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| Agenda Item | <b>6.8</b>       |
| Report No   | <b>PLS/53/26</b> |

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 6<sup>th</sup> August 2026

**Report Title:** 26/00407/FUL Mr & Mrs Steve & Jenny Ballantyne  
Land 115M NE of Inverlair Bridge, Tulloch, Roy Bridge

**Report By:** Area Planning Manager - South

### Purpose/Executive Summary

**Description:** Erection of a hut and retrospective siting of a composting toilet within woodland for recreational accommodation

**Ward:** 11 – Caol and Mallaig

**Development category:** Local

**Reason referred to Committee:** Community Council objection.

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 Full planning permission is sought for the installation of an off-grid hut with decking for recreational use in woodland within proximity of Tulloch Station, Tulloch. The application also seeks retrospective permission for the siting of a composting toilet.
- 1.2 The hut's intended purpose is for recreational use by the applicant and their family/friends for short or overnight stays and occasional visits. The hut will not be serviced and will be fully off grid. A composting toilet, already in-situ, will provide sanitation facilities for users of the hut.
- 1.3 Pre Application Consultation: None
- 1.4 Supporting Information:
  - Design Statement
  - Response letter to Community Council objection
  - Tree Planting and Management Plan
  - Visual Information – Site Identification Plan
- 1.5 Variations: Location/Site Layout Plan 102668(A)/MH/V1 submitted on 23.3.26 replaces Location/Site Layout Plan 102668(A)/MH/V1 submitted on 2.2.26 to show proposed parking arrangements and walking route to site.

## **2. SITE DESCRIPTION**

- 2.1 The application site is in a wooded area accessed off the 'Loch Treig' road to Inverlair (also referred to as 'Inverlair Road'), situated approximately 2.2km west of Tulloch Station and approximately 8.2km east of the village of Roy Bridge. The application site is a small clearing located within birch woodland which lies in between the River Spean and the West Highland Railway line. The woodland is first accessed behind the barrier on the north side of Loch Treig Road between Inverlair Bridge and the railway bridge. This road is initially accessed off the A86 trunk road, which passes parallel to the site approximately 0.6km to the north.
- 2.2 The development will occupy a small patch of ground further into the woodland and beyond more marshy and undulating ground found closer to the public road. Land at the site is generally flat and there are younger birch trees surrounding the hut's indicative footprint; a maximum of three trees are proposed for removal to accommodate the structure. There is a composting toilet, circular in shape and approximately 2m in height, already in place at the site. This is around 9m south of the hut within the trees. The site is situated above the River Spean, which runs past in a gorge and widens at Inverlair Falls, located slightly north of the site. The railway borders the perimeter of the woodland, east and northeast of the hut site, approximately 50 metres away.
- 2.3 The approach to the hut site is achieved on foot only. A rough path with steps is accessed over the barrier on the public road before taking a route through the wood, walking parallel to the railway line, crossing boggy ground and minor streams. Tree cover is quite dense across the wider wood and there are younger trees close to the proposed hut site. Two shared parking areas, to allow for the set down of materials

and vehicle parking, are situated in nearby clearings within commercial forestry, each next to Inverlair Road.

- 2.4 The site is located within the Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI). This is a nationally and internationally designated geomorphological and natural heritage asset comprising a series of well-preserved former shorelines, which appear as faint horizontal terraces across Glen Roy, Glen Spean and Glen Gloy. These are understood to have been formed during the last Ice Age, when glaciers dammed the glens, creating large ice-dammed lakes. The shorelines of the Parallel Roads are, effectively, a lasting record of successive lake levels from this period and are studied for their glacial and post-glacial landscape evolution.
- 2.5 The site is close to an area of fluvial flood risk for the River Spean, although the land is elevated above the riverside and outwith the flood risk constraint area. The site is located within an area classified as Remote Rural (Urban Rural classification, 2020).

### **3. PLANNING HISTORY**

- 3.1 None

### **4. PUBLIC PARTICIPATION**

- 4.1 N/A

### **5. CONSULTATIONS**

- 5.1 **Spean Bridge, Roy Bridge and Achnacarry Community Council:** Objects to proposal. (comments in full below)

“Spean Bridge, Roy Bridge and Achnacarry Community Council have carefully considered this application, visited the site and formally lodge an objection.

We note the design statement which either fails to mention that the site is located within the designated Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI). This SSSI is one of Scotland’s most internationally significant Quaternary geomorphology sites protected for its unique glacial lake shorelines, and associated landforms.

The proposal is incompatible with the statutory protections afforded to SSSIs under the Nature Conservation (Scotland) Act 2004 and it fails to meet the requirements of National Planning Framework 4 (NPF4), particularly Policies 3 (Biodiversity), 4 (Natural Places), and 5 (Soils). The application also fails to address the severe physical constraints of the site which is encased by the Loch Treig Road Crash Barrier and the engineered embankment leaving no scope for development or access without ground disturbance.

It is our contention that under Section 12 of the Nature Conservation (Scotland) Act 2004 a legal duty is placed on Public Bodies including Planning Authorities to further the conservation of biodiversity and geodiversity, and to protect the features of SSSIs from damage.

The Parallel Roads of Lochaber SSSI is designated for its glacial shoreline terraces, deltaic deposits, and associated geomorphological features all of which are highly sensitive to disturbance.

The proposed hut indeed the composting toilet both require operations that are explicitly listed as Operations Requiring Consent (ORC) including:

- Excavation, digging or ground disturbance.
- Alteration of drainage or hydrology.
- Soil compaction from footfall.
- Construction of access route.

No evidence is provided that NatureScot has granted consent, nor is there any geomorphological assessment demonstrating that the SSSI's notified features will not be damaged. Highland Council Planning Authority has therefore a statutory duty to refuse this application.

NPF4 Policy 4 requires that development affecting a nationally important natural setting such as an SSSI must not compromise the objectives of the designation or the integrity of the area.

The proposal fails this test because:

- It introduces built development directly within a nationally important geological SSSI.
- It risks irreversible damage to glacial landforms of international significance.
- It provides no public benefit capable of outweighing the harm.

