

Agenda item	12.9
Report no	HLC/188/25

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 2 December 2025

Report title: Application for the grant of a short term let licence – 29 Inverlochry Court, Fort William, PH33 6XE (Ward 21 – Fort William and Ardnamurchan)

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 8 August 2025 a validated application for the grant of a short term let licence was received from Miss Katie Irving.
- 4.2 The property to which the application relates is 29 Inverloch Court, Fort William, PH33 6XE (the "Premises"). A site plan was provided by the applicant as part of the application process and is attached as an appendix to this report (**Appendix 1**). The Premises are those edged in red on the plan on page 1 of Appendix 1.
- 4.3 The application for the short term let licence has been made on the basis that the said Miss Irving will be the host/operator of the Premises. The application was made after 1 October 2023 and, as such, the host/operator cannot operate the premises as a short term let until they have obtained a licence.
- 4.4 Miss Irving is named on the application as the owner of the Premises.
- 4.5 The person named on the application as being responsible for the day-to-day management of the Premises is the said Miss Irving.
- 4.6 The type of letting which has been applied for is 'secondary letting', which means the host/operator is letting a property where they do not normally live.
- 4.7 The Premises is described as a flat with private entrance which can accommodate a maximum capacity of two guests.

Floor plans of the Premises were provided by the applicant as part of the application process, and these can be found on page 2 of Appendix 1.

5. Process

5.1 The application was circulated to the following Agencies/Services for consultation:

- Police Scotland; and
- Highland Council Environmental Health Service; and
- Highland Council Building Standards.

5.2 Police Scotland, The Highland Council's Environmental Health Service and The Highland Council Building Standards Team have all confirmed that they have no objections to the application.

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.

6. Certificate of Compliance

6.1 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 from 24 September 2025.

7. Public objections

7.1 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 licence.

During the notice of display period, the following timeous objections were received and are attached as Appendices to this report:

- Objection received by email on 5 October 2025 from Mr Ryan James Murphy and Ms Gemma Ashdown (**Appendix 2**).
- Objection received by email on 17 October 2025 from Mr Finlay Maciver and Ms Elizabeth MacDonald (**Appendix 3**).
- Objection received by email on 20 October 2025 from Mr Ian Wright (**Appendix 4**).

8. Determining issues

8.1 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, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either:
 - i. for the time being disqualified under section 7(6) of the Civic Government (Scotland) Act 1982, or;
 - ii. is not a fit and proper person to be the holder of the licence.

- b) The activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such licence if he made the application himself;
- 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 the 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
 - (iv) 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.

- 8.2 A copy of this report has been sent to the applicant and all objectors who, in the terms of paragraph 4(2) of the Civic Government (Scotland) Act 1982, have been invited to attend and will be provided with an opportunity to be heard by the Committee.
- 8.3 All 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 \(Licensing Committee\) \(highland.gov.uk\)](#)

9. Observations on objections/representations

- 9.1 In the letters of objection found at Appendices 2, 3 and 4, points have been made which should not be taken into account by the Committee when determining this licence application, as they are outwith the scope of the grounds that a licensing authority can consider in terms of the refusal of an application to grant or renew a licence, as detailed at point 8.1 of this Report.
- 9.2 If required, the Principal Solicitor – Regulatory Services will offer further advice or clarification on these points.

10. 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 policy can accessed [here](#) or a hard copy can be supplied where requested.

11. Implications

11.1 Not applicable.

Date: 19 September 2025

Author: Sophie Shearer

Reference: [FS738099864](#)

Background Papers:

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

Appendices:

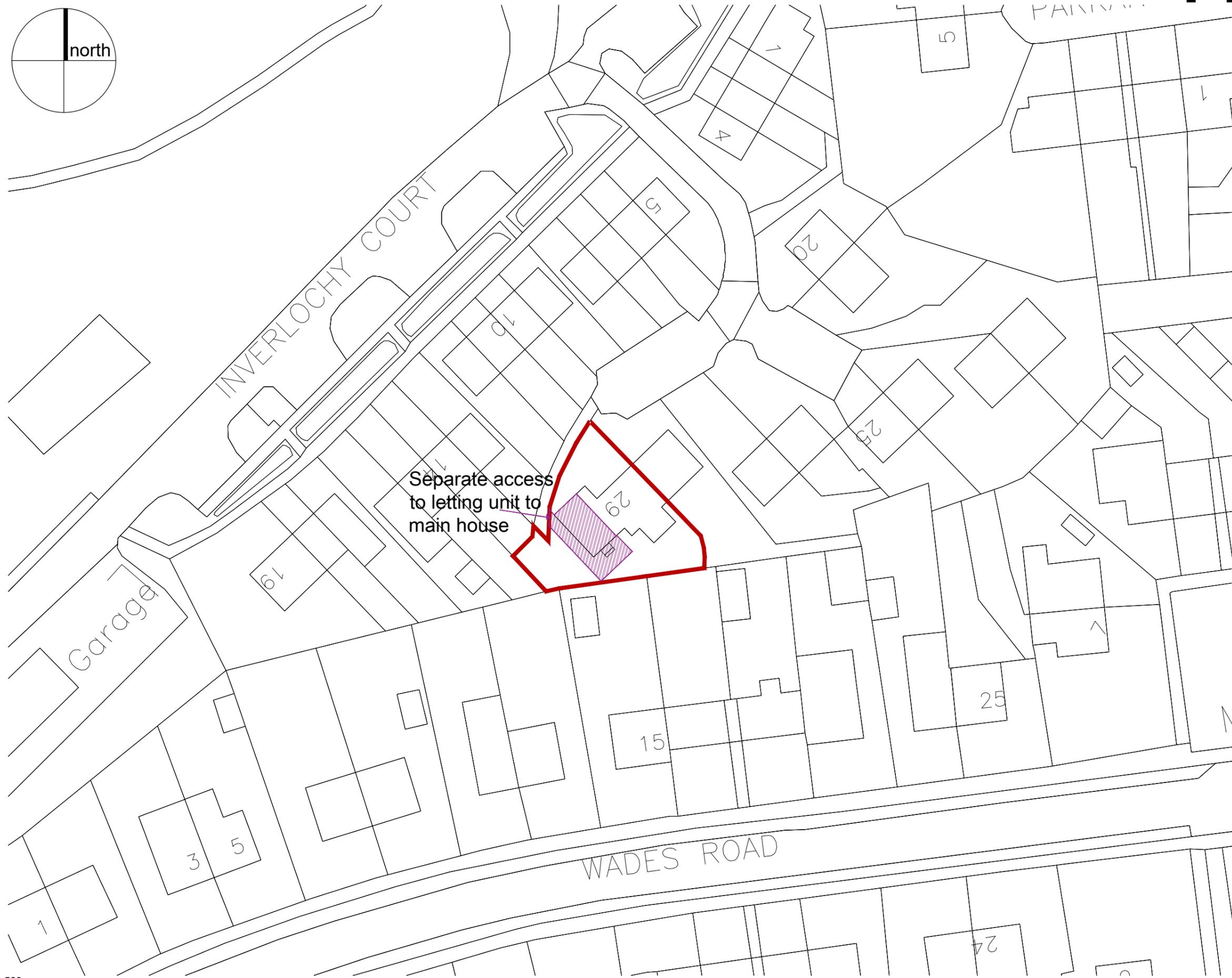
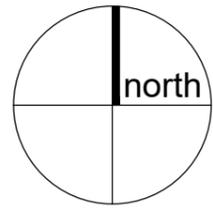
Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises;

Appendix 2: Objection received by email on 05 October 2025 from Mr Ryan James Murphy and Ms Gemma Ashdown

Appendix 3: Objection received by email on 17 October 2025 from Mr Finlay Maciver and Ms Elizabeth MacDonald

