

Agenda Item	7.9
Report No	PLN/05/26

## HIGHLAND COUNCIL

**Committee:** North planning Applications Committee

**Date:** 10.06.2026

**Report Title:** 26/00366/FUL: Wise Folly Ltd.

**Report By:** Shoe Cellar, Main Street, Kyle,  
Area Planning Manager - North

### Purpose/Executive Summary

**Description:** Change of use from shop to short-term let (part-retrospective)

**Ward:** 05 - Wester Ross, Strathpeffer, And Lochalsh

**Development category:** Local

**Reason referred to Committee:** Objection from Community Council

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### Recommendation

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

## **1. PROPOSED DEVELOPMENT**

- 1.1 The proposal seeks part-retrospective planning permission for the change of use of a ground floor retail unit to a three-bedroom short-term holiday let. The application was submitted following an enforcement case. The works undertaken were limited to the ground-floor washrooms, necessitated by a pipe connection serving the upper floor. In addition, timber partitions were installed on the ground floor. Following an investigation by the enforcement team works were halted by the applicant pending the outcome of this current planning application. It is noted that the ground floor was not used as a short term let as confirmed by the agent.

Planning permission has previously been granted for the change of use of the upper floor, which was formerly a vacant shop, to holiday letting accommodation. This upper floor unit has received a Short Term Let (STL) licence recently and has been operational since then. The current application relates to the change of use at ground floor level along with some minor changes to the west elevation of the building. A shed-type lean-to structure (indicated in red in the drawings), which has a door opening, is to be demolished. Once removed, the external wall that is exposed will have no openings. In addition, a new door opening is proposed for the laundry/store room. All other changes are internal.

- 1.2 The development is connected to the public sewer and water supply and no changes are proposed. There are no dedicated existing car parking spaces and no parking is proposed.
- 1.3 Pre Application Consultation: None
- 1.4 Supporting Information: None
- 1.5 Variations: None

## **2. SITE DESCRIPTION**

- 2.1 The site is located on the southern side of Main Street in Kyle of Lochalsh, with the railway line situated to the east of the building. The building is two storeys in height but due to a significant change of levels it appears as a single storey building on the street. It has a rectangular footprint and a modest projection towards Main Street. It is a very nontraditional building form with a low pitch and wide gable. It is set at a lower ground level, at which the railway lines are established. The upper floor fronts onto Main Street, with access to the lower floor provided via an external stair serving the ground floor accommodation from the upper level on the north elevation. There is a takeaway next door (west) and the railway is immediately to the east. Mature trees are present along the southern elevation and along the railway line to the east. The building has a shallow-pitched roof, with existing fenestration retained on all elevations. No dedicated parking is provided for the development; daytime on-street parking is available on a time-limited basis.

### 3. PLANNING HISTORY

- |     |              |  |            |
|-----|--------------|--|------------|
| 3.1 | 18/01303/FUL | Change of use from vacant shop to holiday let accommodation (upper floor). This was not implemented.   | 20.06.2018 |
| 3.2 | 23/05759/FUL | Change of use from shop to holiday letting accommodation (upper floor). This has now been implemented. | 07.03.2024 |
| 3.3 | 25/00375/ENF | Unauthorised change of use to the lower shop to short term letting                                     | 17.02.2026 |

### 4. PUBLIC PARTICIPATION

- 4.1 Advertised: West Highland Free Press – Unknown Neighbour (14 days)

Date Advertised: 20.02.26

Representation deadline: 06.03.26

Timeous representations: 0

Late representations: 1 from 1 household

One objection comment received from community council

- 4.2 Material considerations raised are summarised as follows:

- With the lack of dedicated parking will put undue pressure on existing parking  
**Planning Officer (PO) response:** Transport Planning was consulted in relation to parking matters associated with the site and have no objection (see section 8.15 to 8.17. below). The proposed three-bedroom short-term let would generate a parking requirement of three spaces. When considered alongside the existing approved upper-floor short-term let, which requires four spaces, the total parking demand for the building would be seven spaces. This is lower than the parking requirement associated with the former retail use of the premises.

