

Agenda item	<b>8.1</b>
Report no	<b>HLC/032/23</b>

**THE HIGHLAND COUNCIL**

**Committee: THE HIGHLAND LICENSING COMMITTEE**

**Date: 9 May 2023**

**Report title: Application for the grant of a short term let licence – Wildcat Lodge, Invertromie, Kingussie, PH21 1NS (Ward 20 - Badenoch & Strathspey)**

**Report by: The Principal Solicitor – Regulatory Services**

**1. Purpose/Executive Summary**

1.1 This report relates to an application for the grant of a short term let licence.

**2. Recommendation**

2.1 Members are asked to determine the application in accordance with the Council's hearings procedure.

### 3. Background

- 3.1 In terms of The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, a licence is required for residential accommodation for use as a short term let.
- 3.2 Short term let means the use of residential accommodation provided by a host in the course of business to a guest, where all of the following criteria are met:
- The guest does not use the accommodation as their only or principal home
  - The short term let is entered into for commercial consideration
  - The guest is not:
    1. An immediate family member of the host
    2. Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college, or further or higher educational institution, or
    3. an owner or part-owner of the accommodation
  - the accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household
  - the accommodation is not excluded accommodation, and
  - the short-term let does not constitute an excluded tenancy

### 4. Application

- 4.1 On 11 October 2022 (date the application was deemed valid) an application for the grant of a short term let licence was received from Dr Ronald Gilmour Neville.
- 4.2 The premises to which the application relates to is Wildcat Lodge, Invertromie, Kingussie, PH21 1NS ("the Premises").
- 4.3 The type of short term let which has been applied for is a 'secondary let'. A 'secondary let' involves the letting of a property where the applicant does not normally live.
- 4.4 The premises is described as a self-catering dwellinghouse which can accommodate a maximum of eight guests. The premises comprises of 4 bedrooms, 3 bathrooms and 1 kitchen and living area. A copy of the layout plans which accompanied the application are attached (**Appendix 1**).

### 5. Process

- 5.1 The application was circulated to the following Agencies/Services for consultation:
- Police Scotland;
  - Highland Council Environmental Health Service
- 5.2 Both of the above Agencies/Services, have confirmed that they have no objections to the licence being issued.
- 5.3 The Scottish Fire & Rescue Service was not further consulted on the application as the fire safety checklist, which was completed by the applicant, pertaining to the application was deemed satisfactory.

- 5.4 In addition, the applicant has provided a certificate of compliance confirming that a public notice of application for their short-term let licence was displayed at or near the Premises for a period of 21 days.
- 5.5 Building Standards have confirmed, based on the information provided, they would have no objections to the granting of the licence application on the assumption the building has the appropriate building warrant and completion certificate approvals in place for its purported use. The applicant has confirmed that the necessary building warrant and completion certificate approvals have been obtained relative to the operation of Wildcat Lodge as a short term let property.

## 6. Public representation

- 6.1 It is open to any member of the public to submit an objection or representation in relation to an application for a licence for a short term let.

Following the notice of display period, the following timeous objection has been received and is attached as an Appendix to this report:

- Notice of objection dated 21 November 2022 received from David Murray (**Appendix 2**).

The applicant was offered an opportunity to provide the Licensing Authority with some clarity in relation to the concerns raised by David Murray and the following responses were received and are attached to this report:

- Email dated 14 March 2023 received from Dr R G Neville, applicant responding to David Murray's objection dated 21 November 2022 (**Appendix 3**).
- Counter response from David Murray, objector dated 15 March 2023 to Dr R G Neville's response of 14 March 2023 (**Appendix 4**).
- Submission from Dr R G Neville, applicant dated 18 April 2023 seeking to clarify the septic tank capacity issue (**Appendix 5**).

## 7. Determining issues

- 7.1 Paragraph 5(3) of Schedule 1 of the Civic Government (Scotland) Act 1982 states that a licensing authority may refuse an application to grant or renew a licence where:

- (a) the applicant or anyone else detailed on the application is not a fit and proper person;
- (b) the activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused;
- (c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to
  - (i) the location, character or condition of premises or the character or condition of the vehicle or vessel,
  - (ii) the nature and extent of the proposed activity,
  - (iii) the kind of persons likely to be in the premises, vehicle or vessel,

- (iv) the possibility of undue public nuisance, or
- (v) public order or public safety; or

(d) there is other good reason for refusing the application.

If required the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

7.2 A copy of this report has been sent to the applicant and David Murray, the said objector who both have been invited to attend and will be provided with an opportunity to be heard by the Committee.

