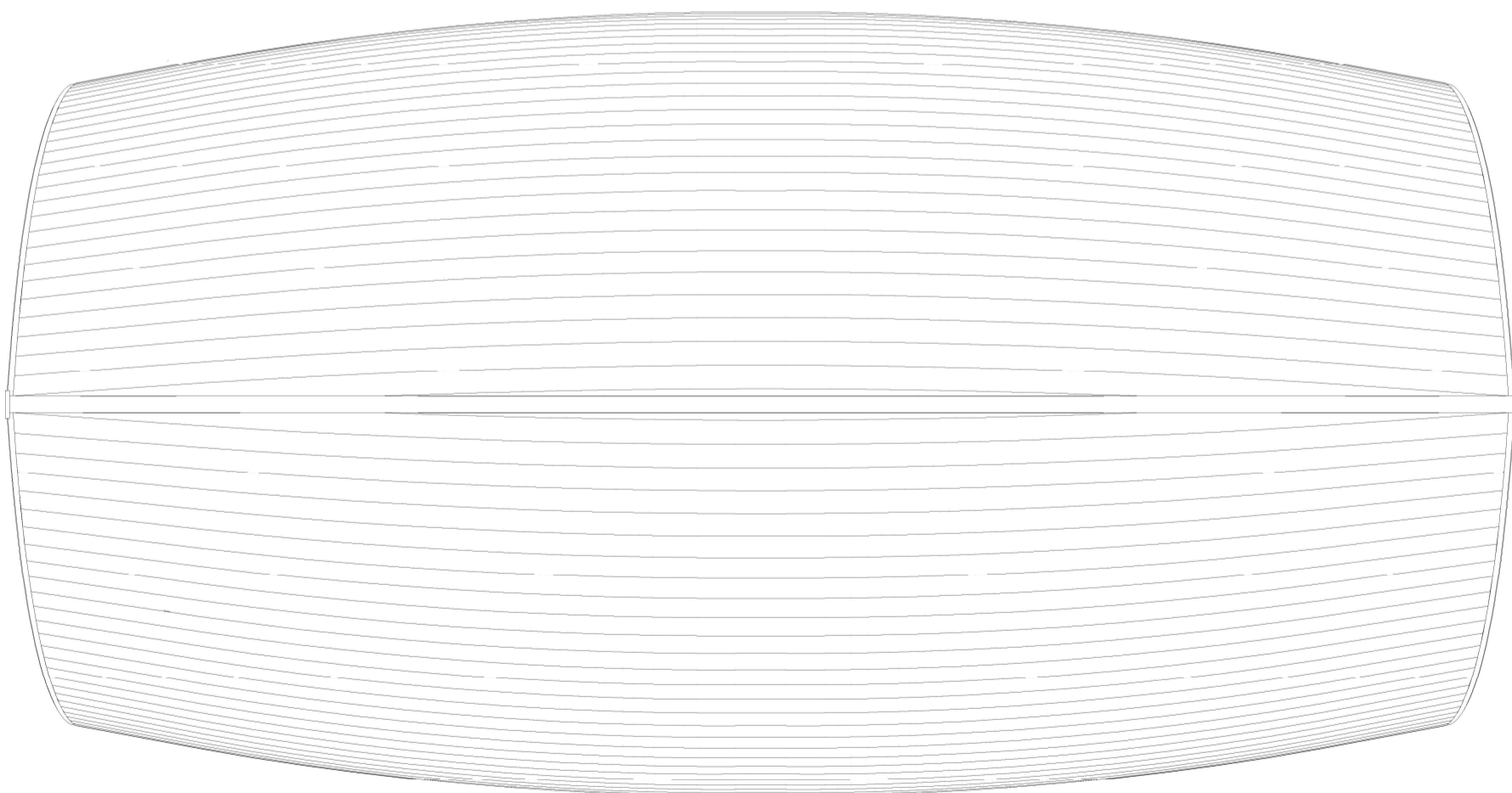
TOP VIEW



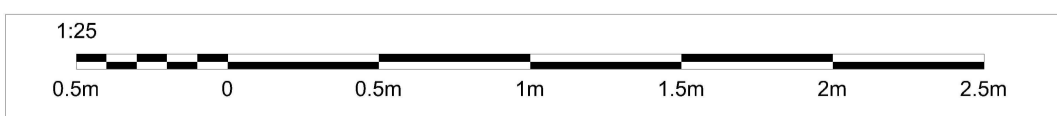