Appendix 4: Objection received by email on 20 October 2025 from Mr Ian Wright

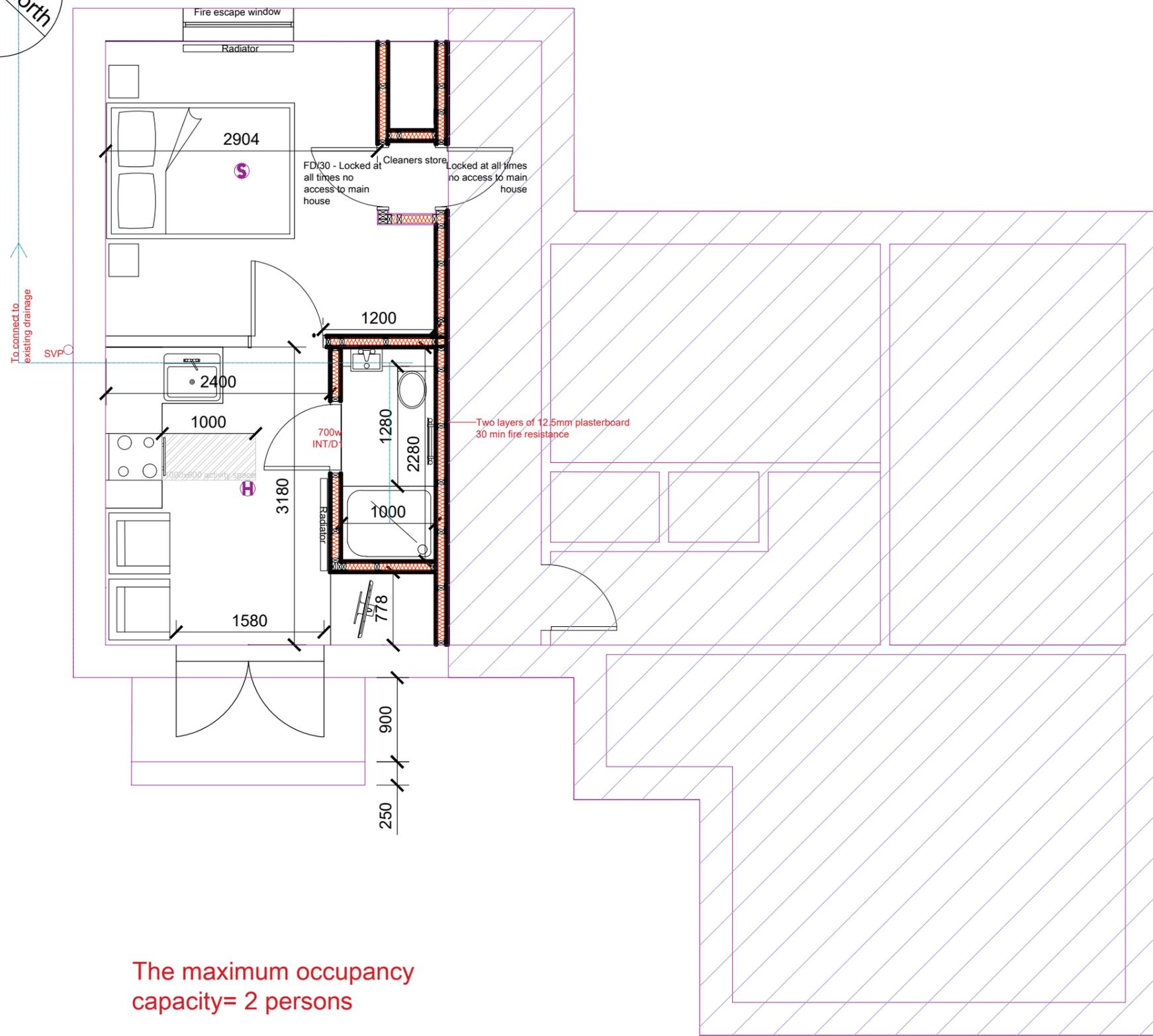
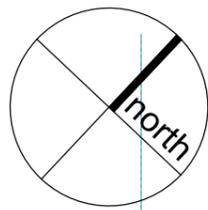
Appendix 1