As the proposal would not result in an increase in parking demand compared to the previous permissible use, it is not considered that the development would exacerbate existing parking pressures within the area. Transport Planning has confirmed that reliance on the existing public car park opposite Main Street to accommodate longer-stay parking associated with the development is acceptable. This approach would not result in unacceptable pressure on the existing local parking network.

- The access to the property via a narrow passageway and steep steps between the two buildings and is therefore making entrance and egress limited and restricted.

**Planning Officer (PO) response:** Access to the proposed lower-floor unit is taken from the north elevation, where it connects directly to the existing public footpath. The access comprises a flight of steps, followed by a small

passageway, located adjacent to the neighbouring takeaway premises. This section measures approximately 1.3 metre in width and extends for around 5.5 metres in length. Beyond this point, the access route widens, providing an area for pedestrian movement and circulation. This is the existing arrangement and given the proposal is for the conversion of an existing building this considered to be acceptable in this instance.

- Concern that adjoining waste are being utilised  
**Planning Officer (PO) response:** Waste and recycling will be used as existing, to be collected from the kerbside presentation point as shown on the submitted plans.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <https://www.highland.gov.uk/planning/view-comment-planning-applications>.

## 5. CONSULTATIONS

5.1 **Kyle Community Council: objected** to the application on the grounds of inadequate parking provision to serve the proposed development. It is said that the introduction of an additional STL) unit would place undue pressure on the already limited availability of parking within the area. Concern has also been raised regarding the repeated reliance on the same nearby parking locations such as that of Lochalsh Leisure Centre and the adjacent children's play park, both of which are well used by the local community. This is considered likely to have an adverse cumulative impact on other users who depend on these parking spaces. Further impact on existing local businesses is also noted.

In addition, the means of access to the property is via a narrow passageway and a set of steep steps located between two buildings. This constrained arrangement limits ease of entry and exit and is considered to result in restricted access to the accommodation.

5.2 **Scottish Water:** no objection to the planning application.

5.3 **Environmental Health:** no objection in principle to the application. The applicant is advised that the property must be licensed by the Council prior to occupation as a short-term let and must comply with all relevant licence conditions. An informative advising the applicant of the requirement to obtain a Short-Term Let Licence should be included in any planning permission that may be granted.

5.4 **Contaminated Land – Environmental Health:** Records indicate that the site was previously in railway-related use, which may have resulted in land contamination depending on historic activities. However, as the proposed development would not materially alter the existing level of risk, the imposition of a contaminated land condition requiring further investigation is not considered necessary. Notwithstanding this, it is recommended that an informative be included on any decision notice to advise the applicant of the potential for contamination.

5.5 **Transport Planning Team:** no objection to the proposal, and no transport-related developer contributions are required. Parking provision has been assessed in

accordance with Council standards, which require one space per bedroom for short-term let accommodation. Accordingly, three parking spaces are required for the proposed three-bedroom unit.

The former use of the premises as a retail unit would have required approximately eight parking spaces, calculated at one space per 20 square metres of gross floor area (approximately 165 square metres), in line with the Roads and Transport Guidelines for New Developments (RTGND). The proposed change of use therefore represents a reduction in parking demand of approximately five spaces compared to the previous use.

The public car park located opposite Main Street provides the nearest longer-stay parking provision. Given the reduced parking demand relative to the former retail use, reliance on nearby public parking is considered acceptable and would not result in unacceptable pressure on the local parking network.

5.6 **Network Rail:** no comments or objections are raised.

## 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 6.1 National Planning Framework 4 (2023) (NPF4)

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 9 - Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 30 - Tourism

### 6.2 Highland Wide Local Development Plan 2012 (HwLDP)

28 - Sustainable Design

29 - Design Quality and Place-making

31 - Developer Contributions

34 - Settlement Development Areas

44 - Tourist Accommodation

### 6.3 West Highland and Islands Local Development Plan (2019) (WestPlan)

Placemaking Priorities - Kyle of Lochalsh

- Regeneration of prominent sites within northern and central Kyle.
- Secure a long-term solution to overcome current parking issues in the settlement.

In town centre; In Settlement Development Area

No specific policies apply.

