Agenda Item	**3.1**
Report No	**HLC/121/26**

THE HIGHLAND COUNCIL

Committee: **THE HIGHLAND LICENSING COMMITTEE**

Date: **24 November 2026**

Report title: **Application for the grant of a short term let licence – 4 Priory Way, Beauly, IV4 7GF (Ward 12 – Aird and Loch Ness)**

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

1. Purpose/Executive Summary

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

2. Recommendation

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

3. Background

3.1 In terms of The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, a licence is required for residential accommodation for use as a short term let.

3.2 Short term let means the use of residential accommodation provided by a host in the course of business to a guest, where all of the following criteria are met:

- The guest does not use the accommodation as their only or principal home
- The short term let is entered into for commercial consideration
- The guest is not:
  1. An immediate family member of the host
  2. Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college, or further or higher educational institution, or
  3. an owner or part-owner of the accommodation
- the accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household
- the accommodation is not excluded accommodation, and
- the short-term let does not constitute an excluded tenancy

4. Application

4.1 On 6 May 2026 an application for the grant of a short term let licence was received from Mrs Lynn Shona Mitchell.

4.2 The property to which the application relates is 4 Priory Way, Beauly, IV4 7GF (the "Premises"). A site plan was provided by the applicant as part of the application process and is attached as an appendix to this report (**Appendix 1).** The Premises are those edged in red on the plans on page 1 of Appendix 1.

4.3 The application for the short term let licence has been made on the basis that the said Mrs Mitchell will be the host/operator of the Premises. The application was made after 1 October 2023 and, as such, the host/operator cannot operate the premises as a short term let until they have obtained a licence.

4.4 Mrs Mitchell is named on the application as the owner of the Premises.

4.5 The person named on the application as being responsible for the day-to-day management of the Premises is the said Mrs Lynn Shona Mitchell.

4.6 The type of letting which has been applied for is 'secondary letting', which means the host/operator is letting a property where they do not normally live.

4.7 The Premises is described as a detached dwelling house which can accommodate a maximum capacity of six guests.

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

5. Process

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

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

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

6. Certificate of Compliance

6.1 The applicant has provided a certificate of compliance confirming that a public notice of application for their short term let licence was displayed at or near the Premises for a period of 21 days from 9 June 2026.

7. Public objections/representations

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

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

- Objection received by email on 13 June 2026 from Mr Kerr MacKenzie and Mrs Maureen MacKenzie **(Appendix 2).**
- Objection received by email on 14 June 2026 from Ms Jean Chandler **(Appendix 3).**
- Objection received by email on 14 June 2026 from Mr William McAllister **(Appendix 4).**
- Objection received by email on 15 June 2026 from Ms Sheena Forsyth **(Appendix 5).**
- Objection received by letter on 18 June 2026 from Ms Sheena Campbell, Mr James Stewart, Ms Anne McConachie, Mr Eric McConachie, Mr Ronald Livingstone, Ms Ivy Lee, Ms Beverly MacDonald, Mr Ewan MacDonald, Ms Alexandra MacDonald, Ms Lynn Bain, Mr Edward Clark and Ms Ellenor Thomas **(Appendix 6)**
- Objection received by email on 21 June 2026 from Mr Andrew Jack **(Appendix 7).**
- Objection received by email on 24 June 2026 from Mr Anthony Boyland **(Appendix 8).**
- Objection received by email on 27 June 2026 from Ms Sara Simpson **(Appendix 9)**

7.2 The applicant has submitted a written submission in respect of the application, and this is attached as an Appendix to this report **(Appendix 10).**

8. Determining issues

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

a) The applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either:

   i. for the time being disqualified under section 7(6) of the Civic Government (Scotland) Act 1982, or;

   ii. is not a fit and proper person to be the holder of the licence.