Both parties have also been advised of the procedure which will be followed at the meeting which may also be viewed via the following link:

[Licensing hearings procedures | Licensing hearings procedure \(Licensing Committee\) \(highland.gov.uk\)](https://www.highland.gov.uk/downloads/file/25349/licensing-hearings-procedures)

## 8. Policies

The following policy is relevant to this application:

- Short-term let licensing policy statement (which includes the mandatory and additional licence conditions attached to all Short Term Let Licences):-

A copy of this can accessed at

[https://www.highland.gov.uk/downloads/file/25349/short-term lets - policy statement](https://www.highland.gov.uk/downloads/file/25349/short-term-lets-policy-statement)

or a hard copy can be supplied where requested.

## 9. Implications

9.1 Not applicable.

Date: 18 April 2023

Author: Julie Traynor

Reference: [FS457586279](#)

Background Papers:

- Civic Government (Scotland) Act 1982
- The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022

Appendix 1: Wildcat Lodge ground floor and first floor layout plans which accompanied the application;

Appendix 2: Objection dated 21 November 2022 from David Murray;

Appendix 3: Response to David Murray's objection from applicant, Dr R G Neville dated 14 March 2023;

Appendix 4: Counter response from David Murray dated 15 March 2023 to Dr R G Neville's response dated 15 March 2023.

Appendix 5: Submission from applicant dated 18 April 2023 seeking to clarify the septic tank capacity issue.