FLOOR PLAN



TOP VIEW

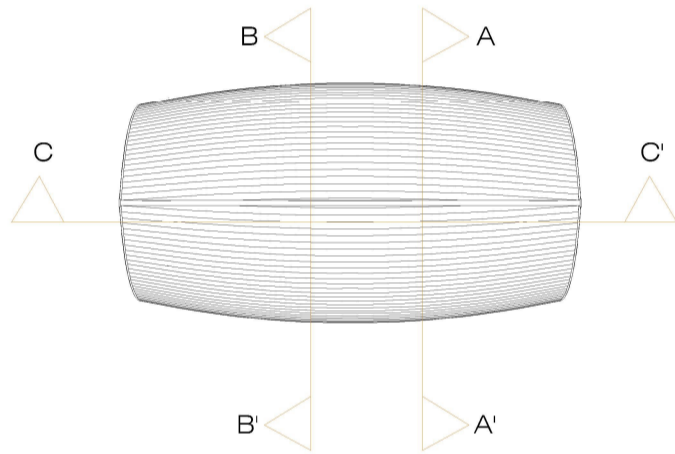
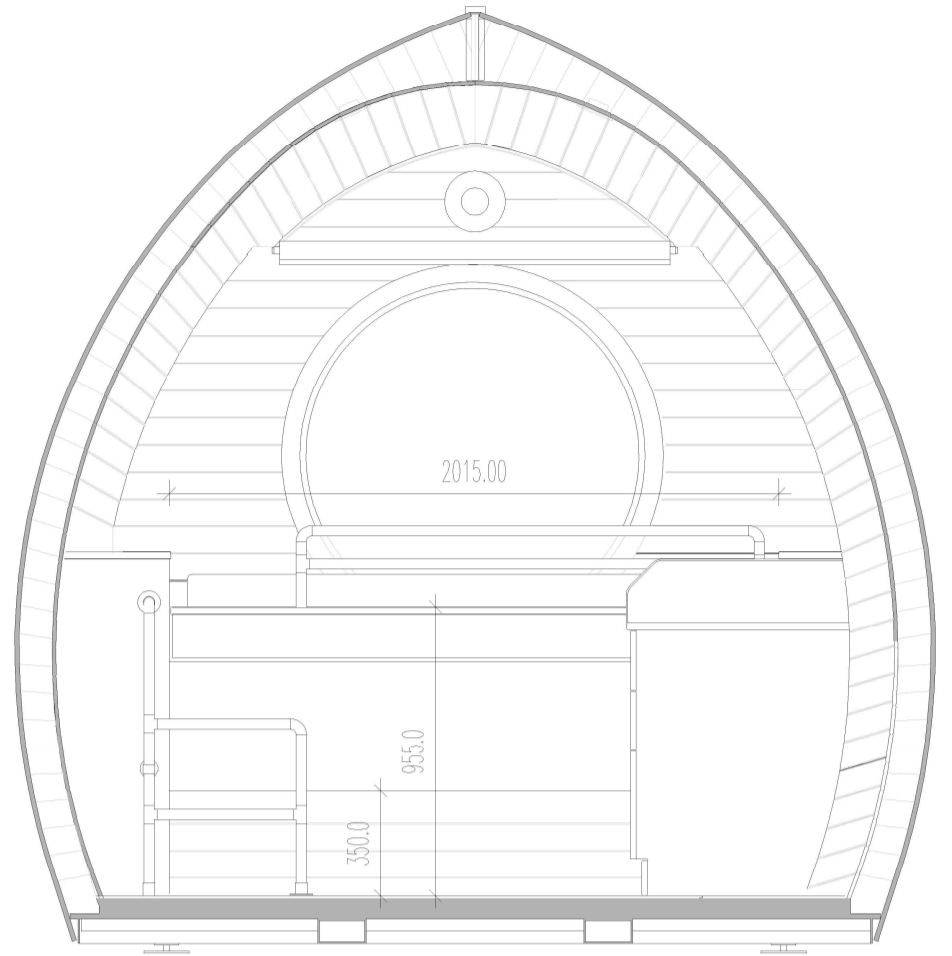
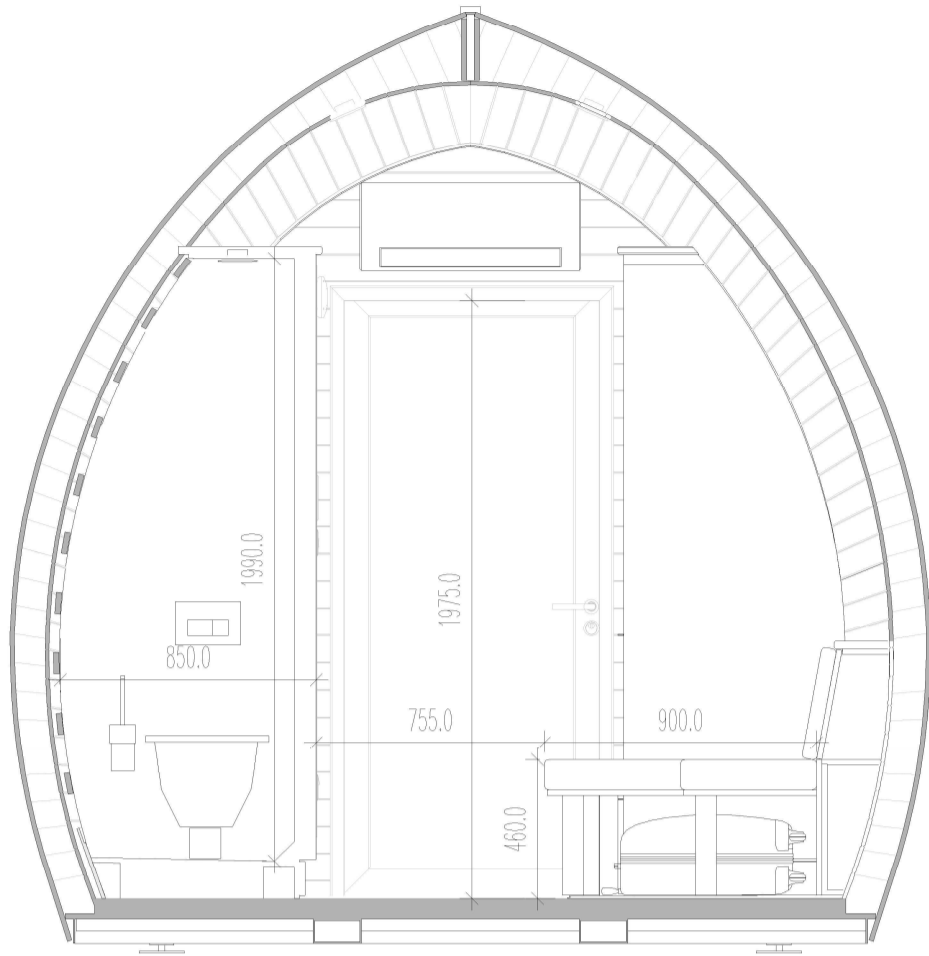