### 6.4 Lochalsh Place Plan (2024)

### 6.5 Highland Council Supplementary Planning Policy Guidance

Biodiversity Enhancement Planning Guidance (May 2024)

Roads and Transport Guidelines for New Developments (May 2013)  
Sustainable Design Guide (Jan 2013)

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

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

None

## **8. PLANNING APPRAISAL**

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

### **Determining Issues**

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

### **Planning Considerations**

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) siting, design and amenity
- c) impact on infrastructure and services and proposed mitigation
- d) any other material considerations

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

8.4 Sections 25(1)(a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the development plan unless material considerations indicate otherwise.

8.5 All planning applications must now be determined in accordance with the provisions of NPF4 and the existing Local Development Plan unless material considerations provide justification otherwise. If there is an inconsistency between NPF4 policies and an LDP which was adopted before 13 February 2023, the NPF prevails under Section 24(3) of the Town and Country Planning (Scotland) Act 1997 (as amended). In this case the Development Plan is comprised of NPF4 and the West Highland and Islands Local Development Plan (although this has no site-specific policies of relevance to this application) and the Highland-Wide Local Development Plan, the relevant policies of which focus on siting, design, access, neighbour amenity, and tourist accommodation (policies 28, 29 and 44). For the reasons laid out below, the proposal is considered to comply with these policies.

8.6 NPF4 Policies 1-3 apply to all development proposals throughout Scotland. When considering development proposals, significant weight will be given to the global

climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible. As this is a change of use proposal, biodiversity enhancement is not required.

- 8.7 NPF4 Policy 9 supports development that regenerates derelict or underused buildings and spaces to enhance wellbeing and placemaking. Policy 9(c) requires proposals on unstable or contaminated land to demonstrate that the site is, or can be made, safe and suitable for the intended use. Policy 9(e) supports the reuse of existing buildings, subject to their suitability for conversion to alternative uses. The WestPlan placemaking priorities for Kyle of Lochalsh place particular emphasis on the regeneration of prominent sites within northern and central Kyle.

As the building is currently vacant, the proposed change of use to short-term holiday accommodation would bring the property back into active use and contribute positively to the vitality of the town centre. The introduction of visitor accommodation would increase footfall within Kyle town centre and support surrounding commercial and retail premises, thereby contributing to local economic activity. In this context, the reuse of a vacant unit for short-term letting is considered acceptable in principle.

With regard to land contamination, Environmental Health was consulted and advised that their records indicate the site is located on former railway land, which may have been subject to contamination depending on past activities. However, as the proposed change of use would not materially alter the risk associated with any potential contamination, it is not considered necessary to impose a contaminated land investigation condition. Notwithstanding this, should any suspected contamination be encountered during development works, all works should cease immediately, and further action should be agreed with the Council in consultation with Environmental Health.

- 8.8 Policy 28 of HwLDP requires development proposal to be considered in terms of siting, design and the impact on landscape qualities as well as their compatibility with public service provision and the impact on individual and community residential amenity. HwLDP Policy 29 requires any application to make a positive, net contribution to the architectural and visual quality of the place within which it is proposed. HwLDP Policy 34 supports proposal in Settlement Development Areas if they meet the requirement of Policy 28. The proposed siting, design, and amenity are not considered to be contrary to this policy as explained in detail in section 8.11 to 8.14.

- 8.9 NPF4 Policy 30 is broadly supportive of tourism accommodation, subject to the following considerations:

Policy 30(b) requires proposals to have regard to:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;

- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment.

Policy 30(e) states that proposals for the reuse of existing buildings for short-term holiday letting will not be supported where they would result in:

- an unacceptable impact on local amenity or the character of the area; or
- the loss of residential accommodation, unless outweighed by demonstrable local economic benefits.

This is in line with HWLDP Policy 44, which supports development within settlement boundaries where it can be accommodated without causing adverse impacts on neighbouring land uses, complies with HWLDP Policy 28, and does not prejudice the residential housing land supply.

The proposal would contribute positively to the local economy, with its nature and scale being appropriate to the established character of the site and the wider town centre. The property benefits from a highly accessible location, with shops, retail premises, services, and public transport all within convenient walking distance. As such, the proposed use is well integrated with surrounding facilities and services.

The retention and reuse of the existing building represent a sustainable form of development and will assist in conserving embodied carbon within the built environment. Bringing a vacant unit back into active use for an alternative purpose supports efficient land and building use and aligns with sustainable development objectives.