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

c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—
   (i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;
   (ii) the nature and extent of the proposed activity;
   (iii) the kind of persons likely to be in the premises, vehicle or vessel;
   (iv) the possibility of undue public nuisance; or
   (iv) public order or public safety; or

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

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

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

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

Highland Licensing Committee Procedure for Hearings Applicants for License/License Holders

9. Observations on objections

9.1 In the emails and letter of objection found at Appendices 2 to 9 inclusive and in the applicants written submission found at Appendix 10, points have been made which should not be taken into account by the Committee when determining this licence application, as they are outwith the scope of the grounds that a licensing authority can consider in terms of the refusal of an application to grant or renew a licence, as detailed at point 8.1 of this Report.

9.2 If required, the Principal Solicitor – Regulatory Services will offer further advice or clarification on these points.

10. Policies

10.1 The following policy is relevant to this application:

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

A copy of this policy can accessed here or a hard copy can be supplied where requested.

11. Implications

11.1 Not applicable.

Date: 4 November 2026

Author: Sophie Shearer

Reference: FS:835332579

Background Papers:

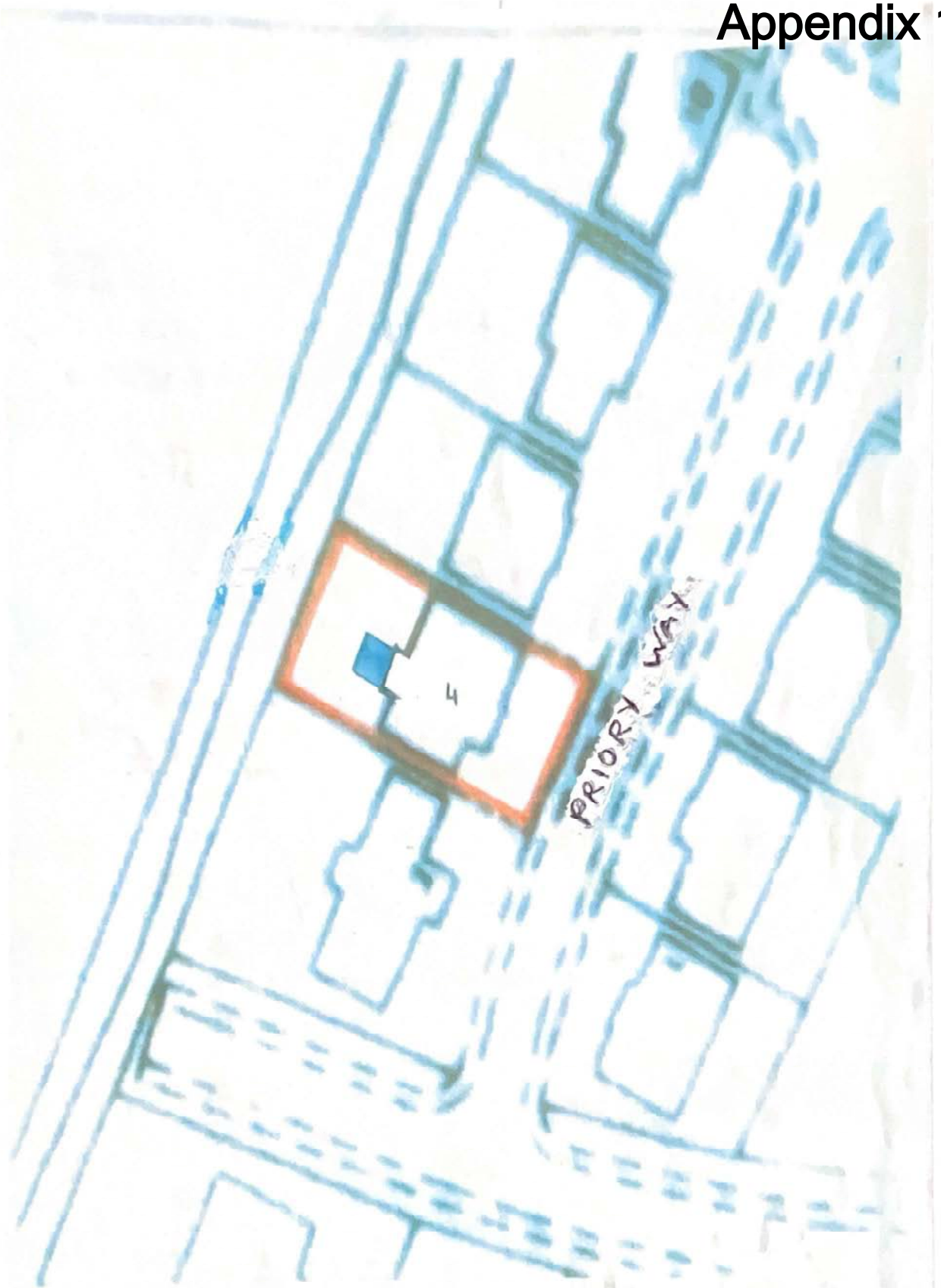
- Civic Government (Scotland) Act 1982
- The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022