Gross Internal Floor Area = 11m<sup>2</sup>

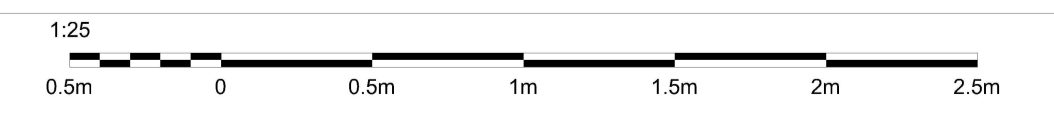
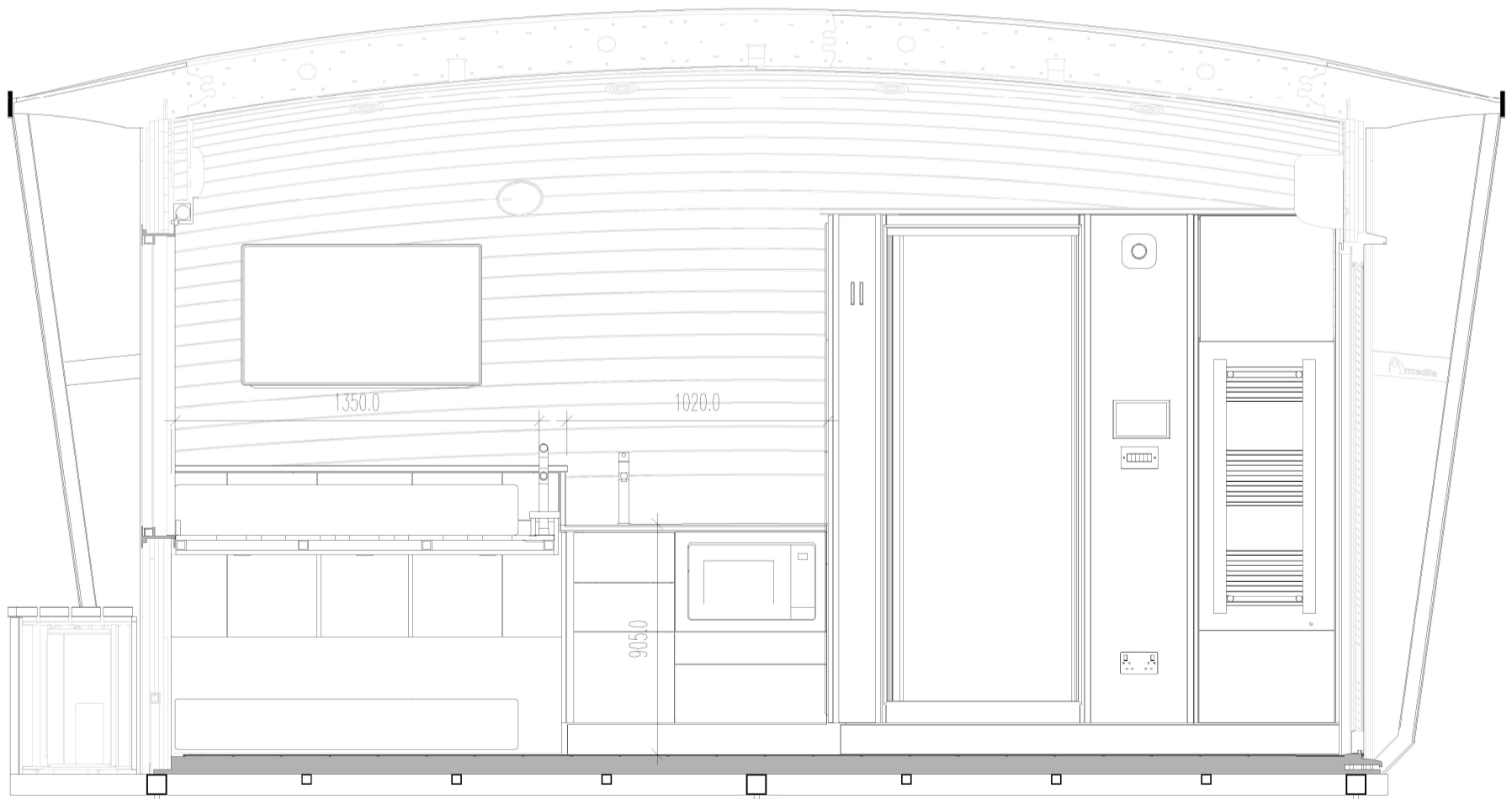


SECTION A-A'

SECTION B-B'