In relation to Policy 30(e), the proposal would have no unacceptable adverse impact on local amenity or the character of the area. The economic benefits associated with the provision of short-term holiday accommodation within the town centre are considered to outweigh any limited impacts arising from the change of use. Overall, the proposal is considered acceptable in principle and accords with relevant planning policy.

- 8.10 The WestPlan placemaking priorities for Kyle of Lochalsh identify the need to secure a long-term solution to address existing parking pressures within the settlement. The potential impact of the proposal on parking infrastructure is addressed in section 8.15 to 8.17. However, it is noted that the proposal would not result in an increase in parking demand when compared with the site's previous and existing uses. The former retail use required the provision of eight parking spaces. The proposed three-bedroom short-term let is anticipated to generate a requirement for three spaces, while the existing approved short-term let on the upper floor would generate a further four spaces. This results in a total requirement of seven spaces, which is below the parking demand associated with the former use of the building. Furthermore, as set out in RTGND paragraph 6.4.1.2, the parking standards should be applied with a

degree of flexibility, recognising that parking demand is influenced by a range of factors including the nature of the development, its location, and proximity to public parking facilities. The guidance confirms that, particularly within town centres or where there is access to nearby public car parking, lower levels of parking may be acceptable, and in some circumstances may be encouraged. Accordingly, reliance on the existing public car parking provision opposite Main Street is considered acceptable, and the proposal is not expected to exacerbate existing parking issues within the town centre.

### **Siting, Design, and Amenity**

- 8.11 The proposal is located within Kyle Town Centre as identified in the WestPlan. The layout is somewhat unusual, as the accommodation is at street level and as such not visible in the wider street scene. However, it will fit well with the town's existing mix of uses. The proposal relates solely to the change of use of a vacant ground floor retail unit to a three-bedroom short-term letting unit. No siting or design issues arise, as the existing building will be retained. The only external alteration proposed is the formation of an additional door to the proposed laundry/storeroom, and the minor demolition of a shed-type lean-to building, which has a door opening in it. These minor alterations would not adversely affect the character or appearance of the building or the surrounding streetscape.
- 8.12 In terms of the site context, the land to the south is wooded for approximately 25 metres, beyond which it is understood is staff accommodation block for a local hotel. While the eastern boundary is defined by the railway line, areas of tree cover, and another holiday rental about 22 metres away. The property fronts onto the main street, beyond which the land falls to a lower level. A takeaway premises is located immediately to the west. The takeaway shop is located at street level, which aligns with the upper floor level of the proposed building. There are no immediate residential properties whose amenity would be compromised by the proposal through overlooking or loss of privacy.
- The proposed ground floor unit and the existing short-term let on the upper floor will operate as independent units, each with its own separate entrance. This arrangement ensures an appropriate level of privacy and would not give rise to access or congestion issues. Given the established mixed-use character of the town centre and the nature of the proposed use, it is not considered that the development would result in any adverse amenity impacts, including unacceptable noise levels.
- 8.13 Access to the proposed lower-floor unit is taken from the existing external stair which connects with the public footway and descends along the west elevation of the building. The stair is located adjacent to the boundary wall of the neighbouring takeaway premises. The stairs and passageway continue to the lower floor level for approximately 5.5 metres. However, towards the end of the passageway, the access route progressively widens and opens out into a modest lower-level forecourt area. This is the existing arrangement and given the proposal is for the conversion of an existing building this considered to be acceptable in this instance.

- 8.14 The building lacks adequate amenity space to function as a permanent residential unit, and such a use may not be suitable in this context. It is therefore proposed that the accommodation be restricted to short-term letting only. A condition to this effect is considered appropriate.

### **Impact on infrastructure and services and proposed mitigation**

- 8.15 The proposal includes no existing or proposed in-curtilage parking, reflecting the historic arrangement associated with the former retail use of the building. The on-street parking bays immediately outside the site frontage are subject to a Traffic Regulation Order (Consolidation Order 2016, effective from 4 October 2016), which restricts use to limited waiting Monday to Saturday between 8am and 6pm, with a maximum stay of 30 minutes and no return within 30 minutes. As such, these bays cannot be relied upon as long-stay parking provision for the proposed development.