Appendices:

Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises;
Appendix 2: Objection received by email on 14 June 2026 from Mr Kerr MacKenzie and Mrs Maureen MacKenzie;
Appendix 3: Objection received by email on 14 June 2026 from Ms Jean Chandler;
Appendix 4: Objection received by email on 14 June 2026 from Mr William McAllister;
Appendix 5: Objection received by email on 15 June 2026 from Ms Sheena Forsyth;

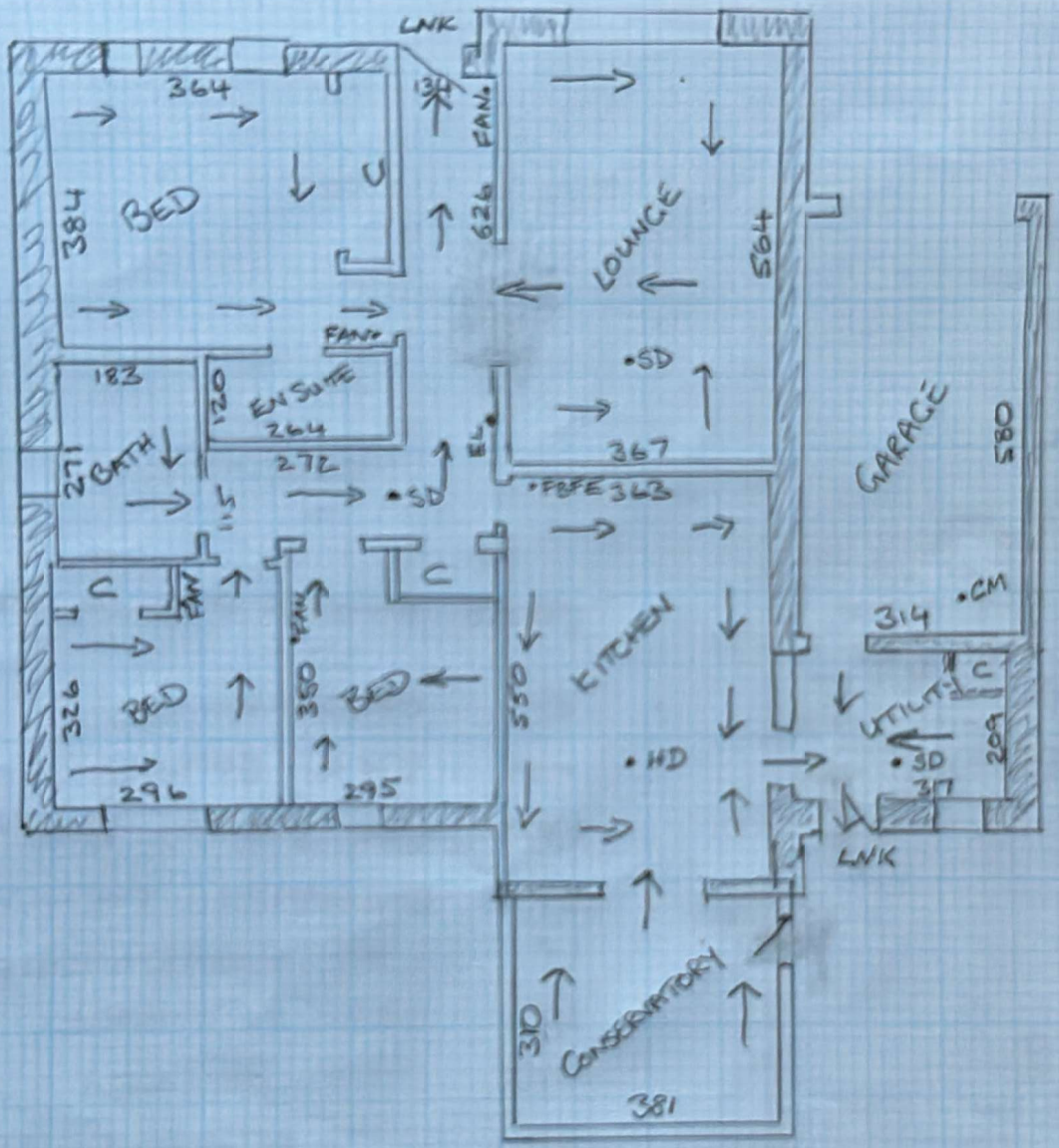
Appendix 6: Objection received by letter on 18 June 2026 from Ms Sheena Campbell, Mr James Stewart, Mr Anthony Boyland, Ms Jean Chandler, Mr William McAllister, Ms Anne McConachie, Mr Eric McConachie, Mr Ronald B. Livingstone, Ms Ivy Lee, Ms Beverly MacDonald, Mr Ewan MacDonald, Ms Alexandra MacDonald, Ms Lynn Bain, Mr Edward Clark and Ms Ellenor Thomas;
Appendix 7: Objection received by email on 21 June 2026 from Mr Andrew Jack;
Appendix 8: Objection received by email on 24 June 2026 from Mr Anthony Boyland;
Appendix 9: Objection received by email on 27 June 2026 from Ms Sara Simpson; and
Appendix 10: Applicant's written submission received by email on 21 July 2026 from Mrs Lynn Shona Mitchell.