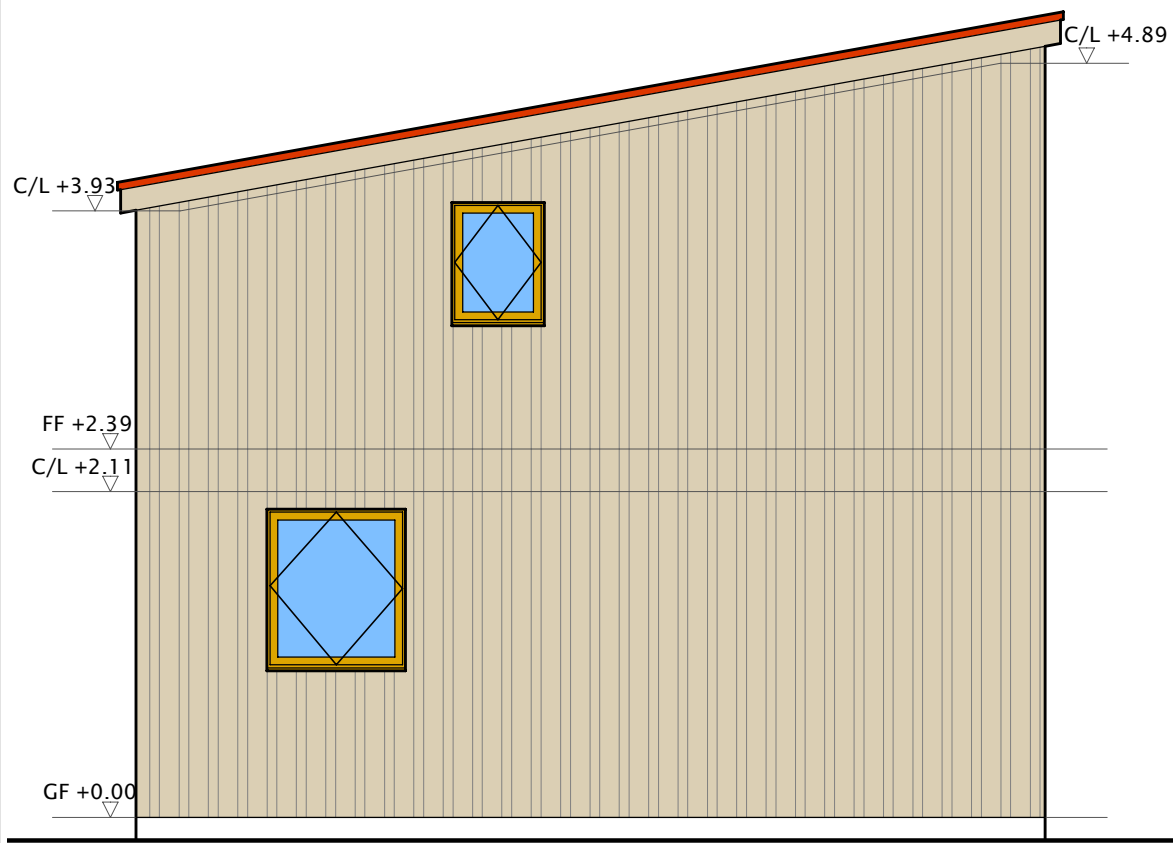


SECTION C-C'



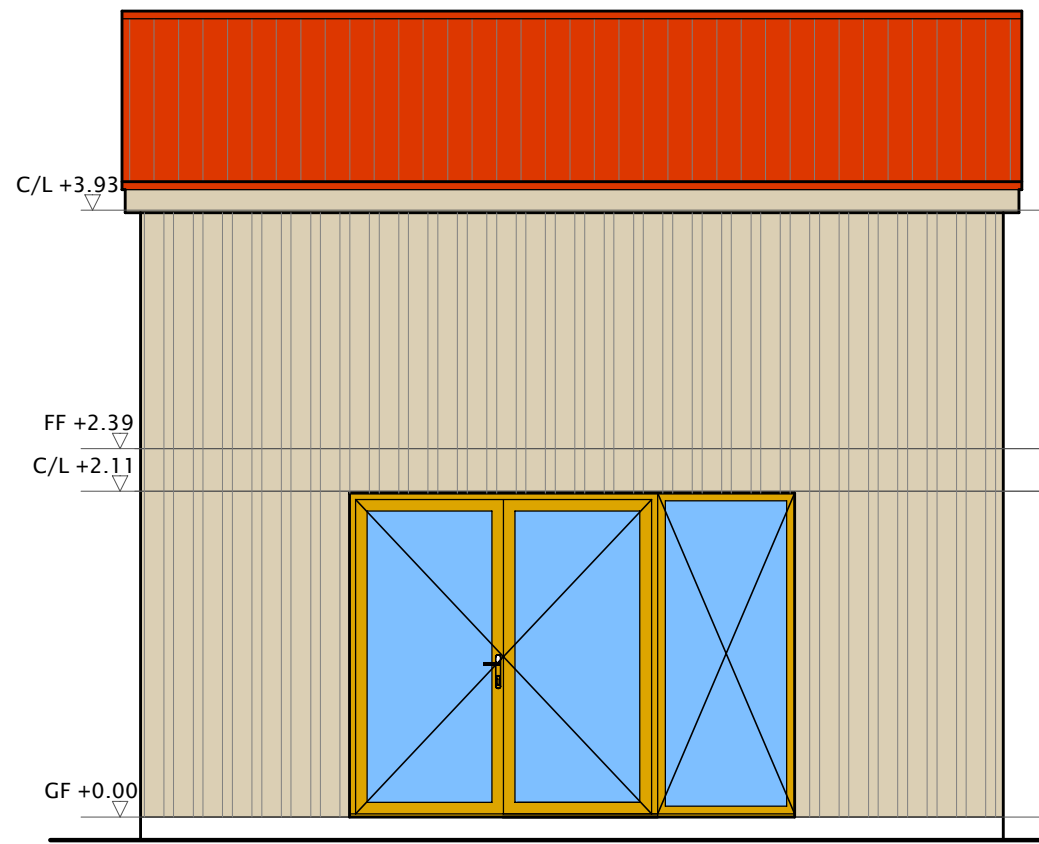


Schedule of Materials  
 Walls - untreated larch batten and board  
 Roof - Dark grey profiled metal