# APPENDIX 1

Wildcat Lodge PH 21 INS

Ground Floor

1 cm = 1.0 m Scale



Mobility Access



Fire exit



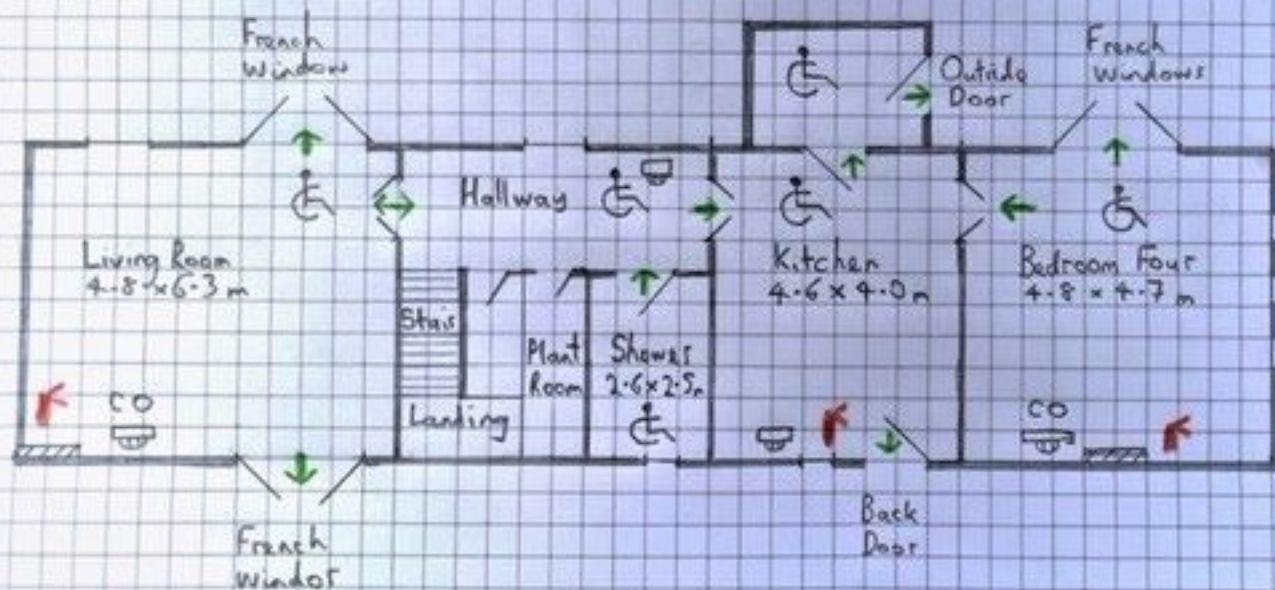
Fire extinguisher



CO alarm



Mains wired heat and smoke alarm



Wildcat Lodge PR21 1WS

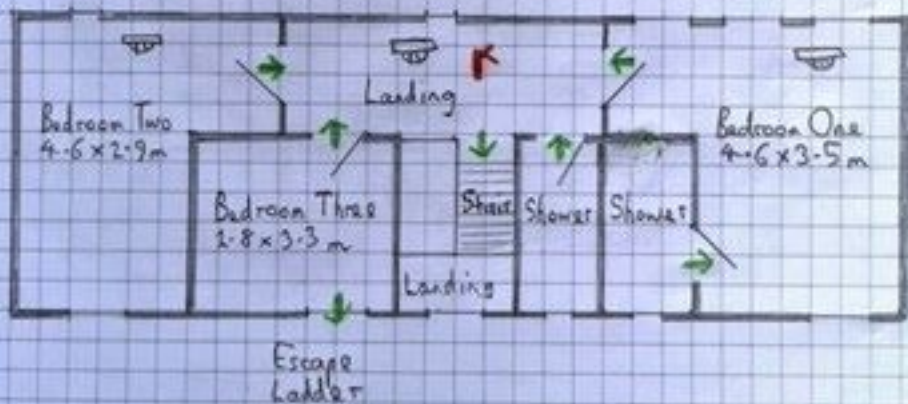
First Floor

1cm = 1.0m Scale

→ Fire Exit

↖ Fire extinguisher

☰ Mains wired heat and smoke alarm





**Julie Traynor (Legal Team (Licensing))**

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**From:** David Murray [REDACTED]  
**Sent:** 21 November 2022 13:45  
**To:** STL Licensing  
**Subject:** STL Wildcat Lodge, Osprey Lodge and Hideaway Lodge, Invertromie

**CAUTION:** This email was sent from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I would like to submit the following comments regarding the application for STL for Wildcat Lodge, Osprey Lodge and Hideaway Lodge at Invertromie Steadings, Kingussie.

I feel that applications for the 3 STLs should be considered as a group application and not as separate applications due to the collective negative impact they have on the infrastructure of the development and on the quality of life of the other property owners. Issues include; parking, disruption, group bookings for celebrations, dogs off leads, bins, items being flushed into the septic tank and regularly exceeding the maximum capacity of the septic tank.

Invertromie Steadings comprises 6 properties developed by Ironhorse Development Company in 2015. Five properties face into a shared courtyard and the sixth is detached. The developed is within an RSPB reserve.

The planning for the development's infrastructure which includes the septic tank is based around a maximum occupancy of 31 people. SEPA may have a view on the impact of over occupancy when three STLs are all occupied. This should be investigated and considered. We would be interested to view their comments.

Three of the courtyard properties (plots 1, 2 and 3) operate as short term holiday let's, plot 4 is a second home, I live with my wife in plot 5. The detached property (plot 6) is a second home.

The 3 STLs advertise for 8 guests each this means there are regularly 24 guests with up to (sometimes exceeding) 4 cars per STL. This number of guests mean that the STLs take 77% of the planned maximum capacity for the development.

Two of the STLs are originally 3 bedroom properties; Wildcat Lodge uses a downstairs lounge as a fourth bedroom and Osprey Lodge has recently built a 4th bedroom in an upstairs living area.

Hideaway Lodge has no grass area in the back garden for dogs to use so guests often allow their dogs into the shared courtyard area.

My wife and I have chosen to live, work, volunteer and contribute to the local community and economy. We feel that our quality of life is negatively impacted by the STL properties and the pressure they place on the infrastructure of the development.

Should you require specific examples, we would be happy to provide these ( too numerous to list in this communication).

When reviewing these STL applications please consider

1. Whether it is appropriate for STLs to be issued or
2. Whether each property should have a maximum number of guests, for example 6.
3. Whether restrictions should be place, for example, number of cars per property, provision of grass area for dogs, no groups or group celebrations, no weekend only bookings etc.

Many thanks for considering our comments. As a result of the negative impact on our lives we have considered selling our home and moving elsewhere, the irony of this is that it would be highly likely that a new owner of the property would set up a Short Term Let.

We look forward to receiving your feedback and comments.



**Application for STL licence: Wildcat Lodge, Invertromie Steading, Kingussie, PH21 1NS**

**Case 457586279**

**Dr RG Neville's response to Mr D Murray's comments**

**1 Wildcat Lodge STL application - background**

- 1.1 Thank you for notifying me on 07 March 2023 that my neighbour Mr Murray submitted comments on 21 November 2022 in respect of my Short-Term Holiday Let (STL) license application for Wildcat Lodge, Invertromie Steading, Kingussie, PH21 1NS.
- 1.2 I am grateful to have the opportunity to view these comments and provide the Licensing Committee with clarity and supporting evidence.
- 1.3 All bar one of Mr Murray's comments are not directed specifically towards Wildcat Lodge. The one which is specific to Wildcat Lodge is factually incorrect (see section 12).
- 1.4 I will try to add clarity to comments where my STL appears to be linked by association to the activities of one of the other two STLs at Invertromie Steading.
- 1.5 In preparation for submitting my STL application I contacted each of my neighbours. None, including Mr Murray, expressed any negative concern.

**2 Group applications**

- 2.1 Mrs Neville and I operate Wildcat Lodge STL. I am not able to provide clarity on a 'Group Application'.