In accordance with the Roads and Transport Guidance for New Developments (RTGND), parking demand for the former non-food retail use is calculated at one space per 20m<sup>2</sup> of gross floor area (Table 6.6), resulting in a requirement of eight spaces. Short-term letting is assessed in line with self-catering or holiday accommodation standards, at one space per bedroom (RTGND, Table 6.4). The proposed three-bedroom short-term let would therefore generate a requirement for three spaces.

- 8.16 Planning Application approved for the upper floor (sited in section 3.0) has calculated 3 parking spaces for the four-bedroom short term let. Even though the RTGND Table 6.4 assess one parking space per bedroom, as set out in RTGND paragraph 6.4.1.2, the parking standards should be applied with a degree of flexibility, recognising that parking demand is influenced by a range of factors including the nature of the development, its location, and proximity to public parking facilities. The guidance confirms that, particularly within town centres or where there is access to nearby public car parking, lower levels of parking may be acceptable, and in some circumstances may be encouraged. In addition to this, public transport is available within walking distance, providing connections to nearby settlements as well as to other towns in the surrounding area.

Taking this into account, the total parking generated by the combined short-term-let accommodation, requirement for parking spaces represent a net reduction in parking demand compared to the former retail use of the building.

- 8.17 The nearest opportunity for longer-stay parking is the existing public car park opposite Main Street, which is accessible either directly via steps or via step-free footways using Douglas Row, Plock Road, and Main Street. Given the reduced parking demand associated with the proposed use relative to the former shop, reliance on nearby public parking is considered appropriate and would not place unacceptable pressure on the local parking network. This is in accordance with the consultation response received from the Transport Planning Team.
- 8.18 The proposal does not involve any alterations to existing pedestrian access arrangements or the adjacent public footway. Footway widths, surfacing, and street lighting will remain unchanged. Waste and recycling will continue to be collected from

the existing kerbside presentation point as shown on the approved plans. The development raises no road safety concerns for pedestrians or other road users.

- 8.19 The building location benefits from a highly accessible location, with shops, retail premises, services, and public transport all within convenient walking distance. As such, the proposed use is well integrated with surrounding facilities and services, and it gives an opportunity for people for active travel and use public transportation.
- 8.20 Existing water supply and drainage arrangements will be retained, with no alterations proposed.

#### **Other material considerations**

- 8.21 The Developer Contributions Supplementary Guidance allows for the consideration of commuted sums in lieu of on-site parking only where a development results in an increased parking demand and where a Parking Appraisal identifies a consequential shortfall within the parking network. In this instance, the proposal would result in a net reduction in parking generation when compared to the former use. As no parking shortfall is anticipated, a Parking Appraisal is not required. Accordingly, a commuted sum in lieu of parking is neither necessary nor justified.

#### **Non-material considerations**

- 8.22 None

#### **Matters to be secured by Section 75**

- 8.23 None

### **9. CONCLUSION**

- 9.1 The proposal relates to the change of use of an existing former retail unit to a three-bedroom short-term let. The development would bring a vacant unit back into active and beneficial use, contributing to the reuse and repurposing of an existing building. This aligns with regeneration objectives for the area and supports the vitality and viability of Kyle town centre.

The proposed use would also contribute positively to the local economy, particularly given its central location within the town centre where a range of facilities, including retail services and public transport, are available within comfortable walking distance. The introduction of visitor accommodation is therefore considered to support sustainable patterns of development and local economic activity.

As the proposal is solely a change of use, with no alterations to the siting or overall design of the building, no siting or design issues arise. The proposal would not give rise to any adverse residential amenity impacts, as there are no nearby residential properties that would be affected. The adjacent takeaway premises to the west is a compatible town centre use and does not raise any amenity concerns.

The impact on infrastructure has been considered, with particular regard to parking. As detailed elsewhere in the report, the proposed use would generate a lower parking demand than that associated with the former retail use. As such, the development would result in a net reduction in parking demand. Reliance on the

public car park opposite Main Street is therefore considered acceptable, and the proposal is not expected to give rise to adverse impacts on local parking provision.

- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## **11. RECOMMENDATION**

### **Action required before decision issued**

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. 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.