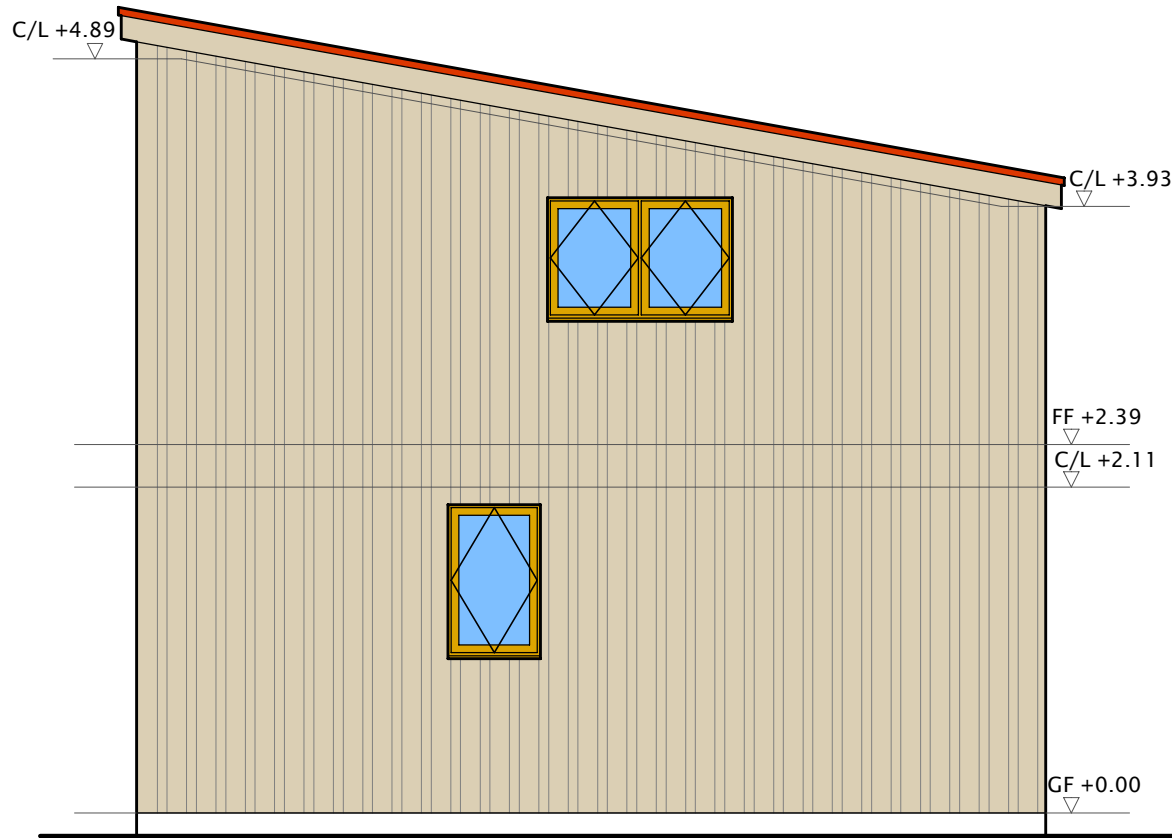
**SIDE ELEVATION**

Scale 1:50



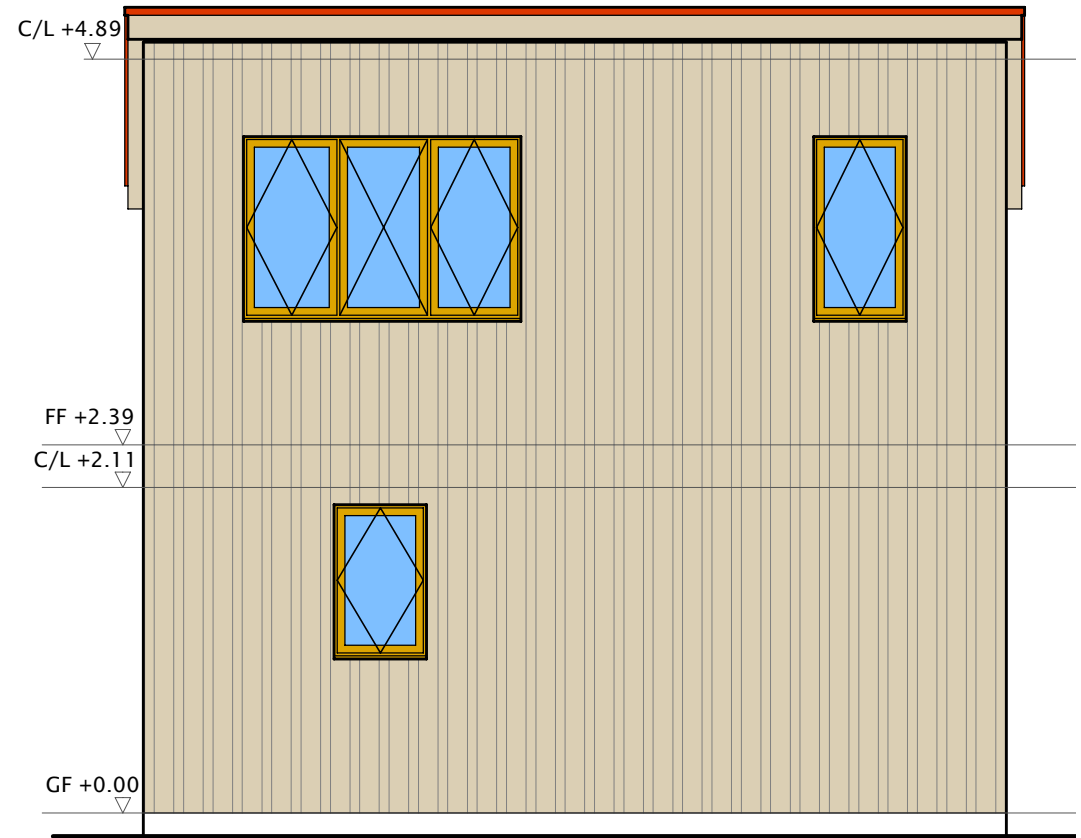
**FRONT ELEVATION**

Scale 1:50



**SIDE ELEVATION**

Scale 1:50