Appendix 1



SITE PLAN SCALE 1:500

INVERNESS PLANNING &
BUILDING CONTROL SERVICES
29 OCT 2012
RECEIVED



HD HEAT DETECTOR
SD SMOKE DETECTOR
CM CARBON MONOXIDE DETECTOR
LNK LOCK NO KEY
FB FIRE BLANKET
FE FIRE EXTINGUISHER
EL EMERGENCY LIGHTING
FAN FIRE ACTION NOTICE
→ EXIT ROUTE
C CUPBOARD

GARAGE INACCESSIBLE TO GUESTS

HOUSE PLAN : 1:100
5TH MAY 2026 4 PRIORY WAY BEALEY, IV4 7GF

Appendix 2

Mr Kerr MacKenzie and Mrs Maureen MacKenzie
[redacted]

Email: [redacted]

Date: 13th June 2026

Licensing Team
The Highland Council
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX

Dear Licensing Committee

Subject: Objection to Short-Term Let Application Secondary Letting Licence
Licence Application Reference : Lynn Shona Mitchell
Address of Property to be Licensed: 4 Priory Way, Beauly, IV4 7GF

We wish to formally object to the amended Secondary Letting Licence for the above property. Our understanding is that the property will no longer function as a residential property but as a dedicated short-term let visitor accommodation.

Our objections are based on the unsuitability of this property for short-term let use within what is a quiet residential area occupied primarily by permanent residents and families. We believe the proposed use is incompatible with the residential character of the neighbourhood and is likely to result in loss of residential amenity for neighbouring properties.

The property is not located within a commercial tourism area but within an established residential community where residents reasonably expect peace, security and stability, A short-term Secondary letting operation would introduce a continual turnover of visitors with no long term connection to the area, fundamentally changing the character of the immediate neighbourhood.

We have particular concerns regarding:

1. Vulnerable and Elderly Residents: A particular concern is the effect this may have on vulnerable and elderly residents, many of whom already feel anxious about security and disturbance. The arrival and departure of unfamiliar guests, particularly during evenings or weekends, may reasonably cause residents to feel less safe and secure within their own homes.