Policy 4 is explicit where adverse impacts on an SSSI cannot be fully avoided, the development must not be supported.

NPF4 Policy 3 Biodiversity – although the SSSI is primarily geological, the surrounding habitats support sensitive upland species. Policy 3 requires development to avoid biodiversity loss and deliver enhancement.

The application provides:

- No Ecological Survey
- No biodiversity assessment
- No mitigation or enhancement measures.

The proposal therefore fails to meet the minimum requirements of Policy 3.

NPF4 Policy 5 Soils – requires that the development protect soils, avoid unnecessary disturbance and prevent erosion.

As we have already explained the fragile glacial deposits and terrace structures are exceptionally vulnerable to excavation, drainage alteration, soil compaction and undercutting of slopes and without the requisite assessments the applicants cannot demonstrate compliance with Policy 5.

The proposed site is off Loch Treig Road and encased entirely with a metal crash barrier due to an engineered deep embankment. This creates several critical constraints:

- No safe or legitimate access point exists without breaching the crash barrier.
- Any attempt to create access would require excavation into the embankment directly disturbing SSSI landforms
- The embankment itself is an engineered structure supporting the adopted Highland Council road and any disturbance risks slope instability.

- There is no level ground suitable for development without a cut and fill operation incompatible with SSSI protection.

The design statement states that family and friends will be encouraged to use Tulloch Railway Station some 2 miles away and arrive by foot or bike. There is no public transport, no active travel routes and the A86 Trunk Road is a dangerous 60mph road. The nearest shop is in Spean Bridge 8 miles distant and Fort William 17 miles away so the temptation will be to use car transport to ferry essential supplies to a site where there is no parking off a single-track road.

The application does not consider cumulative effects including:

- Repeated footfall and informal path creation.
- Vehicle movements.
- Waste and sanitation impacts.
- Potential future intensification of use.

Cumulative impacts are a recognized concern in SSSIs and must be assessed under both NPF4 and the 2004 Act.

The Loch Treig corridor forms part of a landscape valued for its naturalness, and geological significance. This application provides no Landscape and Visual Impact Assessment and does not demonstrate that the Hut would avoid adverse effects on landscape character.”

## 5.2 **Forestry:** No objection, subject to conditions being applied.

Initially required that a condition requiring a tree planting plan be submitted.

The site is plotted within woodland recorded in the Native Woodland Survey of Scotland as established regeneration, wet woodland. From assessment of the submitted plans the site appears to contain juvenile to semi-mature birch. In line with good practice, two native trees are to be planted for each one removed (the application proposes the removal of two to three trees). Material for hut build would be carried to the site by hand rather than using vehicular access. The applicant submitted a Tree Planting Plan; this was reviewed and the scheme for tree planting and management was accepted (confirmed in an email dated 4<sup>th</sup> June 2026). Requested a reworded condition that requires that this plan for tree planting implemented in full is attached to any granted permission.

## 5.3 **NatureScot:** No objection. The consultee was consulted due to the Parallel Roads of Lochaber SSSI designation plotted within the site application boundary. In their response, NatureScot advised as follows:

“There are natural heritage interests of national importance on the site, but in our view, these will not be adversely affected by the proposal. Advice in relation to this is provided

### **Appraisal of the impacts of the proposal and advice**

The proposal is within the Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI), notified for its geomorphological interest. Within the SSSI, we have identified areas containing the most important features and landforms. The development footprint will not adversely impact any features or landforms of

significance, and we advise the objectives of the designation and the overall integrity of the SSSI will not be compromised by this proposal in this location”

- 5.4 **Network Rail:** No objection. Network Rail considers that the proposal will have no impact on railway infrastructure and therefore have no comments/objections to this application.

## **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 4 - Natural Places  
Policy 5 - Soils  
Policy 6 - Forestry, Woodland and Trees  
Policy 12 - Zero Waste  
Policy 13 - Sustainable Transport  
Policy 14 - Design Quality and Place  
Policy 29 - Rural Development  
Policy 30 – Tourism

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

28 - Sustainable Design  
29 - Design Quality & Place-making  
36 - Development in the Wider Countryside  
43 - Tourism  
44 - Tourist Accommodation  
51 - Trees and Development  
52 - Principle of Development in Woodland  
55 - Peat and Soils  
56 - Travel  
57 - Natural, Built & Cultural Heritage  
61 - Landscape

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

No site-specific policies

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

Biodiversity Enhancement Planning Guidance (May 2024)  
Sustainable Design Guide (Jan 2013)  
Trees, Woodlands and Development (Jan 2013)

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

- 7.1 Spean Bridge, Roy Bridge and Achnacarry Local Place Plan (May 2026)

- 7.2 ‘New Hutting Developments: Good Practice Guidance on the Planning, Development and Management of Huts and Hut Sites’ (Reforestation Scotland, 2016)

## **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) development plan/other policy
  - b) compliance with hutting guidance
  - c) siting and design
  - d) access and parking
  - e) servicing
  - f) any other material considerations

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

- 8.4 The application requires to be considered against National Planning Framework 4 which was adopted in February 2023 and forms part of the Development Plan alongside the Highland-wide Local Development Plan, and the West Highland and Islands Local Development Plan (WestPlan) (2019).
- 8.5 NPF4 policy 29 Rural Development notes that 'development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area' (Policy 29 paragraph b). 29 c) and refers to developments in Remote Rural areas, lending support to developments which are 'suitable in terms of location, access, siting, design and environmental impact' (29 c) iii.).
- 8.6 Whilst not a proposal for commercial tourism accommodation, it is Policy 30 Tourism of NPF4 which contains specific advice for hutting developments. Paragraph d) states: 'Proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.' Alongside Policy 30, the assessment of this proposed development is also informed by guidelines contained within Reforesting Scotland's "1000 Huts" campaign guidebook, 'New Hutting Developments: Good Practice Guidance on the Planning, Development and Management of Huts and Hut Sites' (Reforesting Scotland, 2016). A discussion on hutting and compliance with these policies and accompanying guidance is included in the following section, below.