**3 Quality of life of other property owners**

- 3.1 Mr Murray's negative assertion is not something I recognise from Residents' Association Meetings or regular and informal social gatherings with residents.
- 3.2 I also (quote) "live, work, volunteer, contribute to the local community and economy" in my work as a Mountain Leader, volunteer Board Member of Mountaineering Scotland, and former chairperson of SCOTLAND: the big Picture. To add clarity, Wildcat Lodge is also my Highland home and work base.
- 3.3 Mr and Mrs Murray were supportive when we developed our modest STL business from 2018 onwards by recommending a local cleaner, trades, and suppliers. In turn we were able to support their Mountain Bike School by referring guests to them.
- 3.4 Mrs Murray has reported instances to me of pleasant interaction with guests staying at Wildcat Lodge – the joy of seeing snow for the first time by a young family and helping one of our regular guests with disability challenges retrieve delivery packages.
- 3.5 In summary, I have received no indication from Mr Murray that my STL business, as separate from another STL, has adversely impacted on the quality of life of property owners.

## **4 Parking**

4.1 The parking area at Invertromie Steading is very spacious. Each property also has a private garage. The area needs to accommodate multiple categories of use: holiday homeowners' parking needs are variable; visiting trades and service vehicles require access and turning space; and holiday lets can be empty or at capacity. Mr and Mrs Murray's parking need has included a motorhome, work minibus, Mrs Murray's work van, and private vehicles.

4.2 After the covid lockdowns the Residents' Association discussed how to address parking issues when local businesses, including our STL, reopened.

4.3 Wildcat Lodge only requires two parking spots. These are adjacent to the property and clearly labelled (photos available on request or online). Neither space is visible from Mr and Mrs Murray's property or impinges on their curtilage or access.

4.4 We manage all guest bookings ourselves and set a limit of two cars as a condition of booking. In the event of guests asking for a third car space we can offer our private garage.

4.5 When we have disabled guests in residence, we invite them to use the communal 'all abilities access space' adjacent to the disabled access ramp.

4.6 Mr and Mrs Murray have not reported any adverse impact of the Wildcat Lodge STL car parking arrangement directly to me, nor has any evidence relating to our STL parking been reported at Residents' Association Meetings since I joined the group in 2018.

4.7 None of our guests have reported 'please move your car requests'.

## **5 Disruption**

5.1 I am unaware of any specific instances where the operation of the Wildcat Lodge as a STL has caused distress to Mr Murray.

5.2 There is no record of Mr Murray raising concern about disruption from us to him at Residents' Association Meetings (minutes available on request), including the most recent on 30 December 2022 when we were both in attendance. I have not received notice from the local community, Highland Council, or Police Scotland in relation to any concerns about my property.

5.3 Our >100 consecutive five-star feedback reviews (available online) are consistent in their description of a peaceful, tranquil, and quite environment.

## **6 Group Bookings for celebrations**

6.1 We do not accept group bookings for celebrations (see booking rules online). We have an explicit ban on hosting stag or hen parties. We do not have a hot tub.

6.2 The guests who choose to stay at Wildcat Lodge Scandi-Scots Cairngorms Retreat, within an RSPB bird reserve, a disabled access venue and with environmentally sustainable credentials, are almost exclusively intergenerational family groups.

6.3 Mr and Mrs Murray have never notified us of concerns about the composition of our STL guests.

## **7 Dogs off leads**

7.1 We message all our guests about onlead and off lead rules at booking and prior to arrival. Our guest welcome pack restates these rules (available on request).

7.2 Our guests have complimented us on having clear 'on lead please' red signs on all our doors which open onto shared areas (the courtyard, parking areas), and an 'off lead' green sign on our gate into our private garden, and our two doors which open onto our private garden (photos available on request). Our private secluded garden has attracted favourable reviews for being dog secure with plenty of green space for canine exercise and toileting (reviews available online). We keep a spare lead and poo bags in our porch which opens onto the communal courtyard.

7.3 I have not been in receipt of any complaints from Mr or Mrs Murray, or any other persons, relating to dog fouling or nuisance from dogs associated with our STL guests. Mr Murray's comments on dog fouling relate to another property.

## **8 Bins**

8.1 Our property is liable for non-domestic rates, with Highland Council being our designated waste disposal team. Recycling and landfill waste is collected from a bin area at the RSBP Badenoch Way parking area at the head of the Invertromie Farm track on the B970 (photos available on request). Our nearest bottle bank is at Market Lane, Kingussie.

8.2 When the six properties at Invertromie Steading had two separate bins each there was an issue with rubbish bags being placed in or next to an incorrect bin. None of these incidents were directly linked to Wildcat Lodge guests. Our clear waste policy (available on request) is sent to guests before, during and after their stay. Our cleaner does a follow up 'sweep and tidy'.

8.3 Other users of the RSBP car park or passing traffic on the B970, popular with campervans, may on occasion take advantage of the private bin facility.