2. Parking and traffic: In addition, the property appears unsuitable for short-term let use due to the limited parking provision. The bungalow has only one parking space available, and there are already constraints on parking on pavements within the area. It is foreseeable that guests may arrive in multiple vehicles or that visitors may park inconsiderately, causing inconvenience and obstruction to neighbouring residents. We are also concerned that

increased traffic, noise, late arrivals, and general activity associated with holiday accommodation would adversely affect the quiet enjoyment of neighbouring properties.

3. Setting a Cumulative impact: We are also concerned that granting this application may lead to a cumulative impact for similar applications within the development. If further properties were to be converted to short-term lets, the cumulative impact on the residential character of the area, parking availability, and the wellbeing of permanent residents could become significant. Given the number of older and retired residents within the development, we believe it is important to preserve the secure residential nature of the community. Also noted that there are already number of established short-term let and holiday accommodation properties available within the village and surrounding area. Given the existing provision of visitor accommodation locally, we do not believe there is a demonstrated need for an additional short-term let within this particular residential development. In our view, the potential negative impact on neighbouring residents and the character of the community outweighs any wider benefit of granting a further licence.

4. Title Deeds: Furthermore, we understand that the Title Deeds for the Development contain conditions stating that the properties are intended for residential use and should not be used for the operation of a business. Whilst we appreciate that the interpretation and enforcement of Title Conditions may ultimately be a separate legal matter, we believe this is nevertheless relevant to the suitability of the premises for commercial short-term letting within this particular residential development.

For the reasons above, we respectfully request that the Licensing Authority refuse the application on the above points and that the proposed use would negatively impact the amenity of local residents and is not appropriate for this residential setting.

Should the Committee nevertheless be minded to grant the licence, I would ask that strict conditions be imposed regarding maximum occupancy, parking arrangements, noise control and management contact arrangements.

Kind Regards

Signed
Mr Kerr MacKenzie
Mrs Maureen MacKenzie

Appendix 3

Karen Nicholson (Legal (Licensing))

From: [redacted]
Sent: 14 June 2026 14:05
To: STL Licensing
Subject: Re: No 4 Priory Way, Beauly IV4 7GF. 2nd Application for a short term let licence to run an air b&b.

Categories: CV Updated, Waiting Legal Licensing Response, Objection, Karen

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

To the Planning Department, or department responsible for dealing with this application .

My address is [redacted]

As a close neighbouring resident, I am writing to strongly object to the above application.

The houses on the development were built as residential properties, and were not intended to be used for running a business from, as per the 'Burdens' in our leases. Should such an application be granted, it would likely lead to increased noise, with people arriving late in the evening. It would impact considerably on the quiet character of the neighbouring residential properties with increased noise, due to turnover of people staying in the property. There is limited parking on the road, which will also cause parking problems.

With nobody to monitor the property, it leaves it completely wide open for antisocial behaviour. This is a real worry for older residents as it has always been a very quiet peaceful place to live. Also it would take business away from hotels and guest houses in the area.

I hope you will please give consideration to my letter, and thank you for your help.

Kind regards
Jean Chandler

Appendix 4

Sophie Shearer (Legal (Licensing))

From: William Mc Allister [redacted]
Sent: 14 June 2026 17:01
To: STL Licensing
Subject: Re: Ref: 4 Priory Way Beauly IV4 7GF

Categories: Waiting Legal Licensing Response, Karen, Objection

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

Martina,

Let me through this email raise my objection to the potential issuing of an STL to the applicant for 4 Priory Way Beauly IV4 7GF.

My objection on the basis of the suitability of the premises for the proposed purpose , that is a Short Term Let.

Ultimately this development was intended for owner occupier purposes and should not be used for any business purposes.

The proposed license will see an increase in traffic and throughput of persons occupying the premises.
Parking will become a safety issue. Noise levels as persons come and go.

Supervision of those who will take up the short term let, nothing as yet defined. This is an issue which can very easily get out of hand

This my second email on this subject, my objections / qualifications from the first email still apply.

Regards

William Mc Allister
[redacted]

William Mc Allister (signed)

Sophie Shearer (Legal (Licensing))

From: William Mc Allister [redacted]
Sent: 31 May 2026 16:16
To: STL Licensing
Subject: Ref: 4 Priory Way Beauly IV4 7GF

Categories: CV Updated, Waiting Legal Licensing Response, Karen

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

Good afternoon, this email is intended to clarify a few relevant points regards the application by Lynn Shona Mitchell for a Short Term Lets License in 4 Priory Way Beauly.