- 8.7 Policy 4 Natural Places of NPF4 contains guidance for proposals which will be sited in areas designated as natural or environmental assets of European, national and local importance. Policy 4c) states: 'Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where: the objectives of designation and the overall integrity of the areas will not be compromised; any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance (4 c) i. and ii.).
- 8.8 Policy 5 Soils refers, 'Development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land' (5 a) i.). It also states that proposals should be designed and constructed 'In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.' (5 a) ii.).
- 8.9 The site is plotted within the boundaries of the Parallel Roads of Lochaber SSSI. Comments were sought from the relevant statutory consultee, NatureScot, to inform the assessment of the application and then gauge the potential for adverse impacts on the SSSI. NatureScot determined that the development footprint would not adversely impact any features or landforms of significance and that the SSSI's natural heritage interests would not be adversely affected by the proposal overall. Alongside the proposed build method of the hut and composting toilet, and the plan to not introduce any form of permanent access into the site, it is considered that the level of disturbance to ground at the site from siting the hut and its accompanying composting WC will be minimal, and unacceptable impacts on the SSSI and soils would be avoided. Therefore, the proposal is considered to accord with NPF 4 policy 4 Natural Places (NPF4) and policy 5 Soils.
- 8.10 NPF4 policy 6 Forestry, Woodland and Trees aims to protect and expand forests, woodland and trees. Where proposals intend to remove woodland, these will only receive support 'Where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.' (Policy 6 c). Policy 6 continues: 'Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.' (6 d).
- 8.11 The proposal intends to remove two to three existing birch to create the footprint for the hut. The extent of tree removal is considered to be minimal and that the submitted tree-planting plan adequately compensates for this loss whilst further enhancing biodiversity at the site. Overall, the siting is considered to work with the natural features found at the site rather than against them and the proposals find compliance with NPF4 Policy 6, Policy 3 (Biodiversity) and related policy relating to woodland and trees found within the Highland-wide Local Development Plan (2012).

- 8.12 NPF4 Policy 12 Zero Waste aims to encourage, promote and facilitate development that is consistent with the waste hierarchy. It directs that development proposals seek to 'Reduce, Reuse, Recycle', in line with the waste hierarchy (12 a) i.) and they should look to minimising waste, reducing pressure on virgin resources and enabling building materials, components and products to be disassembled and reused at the end of their useful life (12 a) iii.). The policy also lends support to proposals which use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials. (12 a) iv.).
- 8.13 The design statement refers to the structure's construction lending itself to disassembly when at the end of its useful life. A condition is attached to secure the removal of the development when no longer in use and restoration of the site to its former state.
- 8.14 NPF4 Policy 13 Sustainable Transport intends to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.
- 8.15 The proposal is for the installation of an off-grid hut with decking for recreational use, and composting toilet. Subject to ensuring that the development can adequately address any potential impact on compliance with hutting guidance; siting and design; access and parking; servicing; then proposal would be considered to comply with the Development Plan.

### **Compliance with hutting guidance**

- 8.16 This assessment is concerned principally with establishing if the proposal is compliant with both national and local planning policy, and compliant with relevant guidance relating to hut development. Regarding huts and national planning guidelines, NPF4 has provided the following definition of a hut: 'A simple building used intermittently as recreational accommodation (i.e. not a principal residence); having an internal floor area of no more than 30m<sup>2</sup>; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups'. Recreational accommodation, in this context, is usually taken to mean family or friends-of-family use for short visits and overnight stays, rather than longer occupation of the hut or use by strangers.
- 8.17 Applications should demonstrate how the proposal is in the spirit of hutting, i.e. that they are low impact, and that they will be for recreational use only, rather than permanent accommodation. Ideally, a hut should be off-grid and not rely on a connection to any services, and waste should be taken off site and disposed of responsibly during the construction phase and throughout operation.
- 8.18 As per the guidance from Reforesting Scotland, huts should be 'simple buildings, built from natural or reclaimed materials, rather than highly processed components' (2016). Natural materials are advised, particularly for cladding but also throughout the build, to help the development both assimilate into its environment, and due to the less-processed materials reducing the energy embodied in construction.

- 8.19 Although occupants might arrive by vehicle to a hut, hutting developments should not need to create new permanent access to the site itself, to minimise the overall environmental impact of the development on the environment. Ideally, a hut should still be in reasonable distance from options for sustainable or active travel.
- 8.20 As mentioned in the guidance from Reforesting Scotland, the definition of a hut extends to intermittent recreational use and does not extend to commercial letting or permanent residence. Unlike with Airbnb accommodation or other types of formalised holiday letting, huts are often off-grid and are not required offer a permanent means of access or parking.
- 8.21 Finally, the impact of the entire lifecycle of a hut, to conclusion of its use period, is also taken into account at planning assessment stage. The construction method and chosen materials need demonstrate that waste is managed responsibly and that the structure can be easily taken down at the end of its use and the site restored to its former condition (related policy: Policy 12 Zero Waste, NPF4).
- 8.22 In light of the guidance for hutting, the submitted plans are considered to show adherence to the relevant good practice for hutting developments. The accompanying design statement has shared how the guidance has informed the choices for the hut's design and siting, employing a low impact build method and demonstrating evidence of sustainability in construction and operation. The applicant has stated in the submitted design statement, and in a response to the Community Council objection, that the hut is to be occupied only by family and friends for weekend visits or shorter stays, explicitly stating that it will be used for recreational purposes and connecting with nature. In the submitted design statement, the applicant has pledged to engage in ongoing maintenance of the woodland which would, again, be in line with the tenets of hutting and the sustainable natural stewardship which the hutting guidance espouses. In this regard, it is considered that the siting of this development offers opportunities for positive engagement with the natural environment, with ongoing woodland management and maintenance having the potential to offer a betterment to this natural asset.
- 8.23 The proposal is located within a wood in a Remote Rural area, with minimal human intervention in the immediate vicinity, except for the railway and trunk road passing north of the application site. Although the erection of the hut and WC will introduce development in an otherwise undisturbed area of woodland, it is considered that the development avoids unacceptable environmental impacts at this location, as the proposals demonstrate how the structures are to sit sensitively within their surroundings and largely avoid disturbance to ground at the site. A discussion about the details of the hut's design and finishes, and proposed siting, is included below (see 'Siting and Design').
- 8.24 The objection from the Community Council cites potential cumulative effects on the area resulting from this development. This proposal intends to site a single hut and accompanying composting toilet within a small section of a larger parcel of woodland which is under the applicant's ownership. By virtue of the size of the development site and structure, this will place constraints on the number of visitors and traffic that will visit and use the hut. Therefore, it is concluded that there is a negligible potential

for cumulative effects on the wider area around the application site due to the size and scale of the development.