8.4 The owners of Osprey Lodge (██████████) arranged with Highland Council to purchase large commercial recycling and non-recycling bins for use by Osprey, Hideaway and Wildcat Lodges. As a courtesy to the other Invertromie Residents these large commercial bins are now left unlocked to minimise the risk of waste originating from out with Invertromie being placed in the remaining smaller private collection bins.

8.5 The majority of our guests, who have chosen to stay at a carbon neutral environmentally friendly retreat, message us back to confirm they have complied with our waste disposal protocol and dropped off bottles at the Kingussie bottle bank.

8.6 On the occasions when we have guests arriving by foot or bicycle, we arrange for our local cleaner or myself to assist with waste transfer.

8.7 My regular handyman/maintenance checks to our property include inspection of the bin area. Since the installation of the large commercial bins, I am satisfied that there is no longer

a 'bins' problem at Invertromie Steading. There is no evidence of the operation of Wildcat Lodge STL as being the cause of previous bin overload or littering.

8.8 I have had no direct complaints from Mr or Mrs Murray relating to our guests leaving rubbish in the wrong place. The minute from the last Residents' Association meeting confirms this.

## **9 Items being flushed into septic tank**

9.1 Our guest manual is very specific on what can and cannot be disposed of in our wastewater (available on request).

9.2 Our cleaner is meticulous in checking the drainage of each of our sinks, toilets, and showers after each guest stay, verified by consistent five-star feedback in our reviews with respect to cleanliness (available online).

9.3 On my formal monthly check of the property, in addition to completing the fire safety record, I do a 'flush through' test of all our water disposal outlets. At my six-monthly Legionella safety check I systematically clear all our U bends and drainage filters to ensure we have no stagnant water or debris impaction.

9.4 SA Borthwick of Kingussie maintain our plumbing, without report of blockage or evidence of inappropriate disposal of hygiene products.

9.5 Mr and Mrs Murray have endured years of septic tank overflow alarms, at all times of the day and night, ever since the properties were built.

9.6 As per the minutes of the Residents' Association meeting of 30 December 2022, the underlying cause of the overflow alarms was identified as an installation flaw dating from 2016. The foundations of the tanks and outflow pipes had suffered settlement and become cracked, triggering multiple and unpredictable alarms. Structural repairs have been completed. A new alarm system has been installed.

9.7 Since this remedial work I am unaware of Mr and Mrs Murray being troubled by further alarms.

9.8 To conclude, there is no past or contemporary evidence to link the operation of Wildcat Lodge STL to the waste drainage problems cited as a source of distress by Mr Murray.

## **10 Septic tank capacity**

10.1 The installed tank capacity includes provision for eight persons at Wildcat Lodge.

10.2 Daltons Ltd who now service the communal waste disposal facilities for the Invertromie Residents' Association have not reported any capacity issues in their reports (available on request).

10.3 Mr Murray has no grounds for implying that Wildcat Lodge STL could be threatening the septic tank capacity.

## **10 Guest capacity**

11.1 Wildcat Lodge was designed to accommodate eight people across four bedrooms. We do not accept bookings for more than eight people as a time, which would contravene our fire safety protocol (submitted with our STL application) and insurance policy (the public liability section of which is part of our STL application).

11.2 I have reviewed our guest numbers in the past year. Bookings range from two to eight people, with a mean of between five and six guests at a time. We do not synchronise our bookings with the other STL operators.

11.3 We have a security camera covering our front door entrance (compliant with privacy law and primarily used for crime prevention) so can verify guest numbers.

11.4 Our local cleaner [REDACTED] maintains an independent record of our guest numbers as part of her regular laundry uplift. She has never indicated evidence of more than eight sets of towels or ben linen being used.

11.5 Mr Murray has never expressed any adverse guest capacity issues relating to my property to me or the Residents' Association.

## **12 Use of lounge as a fourth bedroom (comment specific to Wildcat Lodge)**

12.1 Wildcat Lodge was built and has continually operated as a four-bedroom property.

12.2 Our bedroom four is a spectacular large room (formerly a barn) with level access direct from the courtyard via French windows, generous circulation space, easy access to the kitchen, the downstairs bathroom with disability support features, and communal living and dining spaces. It contains an adjustable King Size bed.

12.3 Our wheelchair using guests enjoy the amenities of bedroom four. The room is large enough to include two informal beanbag seats, board games, children's toys, DVD player, TV, violin, acoustic guitar, books, telescope, and a yoga mat. There is also space to add one or more infant travel cots, and store mobility aids. Prior to guest arrival we offer to set this room up in a bespoke arrangement. This includes fitting a firm or soft mattress topping, and furniture configuration to suit guests with additional needs.

12.4 Our lounge and dining room area is quite separate and is situated at the far end of our property. It is never used as a bedroom.