**Reason:** In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The units hereby approved shall be used for holiday/short term letting purposes only and shall not be used as the sole or main place of residence of any occupant; a holiday being defined as a stay of one or more nights by a person or persons away from that person or persons sole or main place of residence unless otherwise agreed with this Council as Planning Authority and shall not be occupied by the same person or persons for more than 3 months in any calendar year (any such period shall not run consecutively to such a period in any successive or preceding year).

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

## **REASON FOR DECISION**

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **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>

### **Contaminated Land**

There is the potential for contamination at this site due to Railway Land use. As the proposed development would not appear to materially change the risk of potential contamination at the site, an investigation is not required at this stage. However, should any suspected contamination be encountered during development, all works should halt until further actions are agreed with the Council. Please note all former industrial/commercial uses have been prioritised by the Highland Council under duties conferred by Part IIA of the Environmental Protection Act 1990 and may require investigation in the future and can affect property value.

Should you wish to discuss potential contamination issues, please contact the Contaminated Land Team, Place Service Cluster – Environmental Health for advice.

### **Environmental Health**

Under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, it is a legal requirement for all short-term let operators to obtain a Short Term Let Licence. Short term let properties must comply with the licensing scheme and satisfy the licence conditions adopted by the Council for such properties.

Further information on short term lets can be found on the Highland Council website [https://www.highland.gov.uk/info/20021/short\\_term\\_lets](https://www.highland.gov.uk/info/20021/short_term_lets)

Signature:

Designation: Area Planning Manager - North

Author: Shanshvi Naik – Graduate Planner (North)

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - 25:42:00 Location Plan

Plan 2 - 25:42:12 Site Plan

Plan 3 - 25:42:11 Rev A Floor, Section, and Elevation Plans

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)

Type	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked <sup>1</sup>	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
<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