- 8.25 Overall, the proposed location for this hut is considered to align with the guidance. This application has demonstrated how the location is appropriate for hosting this single hutting development, as it offers the opportunity to explore sustainable, low impact uses for the land in a remote wooded setting but is still within access to sustainable or active travel options. In conclusion, the proposed development generally accords with Policy 29 and Policy 30 of NFP4 and recommended hutting guidance, where its scale, siting and nature is considered to be compatible with the surrounding area.

### **Siting and design**

- 8.26 The proposed hut is a simple building featuring a pitched roof, to house a living area and sleeping platform within the main rectangular portion of the building. An adjoining porch, featuring a lean-to roof will house the cloakroom (washing area), formed on the rear/east elevation. The hut's height is 5.4m, with a 5.9m maximum ridge height when mounted 0.5m off the ground on timber stands. The main portion of the hut's footprint will measure 6.6m in length, 3.45m in width, with connected porch measuring 2.3m by 3.01m. The whole hut will have an internal area of just under 30sqm (29.7sqm), which excludes the sleeping platform above the living area (8sqm).
- 8.27 There will be a small, decked entrance on the east side of the porch. The elevation facing the river, on the west side, will feature full length glazing with a patio door and a large window, almost floor-length, to its left side. On the north elevation, there will be another patio door with narrow mid-length glazing either side. The roof, to use black-coated metal profile sheets, will feature solar panels and a single rooflight on the west elevation. Another rooflight is to be installed on the east elevation. Two solar panels will be affixed to the gable end of the south elevation. The building's exterior is to employ vertical larch board cladding, which will appear quite bright after installation but will gradually weather to a greyer colour. The structure is to be mounted using treated timber beams on pads, largely avoiding any digging into ground on the hut's footprint.
- 8.28 The proposed finishes, which employ natural materials (larch, alongside timber for the decking and posts), are considered to help integrate the structure more into its wooded surroundings.
- 8.29 The hut and toilet are to be sited well within the birch woodland that sits above the river. The hut is to be oriented to face the watercourse, with the majority of the glazing to be formed on its western elevation. In considering the siting's potential for visual impacts, despite the proposed height of the hut being quite tall, its siting within tree cover is likely to obscure much of the lower parts of the structure. The hut and WC may be partially visible to train passengers passing north of the site; however, the entire development will not be visible when driving parallel with the birch woodland at Inverlair Road. The hut's roof and glazing, plus solar panels, may be partially visible if standing on the opposite side of the river looking east towards the site. As

a visual receptor, however, this view is taken from an agricultural field where it is unlikely that there would be people or vehicles passing.

- 8.30 Overall, due the hut and WC's siting well into the wooded area, it is considered that unacceptable visual impacts resulting from the proposed development are avoided. The hut and toilet will only be viewable at closer distances (i.e. less than 50m away) and, even when approaching the site, it is largely obscured by the surrounding tree cover.
- 8.31 It is considered that the proposed hut development is suitably scaled and sited at this location. Whilst it maximises the permitted allowance of 30sqm to achieve the living and elevated sleeping space, the hut's proposed design and layout uses its siting efficiently, without occupying a significant amount of the wooded area or further encroaching into woodland. Overall, the proposed development can be supported.

### **Access and parking**

- 8.32 The development of the site for a hut would not necessitate the creation of dedicated access to access the site. In line with relevant guidance on hutting, developers are encouraged to pursue an ultra-low-impact approach for the overall project that minimises or avoids disturbance to its surroundings and is encouraging of hutting developments which are sited within easy reach of sustainable transport links. Unlike the requirement for short-term letting accommodation, like standalone pods, to have parking and a means of vehicular access, huts do not need to demonstrate parking or access to the unit.
- 8.33 Access to the site is to be taken on foot from Inverlair Road by following steps next to the railway bridge. There is no formal access to be formed and occupants/visitors to the hut would take a route through the woodland, shown in the plans as running parallel to the railway line for roughly 80m before turning west to reach the proposed hut site. The ground nearer to the road is quite undulating and boggy, and several small streams run down from the railway towards the riverside whilst traversing to reach the site.
- 8.34 The applicant has indicated an off-road parking area outwith the application site boundary, which is situated off the southern side of Inverlair Road, slightly down from the railway bridge. This is a cleared area under different land ownership. This parking area is approximately 120m from the site and will be used to allow the applicant to have materials delivered for the hut build. It is expected that this area would be used when hut occupants arrive by vehicle rather than using active travel methods to reach the site.
- 8.35 An additional parking area, across the railway bridge and opposite the birch woodland could also be used by occupants if arriving to the hut by car, although the site is judged to be within a reasonable distance of public transport (Tulloch Railway Station) for making onward travel to the site on foot or by bike.
- 8.36 The applicant has stated that a route can be taken through a cleared avenue that has been created in commercial forestry that lies between Tulloch Station and the application site. Relatively recent upgrades to this track are considered to enable a more direct access that avoids the trunk road and offers the opportunity for hut users

to cycle or walk a manageable distance from the station to the hut site. In this regard, the hut's siting, whilst rural and distanced from settlements, is considered to offer feasible sustainable transport options and could be conducive to those wishing to arrive using active travel methods.