12.5 Mr Murray is mistaken in his belief that our bedroom four is a converted lounge.

## **13 Specific examples too numerous to mention**

13.1 I am unable to offer clarity on this comment.

## **14 Additional suggestions submitted by Mr Murray**

14.1 ‘Cap on bookings from 8 to 6.’ This would not be appropriate for Wildcat Lodge. We have four large bedrooms and additional spacious living areas that comfortably accommodate eight people, with a total floor area of 162 square meters. We would be disappointed if we could no longer offer extended families with disabled children living in or near the Highlands their favoured accommodation option. Highland Council Occupational Therapy department with whom we have liaised with fitment installation, might share this disappointment if one of the few larger properties within our region became unable to offer disabled access holidays to inter-generational family groups.

14.2 ‘Cars per property.’ This has been addressed with respect to Wildcat Lodge in Section 4 Parking.

14.3 ‘Provision of grass area for dogs.’ Wildcat Lodge has this provision. This comment is not applicable to us.

14.4 ‘No groups or group celebrations.’ The Wildcat Lodge STL application specifically excludes stags or hens. We verify the ID and reference history of each booking. This comment is not applicable to us.

14.5 ‘No weekend bookings etc.’ We do not offer any booking discounts, short weekend bookings, bookings as a competition prize, or lets via a third party. May I draw Mr Murray’s attention to our low impact check in and check out policy (available online).

14.6 ‘Negative influence on lives and life choices.’ I have not seen any direct evidence that the operation of Wildcat Lodge as a responsible well managed STL has or would influence the lifestyle choices of Mr and Mrs Murray.

## **15 Conclusion**

15.1 Thank you again for the opportunity to provide the licensing committee with clarity in relation to the comments submitted by Mr Murray. Please let me know if you would like additional information or points of evidence.

15.2 Mr Murray has cited one specific comment relating to Wildcat Lodge (bedroom four – section 12) which is factually incorrect.

15.3 The remainder of Mr Murray’s comments are not directly related to Wildcat Lodge STL.

**Dr RG Neville**

**14 March 2023**

**From:** David Murray <[REDACTED]>  
**Sent:** 15 March 2023 15:58  
**To:** Julie Traynor (Legal Team (Licensing))  
**Subject:** Application for STL Wildcat Lodge

**CAUTION:** This email was sent from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

# Application for STL Licence

Wildcat Lodge, Invertromie. Case 457586279

Response by Mr Murray to the comments made by Dr Neville on 14/3/23

## Opening Comments

Whilst my objections to the STL application do contain aspects relating to the quality of life of my wife and I, my main concern is the potential impact on the environment and the potential resulting liability faced by all the property owners including ourselves.

If applications for the three STLs at Invertromie are approved for 8 guests each and the three remaining homes are at full capacity then occupancy would be 40 which exceeds the maximum capacity of the shared septic tank which is 35 people.

The British Water Code of Practice highlights that if 'a population is above the maximum capacity of the type of plant the total daily sewage load and final effluent quality will not be as standard potentially causing environmental contamination.'

The Code states that 'it is an offence if the effluent fails to comply with the regulators requirements and under sizing of equipment is to be avoided as it is always better to have a plant slightly oversized, rather than on the limit or undersized and that there is a risk of poor performance from the equipment if loads are exceeded.'

The type of plant at Invertromie is a NE Biodisc with a maximum capacity of 35. This was deemed the correct size based on the number of properties and number of bedrooms indicated on a submission made by the property developer for Invertromie (Iron Horse Developments) as a residential development. The Code indicates that if 'properties are used as holiday homes they tend to have higher occupancies, with perhaps, lounges also acting as bedrooms.'

Specific points I wish to highlight relating to Wildcat Lodge, in relation to the above extracts from the Code, are the potential impact of operating with 8 guests and that the original architects plans show it as a 3 bedroom property with the room that is referred to by Dr Neville as the fourth bedroom being described as a 'family room.'

I have detailed a response to the points raised by Dr Neville and have attached the following supporting evidence:

A. Extract from a document submitted by Iron Horse Developments in respect of the septic tank detailing the number of bedrooms and population for each property. This indicates that Wildcat Lodge has 3 bedrooms with a population of 5 people.

B. Extract from an email confirming the type of plant and highlighting a maximum capacity of 35 people.

C. Copy of an original architects ground floor plan for Unit 1 Invertromie (Wildcat Lodge) indicating a family room and not as Dr Neville describes as a fourth bedroom.