My name is William Mc Allister, owner of the house at [redacted]. I have lived in this house since we moved in as the original occupiers of the property.
My email address is [redacted]

My first question would be, if Lynn Shona Mitchell will be the day to day manager of the property and given she resides in [redacted] Inverurie, and given the nature of the Short Term Let Business would she intend visiting 4 Priory Way between each of those who would take up hire of the property ? I.E in any one period, say 5 days and 5 different persons taking up the hire would Lynn Shona Mitchell be checking the property between each new hirer?

Secondly, under the Highland Council's Guidance on Short Term Letting, Public Objections and Representations.
Section 1.7, bullet 3. The premises is not suitable for the conduct of the activity,
having regards to
the nature and extent of the proposed activity
The kind of persons likely to be in the premises
Where would I find the definitions as to the limits of these last 2 points?
Would Lynn Shona Mitchell be responsible for vetting those coming to use the premises, and if so, are records kept with regard to each and every inhabitant ? Vehicle registration ?

Appreciate please this development including but not exclusively Priory Way and Priory Crescent presents itself as a desirable area. From a personal point of view I cannot see any property being used as a short term let or indeed any other business doing anything to increase this desirability factor .
If articles in the press are anything to go by this Short term Let Business does serve a purpose, however it also has proved to be problematic with other regions within Scotland having to amend their original controls, or indeed introduce controls.
With increased traffic in its various forms safety, road safety should be a major consideration.
This development was raised primarily as residential use, owner occupiers. Any increase in the traffic flow must be given consideration.

Please feel free to contact me should you wish to clarify, or question anything within this emal, or indeed the subject.

Thank you and best regards

William Mc Allister (signed)

31st May 2026

Appendix 5

Sophie Shearer (Legal (Licensing))

From: Sheena Forsyth [redacted]
Sent: 15 June 2026 20:06
To: STL Licensing
Subject: 4 Priory Way, Beauly IV47GF
Attachments: short term let letter 2.pdf

Categories: Karen, Objection

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

Hello,
Please find attached my objection to the application for a short term let.
I previously sent in a letter but have now slightly changed it in response to further information.
Therefore please accept this instead (dated 15 June 2026).

best regards,
Sheena Forsyth

Virus-free.www.avg.com

[redacted]

15 June 2026

Highland Council
Short Term Lets Office

Re: Objection to Planning Application for Short-Term Holiday Let at 4 Priory Way, Beauly. IV4 7GF

Dear Sir/Madam,

I am writing to object to the above planning application for the proposed use of 4 Priory Way, Beauly, IV4 7GF as a short-term holiday let. My objection is based on the following concerns:

Loss of housing availability in village
This holiday let will reduce the availability of long-term housing for local residents which is a problem in many parts of the Highlands.

Noise and disturbance
This is currently a quiet street. There is potential for increased noise levels from late-night activity, parties, car doors shutting in early morning or late at night and general disturbance due to the frequent turnover of guests. This would negatively affect the quiet enjoyment of neighbouring residential properties. There are elderly residents around the property who may feel more vulnerable with unknown people nearby on a regular basis. Holiday market trends are now for people to stay 2 – 3 nights in a property, resulting in more visits from cleaners over the week.

Impact on residential character
The property is located within a residential area intended for permanent residents. The deeds of the property state that it must be used as a private residence for one family only. Converting it into short-term accommodation risks changing the character of the neighbourhood from a stable residential area to a transient tourist area. I know of one other such 'holiday let' in the area and if permission is granted there is a real risk that the cumulative effect of such lets has a detrimental effect on the area and permanent residents in the street.

Parking and traffic issues
The proposal is likely to increase parking demand and traffic in the area. Existing parking is already limited, and additional visitor vehicles may create congestion and inconvenience for residents. There will most likely be two cars at the property (I understand there are to be six beds). The drive is only big enough for one vehicle.