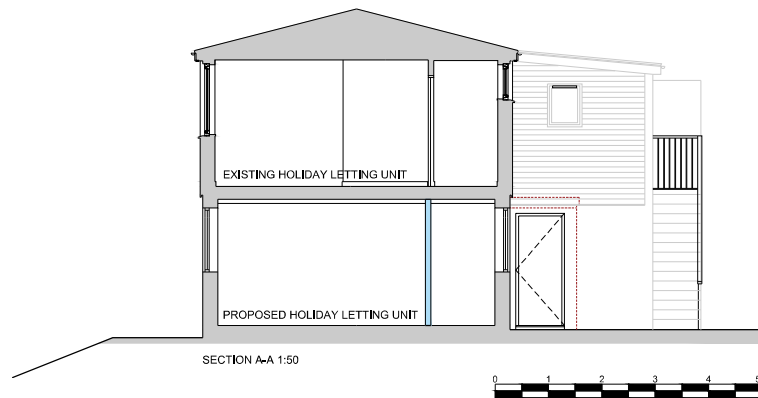
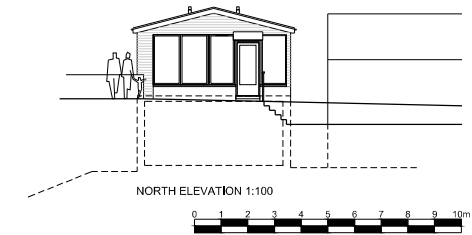
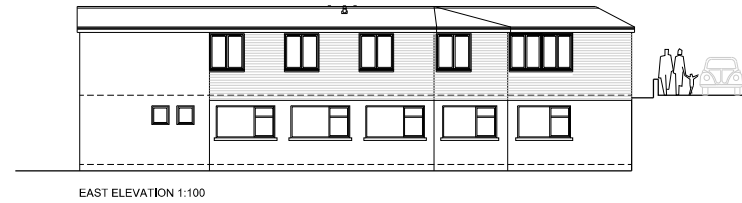
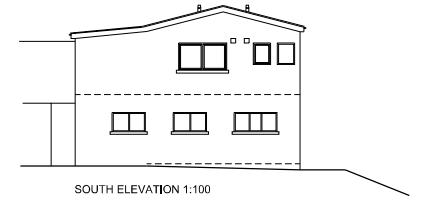
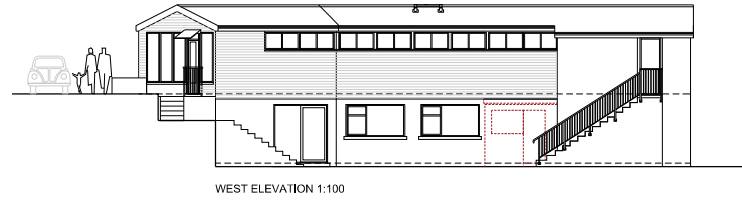
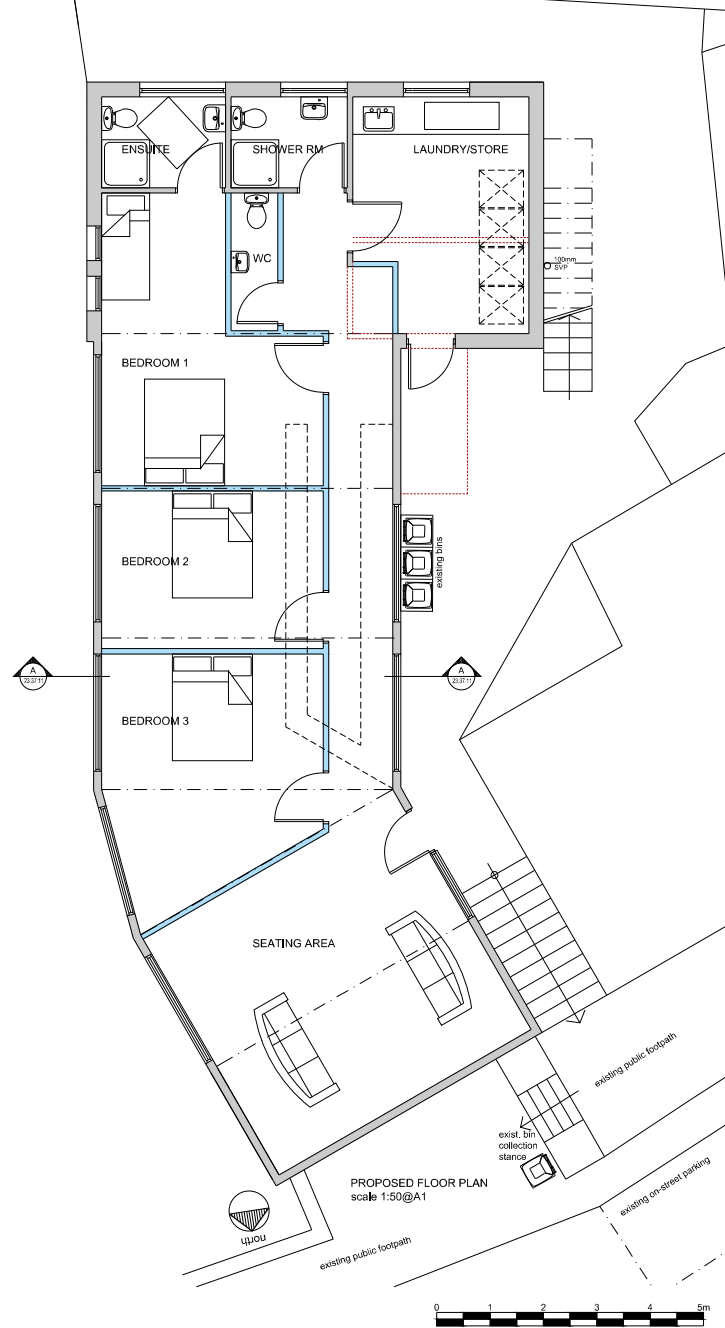
\*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