**REAR ELEVATION**

Scale 1:50

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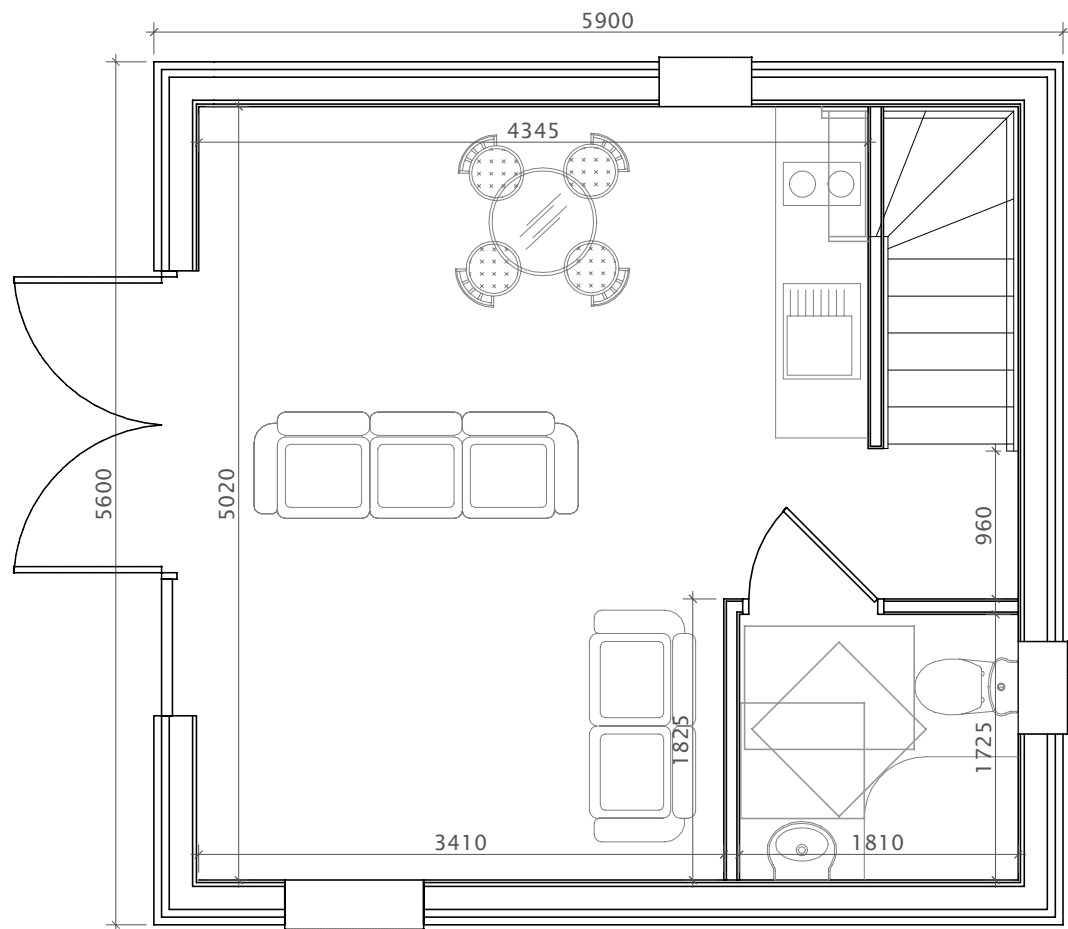
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Rev.	Date	Description	App'd