- 8.37 Hutting intends to enable access to authentic and sustainable experiences in nature. In line with hutting's low-impact principles, permanent access is not a requirement for hut developments. When compared to holiday lets, which are run commercially and might be in continual use with consecutive guest bookings, huts are recommended only for intermittent rather than permanent use and are not to be let out to guests. In that regard, this hut is expected to generate a much lower level of traffic than commercially let units, so the need for permanent access, which might create unnecessary and unacceptable environmental impacts for very little use, is not required. Resultingly, the proposal to not form a dedicated track into the site and now parking to serve the development can be accepted.
- 8.38 Whilst it is granted that journeys, particularly for the initial hut build, might be made by car to reach the wood, the hut's location could be considered to be "accessible rural", in terms of the site's relative proximity to a rail link, and the location offering opportunities for active travel, the proposals find accordance with Policy 13 Sustainable Travel.

### **Servicing**

- 8.39 The off-grid hut will not be serviced although will look to employ techniques to gather and reuse rainwater to provide a non-potable water supply, with drinking water brought onto site. Solar panels mounted on the hut's roof will generate energy for the development. The development will not connect to any waste or sewage services and waste generated will be removed from the site after each visit.
- 8.40 The composting toilet is referred to in the design statement as "a demountable, segmented panel design", where its composting system will be bucket-based, non-polluting and having no requirement for a dug pit.
- 8.41 The off-grid nature of the hut is, again, in-keeping with the relevant guidance on hut developments. The composting toilet's build is considered to be suitable for this location as the no-dig approach being pursued avoids potential disturbance to ground at the site.

### **Other material considerations**

- 8.42 In order to control the use of the hut, it is considered appropriate to condition its use, restricting it to recreational use only for family and friends of the developer. The hut is not to be used for permanent residential use, nor for commercial purposes, such as holiday letting, due to the unsuitability of the site for these uses and in terms of the hut's lack of formal access and that it is un-serviced.

### **Non-material considerations**

- 8.43 There are no non-material considerations.

## **9. CONCLUSION**

- 9.1 Overall, the erection of a single hut and composting toilet on the site is considered to introduce a small scale, sensitive intervention to this parcel of woodland. The proposal has evidenced that the development has been designed to comply with the definition of a hut and with the associated hutting guidance, allowing occupants to engage in recreational activities and experience the natural environment in a sustainable manner. The proposed siting and design are considered acceptable in terms of achieving integration into a remote and rural setting, complying with Policies 29 and 30 of NPF4, and advice outlined within the complementary hutting guidebook.
- 9.2 The potential for impacts upon the natural assets and international designation (Parallel Roads of Lochaber SSSI) found at the site have been taken into account but it is concluded that the proposal will avoid unacceptable disturbance and adverse impacts. The development remains small in scale, will be off-grid, and there is no proposal to create a formal access into the site from the public road, thereby lessening the disturbance to ground when approaching the site. Once the hut reaches the end of its useful life, it is determined that the proposed build methods will allow hut to be dismantled relatively easily and the site restored to its previous state. Therefore, the proposal is considered to comply with NPF4 policies, 4, 5, 6 and 12.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

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

## **11. RECOMMENDATION**

|                                               |          |
|-----------------------------------------------|----------|
| <b>Action required before decision issued</b> | <b>N</b> |
| Notification to Scottish Ministers            | N        |
| Conclusion of Section 75 Obligation           | N        |
| Revocation of previous permission             | N        |

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 occupancy of the hut shall be limited to intermittent recreational accommodation only and shall not be used as a principal private residence or commercial holiday accommodation.

**Reason:** In accordance with the use applied for, to comply with National Planning Framework 4 definition of a hut and in recognition of the location, design and lack of servicing and facilities.

3. The tree planting identified in the Tree Planting & Management Plan (submitted 5.6.26) shall be implemented in full during the first planting season following commencement of development or as otherwise agreed in writing by the Planning Authority.

**Reason:** In the interests of amenity and to ensure suitable integration of development into the landscape setting and to enhance biodiversity.

4. Should the hut hereby approved not be used for a period of over 24 months, it shall be deemed to have ceased to be used and, unless otherwise agreed in writing by the Planning Authority, shall be removed from the site, along with all associated development, fixtures and fittings.

**Reason:** To ensure that if the development becomes redundant, it is removed from the site, in the interests of visual amenity.

## **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. The granting of planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **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>

Signature: Bob Robertson

Designation: (Acting) Planning Manager South

Author: Helen Stevenson

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

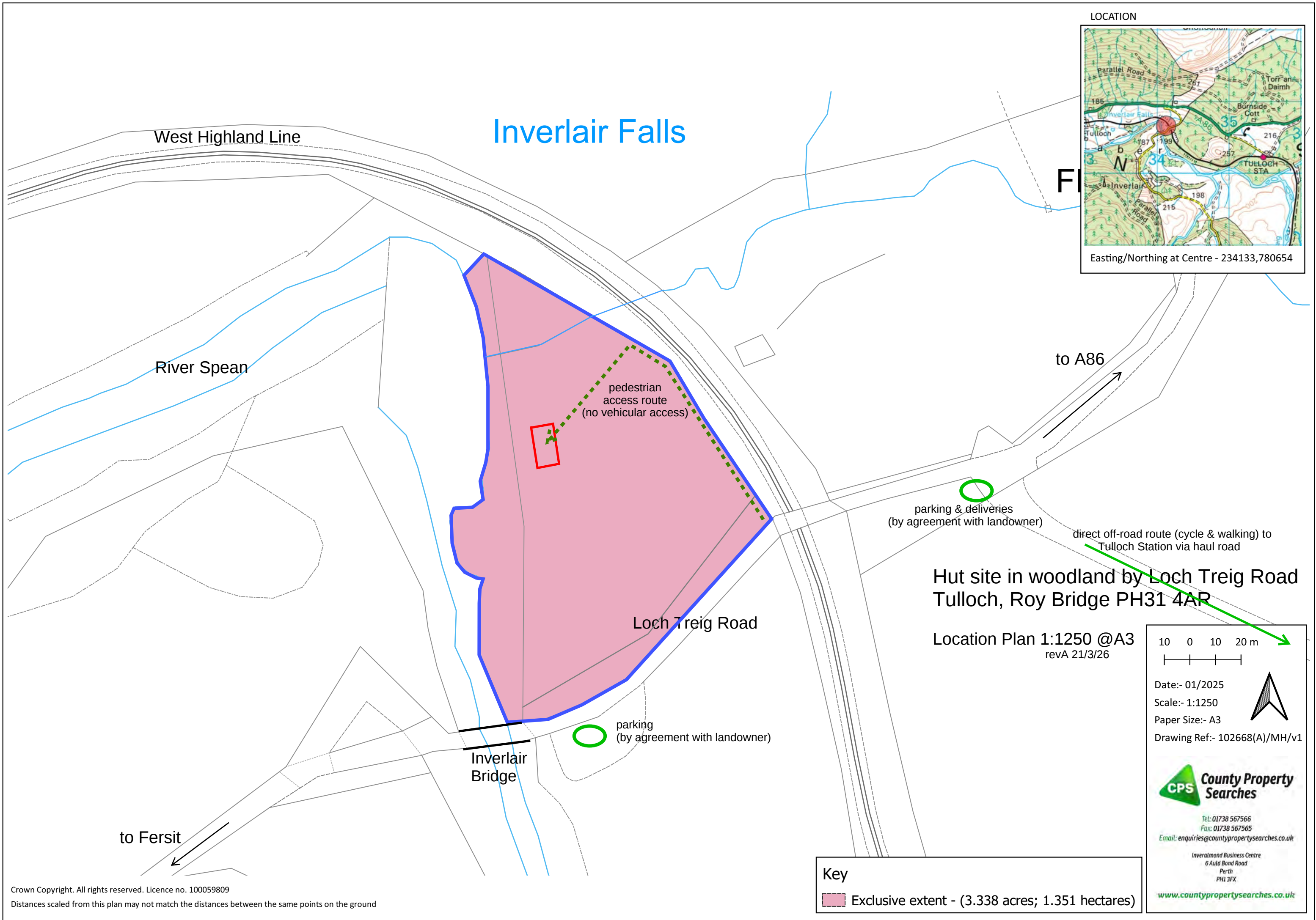
Relevant Plans:

Plan 1 – Site identification plan

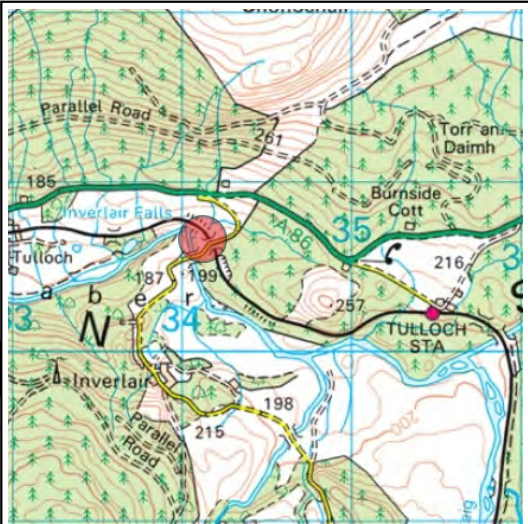
Plan 2 - Location/Site Layout Plan, ref. 102668(A)/MH/V1

Plan 3 - General Plan – Site Block and Roof, ref. 000001

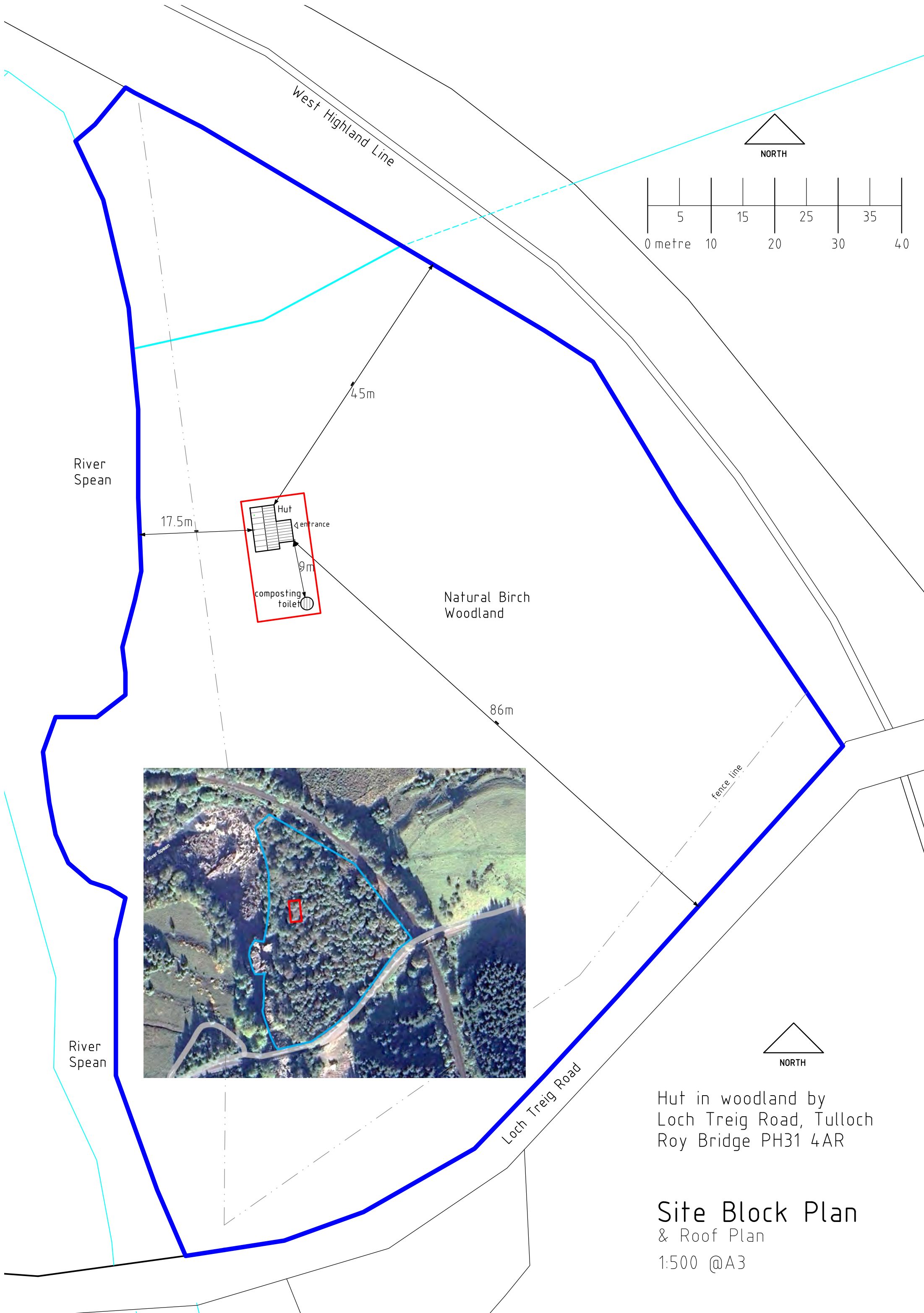
Plan 4 - General Plan – Floor Section and Elevation, ref. 000002