\*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



ISSUED / AMENDED:	
REV	DESCRIPTION
A	16 Feb 2025 Site information added

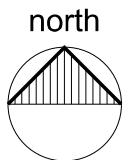
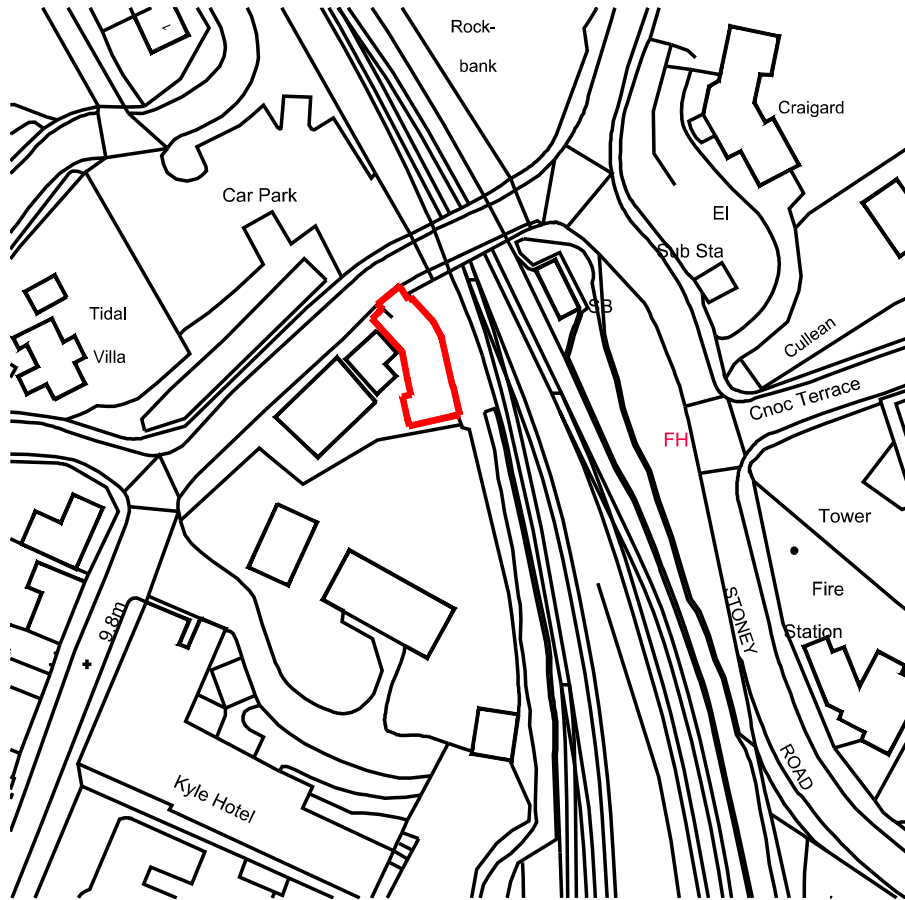
**WITTETS ARCHITECTS**

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Shop Conversion,  
Kyle of Lochalsh

Floor Plan, Section & Elevs.  
Scale: as noted 25:42:11A  
15 Jan 2026

Drawn by:	Checked by:	Approved by:
mw / ep		A1



# PLANNING

Location Plan  
Shop Conversion, Kyle of Lochalsh

Scale: 1:1250

Date: 15 Jan 2026

**WITTETS**  
ARCHITECTS

Riverbank, Broadford, Skye IV49 9AB  
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e mw@wittets.co.uk www.wittets.co.uk

**25:42:00**

Drawn by: MW

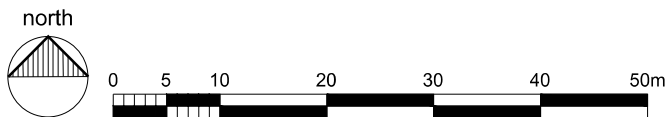
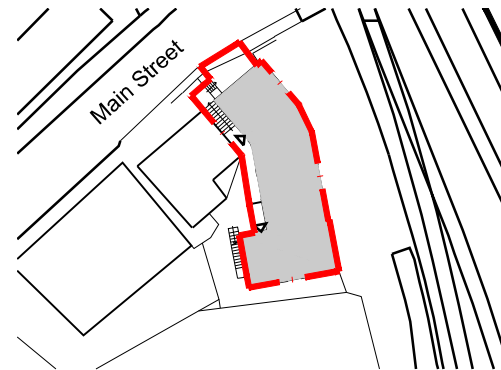
A4

Boundaries are defined by the external walls of the building and the adjacent building, the edge of the public road and undefined at the access path to the rear door.

There are no trees on site.

There is existing on-street parking (tarmac'ed) and a public car park on the other side of the street. There is no on site parking.

For dimensions, site boundaries, parking and bin information see drwg 25:42:10.



**PLANNING**