Lack of Adequate Management Controls
The application does not outline how guest behaviour, waste management, noise complaints, or emergency issues would be monitored and managed effectively.

Although probably a legal matter it is worth noting that the deeds of the houses in the area state that no business is to be run from the properties.

I am not against holiday properties in Beauly. There are several other such places in the village. However, most of these are located in the village centre and not in residential streets. Therefore for the reasons outlined above I ask that the council refuse this application.

Thank you for considering my comments.

Yours faithfully,

[redacted]

Sheena Forsyth

Appendix 6

Date: 13th June 2026

Licensing Team
The Highland Council
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX

Dear Licensing Committee

Subject: Objection to Short-Term Let Application
Licence Application Reference : Lynn Shona Mitchell
Address of Property to be Licensed: 4 Priory Way, Beauly, IV4 7GF

We, the undersigned neighbouring residents and property owners, formally object to the amended Licence type from a Short term let for a Secondary Letting Licence application for the above property. This new application means the property will no longer function as residential housing but as dedicated short-term visitor accommodation.

Our objection is based on concerns relating to the licensing objectives and suitability of the premises within this residential area. The property is located within an established residential community where neighbouring residents are entitled to the peaceful enjoyment of their homes.

In particular, we believe the operation of the property as a short-term Secondary let is likely to result in:

1. **Public Nuisance and Residential Amenity**

   The proposed short-term let is likely to increased noise and disturbance, frequent guest turnover, late-night arrivals and departures, outdoor activity, vehicle movements and holiday use inconsistent with the quiet character of the neighbourhood.

2. **Suitability of the Location**

   We do not believe the premises are suitable for use as a commercial visitor accommodation due to the close proximity of neighbouring residential properties and the residential character of the area.

3. **Setting an Undesirable Impact**

   Approval of this application may result in an undesirable impact for further residential properties within this residential area to be converted into short-term holiday accommodation. Thus if granted, would be difficult to reverse

and detrimental to the long term sustainability of the community and could encourage additional similar applications.

4. **Parking**

   The proposal is likely to increase parking congestion and traffic within a quiet cul- de-sac. This is particularly concerning given the frequency of guest's changeovers and any cleaning staff associated with short-term let.

5. **Loss of Local Housing Availability**

   The continued conversion of residential housing into short-term let holiday accommodation is reducing the availability of homes for permanent residents and local families within the village. As bungalows are much sought after, the use of short term let is stopping local villagers the chance to purchase a property in a desirable location.

6. **Lack of Supervision and Management**

   We are not satisfied that adequate arrangements are in place to property manage guests' behaviour, noise complaints, parking issues or emergency situation. The absence of active on-site management increases the risk of nuisance and disturbance to neighbouring occupiers.

For the reasons outlined above, we respectfully request that the application be refused.

Kind Regards

(See attached signed sheet)

Date	Name	Address	Signature
13.06.26	SHEENA CAMPBELL	[redacted]	
14.06.26	JAMES STEWART		
15/6/26	ANTHONY BOYLAND		
15/6/26	Jean CHANDLER		
15/6/26	WILLIAM [illegible]		
15/6/26	ANNE McCONACHIE		
15/6/26	Eric McConachie		
15/6/26	RONALD B. LIVINGSTONE		
15/6/26	IVY LEE		
15/6/26	BEVERLY MACDONALD		
15-6-26	EWAN MACDONALD		
16.6.26	Alexandra ~~MacDonald~~ MacDonald		
16.6.26	LYNNE BAIN		
18.6.26	Edward Clark.		
18.6.26	ELLENOR THOMAS		

Appendix 7

Sophie Shearer (Legal (Licensing))

From: Andrew Jack [redacted]
Sent: 21 June 2026 10:23
To: STL Licensing
Subject: 4 Priory Way, Beauly, IV4 7GF; objection to short term let application

Categories: CV Updated, Waiting Legal Licensing Response, Karen, Objection

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

I am contacting you in relation to the recent application for short term let at the above property, by Lynne Shona Mitchell.