-  - Property boundary
-  - letting unit

Site plan - 1:500
29 Inverlochy court, Inverlochy,
Fort William, PH33 6XE
30.05.2025

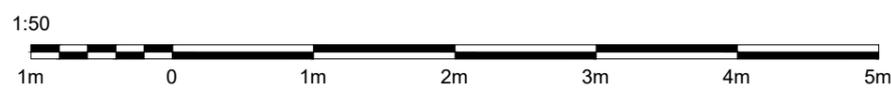




The maximum occupancy capacity= 2 persons

-  - Smoke detector
-  - Heat detector
-  - Drainage
-  - Main property not included in application

Floor plan - 1:50
 29 Inverloch court, Inverloch,
 Fort William, PH33 6XE
 July 2025



APPENDIX 2

Sophie Shearer (Legal (Planning))

From: Ryan James Murphy [REDACTED]
Sent: 05 October 2025 20:31
To: STL Licensing
Cc: Gemma Ashdown
Subject: Objection – Short-Term Let Licence Application 29 Inverlochty Court

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Objection, Sophie

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.

Hello,

I wish to lodge a formal objection to the application for a short-term let licence for 29 Inverlochty Court, Fort William, under the Highland Council Short-Term Let Licensing Scheme.

My grounds for objection are as follows:

Noise, Disturbance and Loss of Amenity

The frequent turnover of guests is likely to create unacceptable noise and disruption through late-night arrivals, gatherings, and increased traffic and parking issues. We already have issues in the area with another Air B and B causing a lot of noise and disturbance. Security lights coming on and the property overlooks straight into our house (Bedroom/Kitchen/Bathroom)

Another concern; family visiting with young children and with our garden backing onto the entrance of the property & the windows looking directly onto us safety and privacy is a big concern. This would significantly reduce the residential amenity & current safety enjoyed by neighbours. Overall, this would be inappropriate in a primarily residential area.

Planning Permission / Policy

It is unclear from this application whether the property meets this requirement for planning legislations especially as the property does not own any parking areas should this not be something that should need planning permission? In the absence of confirmation, the licence should not be granted.

Parking/Emergency Services Access

Parking is a concern as the property does not have any allocated parking and along with the owner of the property still residing there as well as offering short term let this will increase the parking issue in our area.

The property is located at the end of a Cul-de-sac where the bins for all the houses are collected and if this becomes blocked by parking our bins will not be collected. Not only that this is access for emergency services into our properties and surrounding as this is the only access.

For the reasons outlined above, I respectfully request that Highland Council refuse this short-term let licence application.

I confirm that this objection is submitted in writing, within the required time limit, and provide my details below:

Yours faithfully,

Ryan Murphy and Gemma Ashdown



APPENDIX 3

Sophie Shearer (Legal (Planning))

From: Finlay Maciver [REDACTED]
Sent: 17 October 2025 13:53
To: STL Licensing
Subject: 29 Inverloch Court letting notice.

Categories: Actioned, Sophie

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.

Dear Sir/Madam

With consideration, we, of [REDACTED]. Would like to place a formal objection to the application for short term let license, at 29 Inverloch Court, Fort William

Our grounds for objection are as follows:

Inverloch Court is a very small area with houses in close proximity of each other and although this is the case it is well looked after and maintained by the long term residents, many of whom have been here for many years. With that said, we feel it would be highly inappropriate for a community such as this to be used for business and financial gain when its sole intention, when built, was as residential houses for small families and couples or individuals.

We have a grandson with Autism and ADHD who has high needs and is very vulnerable.

We have him at our house every week and regularly overnight for stays and he loves to play in our back garden and although it is secure, he must be kept within eyesight at all times as he has a tendency to wander off. Our back garden is directly in front of the proposed letting property and we worry of frequent strangers in and out and walking past.