1. STL Application Background. Point 1.5, Dr Neville states that he contacted each of his neighbours. I have received no direct written contact from Dr Neville regarding this application. He did mention in casual conversation that he was working on his application but did not seek any feedback. He subsequently posted the application notice. I have followed the official STL process for submitting objections.
1. Quality of Life. Point 3.1 'Dr Neville does not recognise any negative assertion.' Dr Neville attended an extraordinary meeting of the Invertromie Residents Association in Aug 2021 following points raised by myself relating to quality of life impacts from the 3 STLs. I quote [REDACTED] and I would like to contribute to the Residents Meeting - where we can discuss the challenges we have'. It was only after my action that some improvements were put in place.
1. Group Bookings for celebrations. I would like to recognise that Dr Neville has put in place good practices for bookings, verifying guest IDs and providing guests with clear instructions.
1. Septic Tank Capacity. Dr Neville claims that 'the septic tank capacity includes provision for 8 persons at Wildcat Lodge and claims that I have no grounds for implying that Wildcat Lodge could be threatening the septic tank capacity.' I have seen no evidence to support this and have submitted evidence to the contrary in this document.
1. Guest Capacity. Dr Neville claims that 'Wildcat Lodge was designated to accommodate 8 people across 4 bedrooms.' I have submitted evidence to the contrary in this document. He also indicated that the 'mean number of guests is between 5 and 6.' I would point out that it is the total daily sewage load that can impact the final effluent quality.
1. Use of Lounge as a fourth bedroom. Dr Neville claims that I am factually incorrect. I have submitted evidence which seems to prove my understanding in this document. I did mistakenly refer to a lounge - it was in fact a family room according to the architects plan.
1. Dr Neville states that 'Mr Murray has cited one specific comment relating to Wildcat Lodge (bedroom 4, section 12) which is factually incorrect. This point has been covered above, however, the main issues raised by me relating to Wildcat Lodge is the number of guests being specified in Dr Neville's STL application and the impact this has on the capacity of the septic tank.

#### Closing Comments

By submitting my objections to the STL application for Wildcat Lodge (Osprey Lodge and Hideaway Lodge) I am raising my concern of a risk of environmental contamination resulting from the total number of people at Invertromie on any given day exceeding the capacity of the septic tank and am looking to eliminate myself from any resulting enforcement action taken by the regulators or financial consequence incurred as a result of the capacity issues caused by the three STLs.

I would like Licensing Committee to confirm and acknowledge I have provided evidence that the provision for capacity of properties as built was 31, further evidence that the unit installed was capacity of 35. If approval for a STL for 8 people at Wildcat was granted this would set a precedent whereby if each property were allowed to operate at capacity ( 8+8+8+4+6+6 ) ie 40 residents then this would exceed capacity. Should this STL be granted I would like to receive STL Licensing Committees justification for this.

[REDACTED]

[REDACTED]

[REDACTED]



## 2 Messages

**FW: Invertromie**

EXTRACT A

Dear [REDACTED]

I sent the information I was sent from [REDACTED] regarding the requirements for the unit.

I sent this to our commercial tem who have come back with the below statement:

I can confirm the NE BioDisc is the correct selection for this site. It is a 35 population plant at the 20/30/20 effluent quality standard required. It also features a recycle system for variable loads.

Regards

[REDACTED]



Units to be served :-

3 bed  $\rightarrow$  5 person

> 3 bed  $\rightarrow$  5 + (1 extra per extra bedroom)

Unit	Nb. of bedrooms		Total no. of bedrooms	Population
	G. Flr	1 <sup>st</sup> Flr		
1	0	3	3	5
2	1	2	3	5
3	1	3	4	6
4	0	2	2	5
5	3	0	3	5
cottage	1	2	3	5
				<hr/>
				31
				<hr/>



Proposed Treatment Plant :-

The sewage treatment plant for this six house development should be sized to cater for a population of 31 persons. Calculations justifying this population are appended.

The required sewage treatment plant is a Klargester Biodisc "BE" which has the capacity to cater for a population of 35 people. The proposed sewage treatment plant will under normal domestic conditions achieve a treated water quality of 20 mg/l BOD, 30mg/l suspended solids and 20 mg/l ammonia. Alternative treatment plants can be used if approved by an engineer from this office.