**Project Title**  
 Riverbed Lodges  
 The Clubhouse  
 Dragon's Tooth Golf Course  
 Ballachulish  
 PH49 4JX

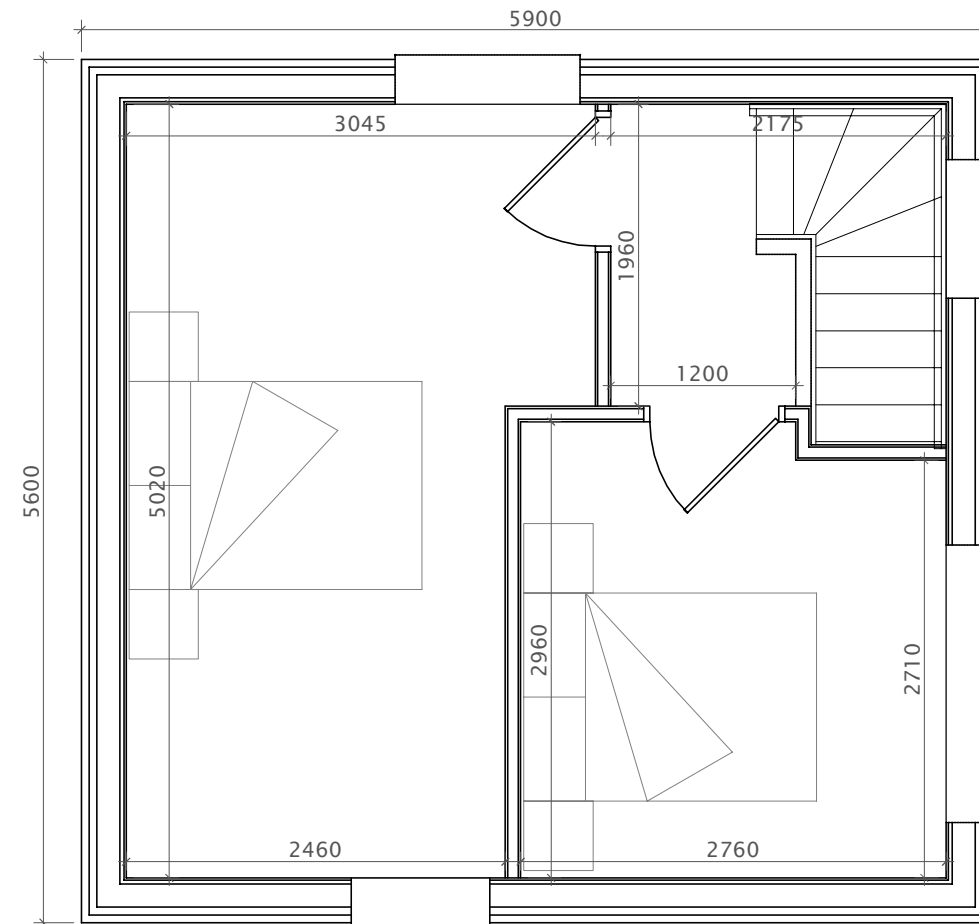
**Drawing Title**  
 Elevations

<b>Drawn By</b> BM	<b>Checked By</b>	
<b>Drawing Sheet Size</b> A3	<b>Scale</b> 1:20	<b>Date</b> 18.12.20
<b>Project Number</b> JMLGR-20-49-RIVER		
<b>Drawing Number</b> D002	<b>Revision</b>	
<b>FOR APPROVAL</b>		



**GROUND FLOOR PLAN**

Scale 1:50



**FIRST FLOOR PLAN**

Scale 1:50

Gross Internal Floor Area = 53m<sup>2</sup>

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Rev.	Date	Description	App'd

**Project Title**  
 Riverbed Lodges  
 The Clubhouse  
 Dragon's Tooth Golf Course  
 Ballachulish  
 PH49 4JX

**Drawing Title**  
 Floor Plans

<b>Drawn By</b> BM	<b>Checked By</b>	
<b>Drawing Sheet Size</b> A3	<b>Scale</b> 1:20	<b>Date</b> 18.12.20
<b>Project Number</b> JMLGR-20-49-RIVER		
<b>Drawing Number</b> D001	<b>Revision</b>	
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