There are a number of elderly/infirm residents nearby and I while I do not wish to speak for them, I feel it would be of heightened alarm to them with the additional disturbance of frequent visitors coming and going. The additional vehicle presence would also hinder any emergency vehicle or ambulance attendance as the parking is very tight. There are disabled parking facilities which also may be obstructed as the proposed letting property does NOT have parking allocated to it and although the owners vehicle has space, paying visitors, often with very large vehicles, will still require parking alongside the owners. Which there is simply not enough room for.

Overall....noise, Disturbance and Loss of Amenity The frequent turnover of guests is likely to create unacceptable noise and disruption through late-night arrivals, gatherings, and increased traffic and parking issues. We already have issues in the area with another Air B and B causing a lot of noise and disturbance. Security lights coming on ad the property overlooks straight into our house (Bedroom/Kitchen/Bathroom) Another concern; family visiting with young children and with our garden backing onto the entrance of the property & the windows looking directly onto us safety and privacy is a big concern. This would significantly reduce the residential amenity & current safety enjoyed by neighbours. Overall this would be inappropriate in a primarily residential area.

Planning Permission / Policy

It is unclear from this application whether the property meets this requirement for planning legislations especially as the property does not own any parking areas should this not be something that should need planning permission? In the absence of confirmation, the licence should not be granted.

For the reasons outlined above, I respectfully request that Highland Council refuse this short-term let licence application.

I confirm that this objection is submitted in writing, within the required time limit, and provide my details below:

Yours faithfully,

Finlay Maciver
Elizabeth MacDonald

APPENDIX 4

Sophie Shearer (Legal (Planning))

From: Ian Wright [REDACTED]
Sent: 20 October 2025 11:06
To: STL Licensing
Subject: Objection to Short Term Let Licence at 29 Inverloch Court, PH33 6XE

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Sophie

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.

Dear Sir/Madam,

I am writing to lodge a formal objection to the application for a short-term let licence at 29 Inverloch Court, Fort William, PH33 6XE.

My grounds for objection are as follows:

Noise, Disturbance and Loss of Privacy

Several houses in Inverloch Court, including my own, do not have an enclosed front garden area and so the back garden is the only secluded, private outdoor space available to them. We are currently fortunate enough to have decent and trusting neighbours in the area. However the property in question being awarded a short-term let licence would completely erase all privacy for ourselves and many of our adjoining neighbours and remove one of the main amenities of living in this area. The short term let looks directly into our back garden, kitchen and rear upstairs bedroom and with frequent turnovers and increased footfall of unknown guests around the back of our property, it raises many concerns for us in terms of our privacy, security and safety in our private space. Our property backs directly onto the proposed short-term let, which has automatic movement lights which would cause further disturbance with any late arrival and early departure of guests. There is already another Airbnb close by in the area which has caused disturbance with guests early in the morning and late at night and so another short-term let in the area so close by, would only compound on this.

If the licence is granted, the property will seriously encroach on our privacy and I believe it would negatively impact on the future value of our property, as I personally would not be keen to buy a house with a short-term let so invading on its privacy.

Parking and Access

There is already very limited parking in this area. It is unclear if the applicant has their own dedicated parking space at the moment and with the additional vehicles for guests, it would only add to the already very congested area and restrict access to the back of our property even further. In addition to this, the designated bin/waste collection area is located where the guests would be likely to park their vehicles. This would certainly disrupt or restrict access to the council waste collection vehicles in their already, and increasingly very busy schedule.

Planning Permission

To my understanding the single property has effectively been sub-divided into two separate properties/dwellings, under the same address. One of which will be used for the short term let and the other in which the applicant themselves will be living. I assume this change in use would require a full planning application and building warrant for its intended use. With this in mind it is unclear if the applicant has the planning permission for the physical alteration/property conversion.

It seems completely unreasonable that a short-term let should be approved, when it is so negatively impactful and detrimental to the amenities of the surrounding properties in the area.

For the reasons listed above, I would respectfully request that the council seriously consider the implications of this proposed short-term let on the surrounding properties and move to refuse the application in question.

I confirm that this objection is submitted in writing, by myself, within the required time limit and provide my details below.

Your faithfully,

Ian Wright

A black rectangular redaction box covering the signature area.