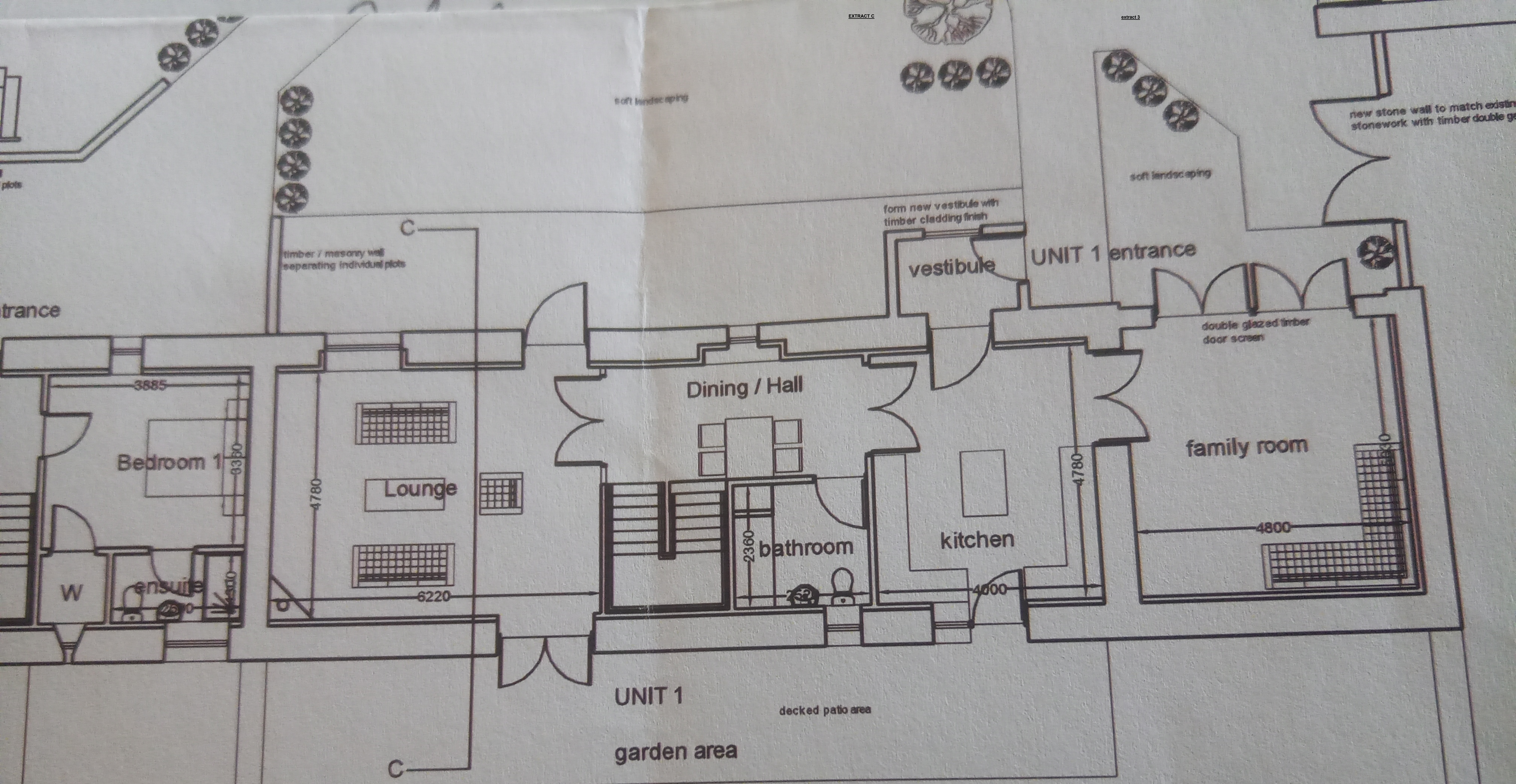
Please note the above foul water drainage proposal is subject to SEPA and Local Authority approvals. Therefore, works should not be carried out prior to these approval being put in place.

Surface water soakaways have been designed to comply with the requirements of B.R.E Digest

Drainage proposals and layouts are shown on our drawing numbered 6018-91-100.

We suggest that a formal legal agreement is made between the owners of each house setting





**GENERAL SPECIFICATION**

- existing natural rubble stone walls to be retained and patched / made good to match existing
- jambes to have toothed quoins in natural or re-constituted stone to match existing stonework
- lintols to be natural or re-constituted stone to match existing stonework
- cills to be natural or re-constituted stone to match existing stonework
- existing natural dressed stone copings to be retained and made good to match existing
- existing roof natural slating to be retained and patched / made good to match existing



### **INVERTROMIE STEADING SEPTIC TANK CAPACITY 2023**

#### **Capacity calculation**

Septic tanks are sized according to a Minimum Population (P) calculation. This is based on the number of bedrooms per property, not the number of people resident.

Two bedrooms P = 5

Three bedrooms P=5

Four bedrooms P=6

The current number of bedrooms per property at Invertromie Steading is:

Wildcat Lodge (Neville) 4

Osprey Lodge (Black) 4

Hideaway Lodge (McFadzean) 4

No.4 (Wilson) 2

No.5 (Murray) 3

The Cottage (Macrae) 3

The 2023 P values are thus 6,6,6,5,5,5. The gross P value is 33. A correction factor of 0.8 is applied to P values between 26 and 50, rounded up. The net P value is thus 27.

#### **Installed capacity**

The NE Biodisk sewage treatment plant installed at Invertromie has a P capacity of 35. The tank is in good working order and maintained by RA Dalton Ltd.

Reference:

<https://www.jdpipes.co.uk/knowledge/sewage-treatment/sizing-septic-tank-sewage-treatment-plant.html>

Personal communication (RA Dalton Ltd) 18 April 2023.