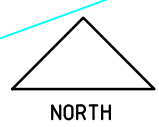
LOCATION



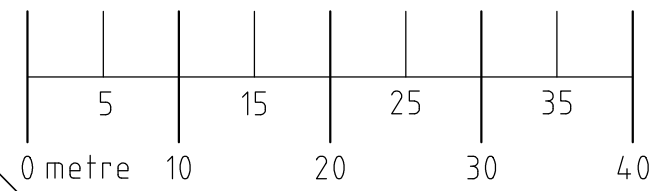
Easting/Northing at Centre - 234133,780654



West Highland Line



NORTH



River Spean

17.5m

45m

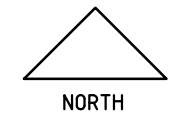
86m

Natural Birch Woodland

fence line



River Spean



NORTH

Loch Treig Road

Hut in woodland by  
Loch Treig Road, Tulloch  
Roy Bridge PH31 4AR

# Site Block Plan & Roof Plan

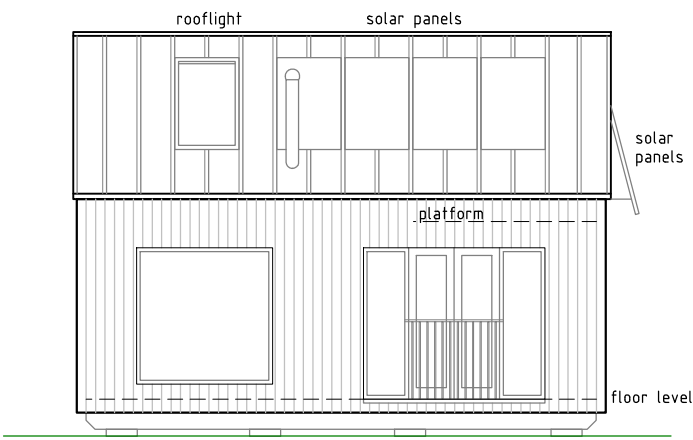
1:500 @A3



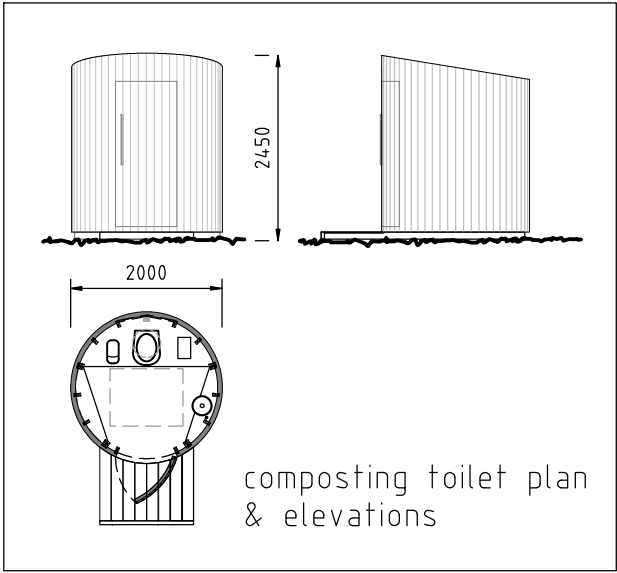
site: looking North-West



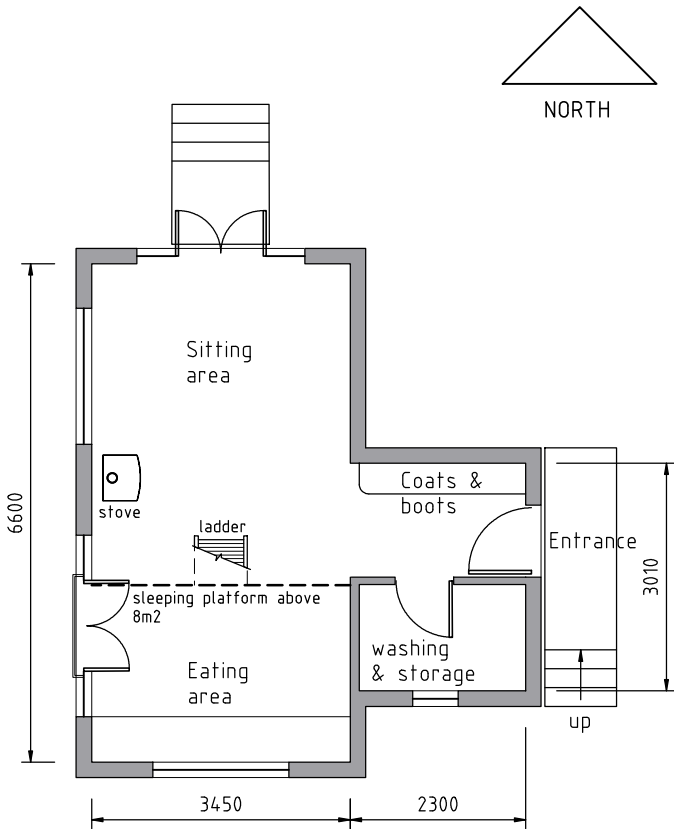
site: looking South-West



West (river) elevation



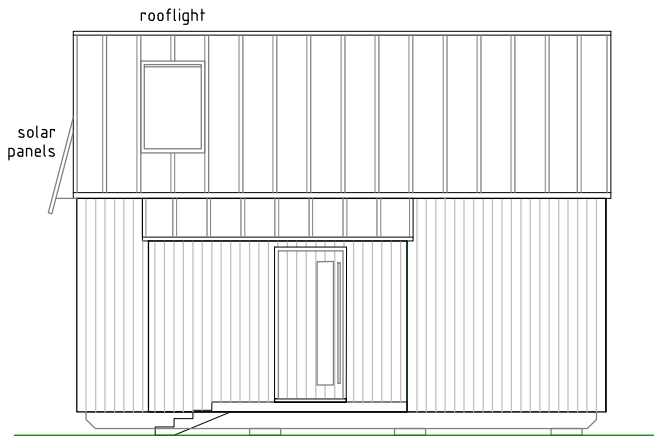
composting toilet plan & elevations



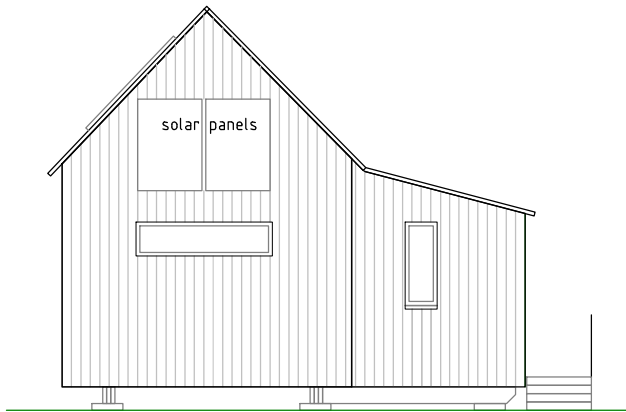
Hut Plan  
internal area 29.7m2 (+8m2 platform)



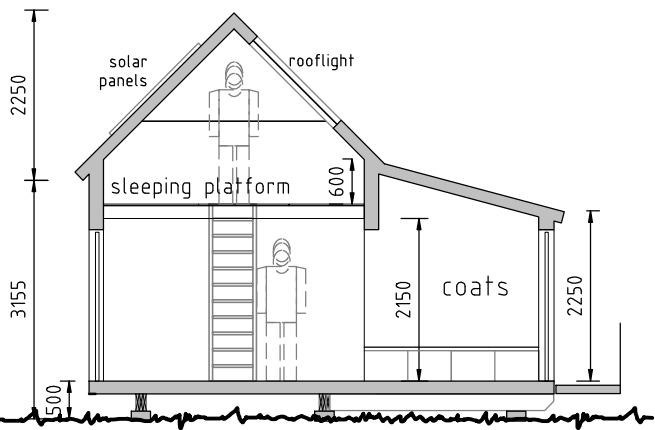
North elevation



East (entrance) elevation



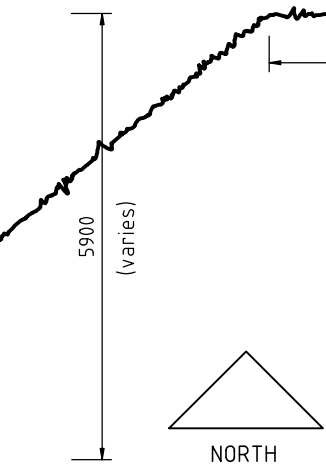
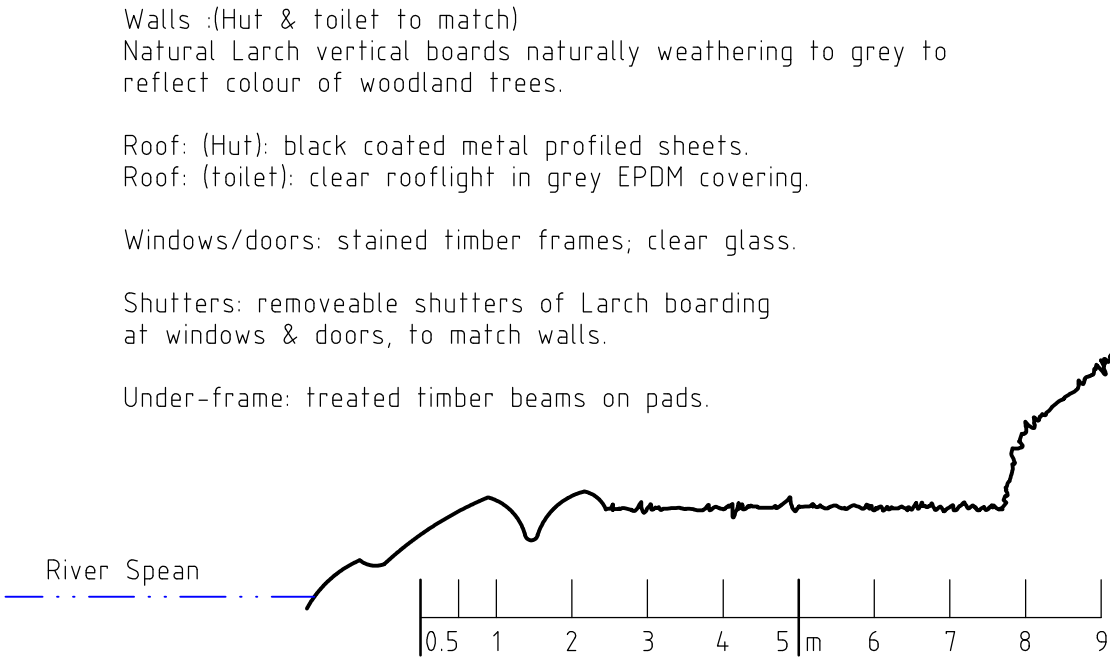
South elevation



Section



example illustration (c) from 'The Art of Good Hutting'; Peter MacQueen 2023



Hut in woodland by  
Loch Treig Road,Tulloch  
Roy Bridge PH31 4AR



Plans, Section & Elevations  
1: 100 @A3