My objections are:-

1. It is my understanding that the missives for the property may exclude business use.

2. Proposed use is likely to increase noise, traffic movements etc in a quiet residential street with several elderly residents.

3. Parking is limited at the property and may increase on street parking.

4. There is a real shortage of homes for permanent residents in the area and this change of use further reduces this.

5. There will be no active on site management to respond to any complaints around noise or parking.

On these grounds I respectfully request that yhis application is refused

Yours

Andrew Jack
[redacted]

Sent from Sky Yahoo Mail on Android

Sophie Shearer (Legal (Licensing))

From: Andrew Jack [redacted]
Sent: 25 June 2026 18:30
To: STL Licensing
Subject: RE: 4 Priory Way, Beauly, IV4 7GF; objection to short term let application

Categories: Legal input, Objection, Waiting Legal Licensing Response, Karen

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

Additional information.

I have checked our title deeds.

The Burdens section (section D) contains the following

Specification 3 - Restriction on use of plots

iv) Each dwellinghouse shall be used as a private dwellinghouse only and for no other purpose whatsoever and it shall never in any way be sub-divided OR OCCUPIED by more than one family at a time

ix) The proprietors.....are hereby expressly prohibited from carrying on thereon or therein any trade, business.....and that whether or not such a trade, business.....might be deemed in ordinary circumstance to be incidental or natural to the ordinary residential use thereof and notwithstanding any rule of law to the contrary.....

I would suggest that a short term let of the property could breach both of these restrictions.

Regards

Andrew Jack

Sent from Sky Yahoo Mail on Android

Appendix 8

Sophie Shearer (Legal (Licensing))

From: Tony Boyland [redacted]
Sent: 24 June 2026 15:44
To: STL Licensing
Subject: STL Objection for 4 Priory Way, Beauly IV4
Attachments: STL Complaint 4 Priory Way Beauly 24-06-2026.pdf

Categories: Objection, Karen

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

Please find attached my Objection Letter regarding STL Application at **4 Priory Way, Beauly, IV4 7GF.**

Thank You.
Please let me know soonest if I have missed out something important or that may Objection is registered.

[redacted]

Anthony Boyland
Email: [redacted]
SMS/mob [redacted]

Notification of Objection to STL Application for "Secondary Letting"

Property Address: **4 Priory Way, Beauly, IV4 7GF. Application notice displayed on 9/06/2026**

I object to this application because of my concerns and observations listed below.

a). Short-term letting /**Secondary Letting**. I cannot envisage how this can work when the owner lives 150 miles away. How can the owner manage this on short term basis unless they intend to stay in-residence for the duration of the let?

b) The town of Beauly need a lot more housing for local residents, but this STL application does not enhance housing availability for local people at all.

c). Impact on the local community. Short term lets means exactly that. This estate is mainly used by retired people who have natural connections with their neighbours and friends. Having unknown persons coming and going at odd times throughout the year will severely impact the current status-quo and worry many people.

d) I understand Highland Council is currently working on extending their control area for "short term lets", to include the Inverness and other local areas including Beauly. If this new regulation is agreed, will Highland Council re-visit all current and waiting approvals for Short Term lets if their STL control is extended?

e). Parking is a serious issue on this estate. The property in question has a very limited driveway with space for only one vehicle. We already have problems with parking on the pavements at times, causing elderly people and families with prams etc having to go around the vehicles onto the road. If this licence is granted this will inevitably increase the parking problems.

f). Management & Safety. Residents of this estate need to know who they can complain to or alert if there are concerns about guest behaviour, refuse collections (putting out and removing refuse bins at appropriate times etc), what to do about noise pollution, and of course, emergency issues, such as Fire and Co2 alarms sounding, etc or other emergencies. If the application is granted, Highland Council and local residents need to be assured the Alarms in rented-out dwellings are certified and regularly tested. Contacting a distant unknow homeowner to say an alarm has gone off is not feasible in these circumstances.

g). Burdens. <u>Every property on this estate has many "Burdens" on them.</u> I understand Highland Council have no direct control of these "Burdens" at present, but Highland Council should have a natural responsibility to ensure all the "Burdens" have been signed and dated for compliance by the property inheritor or new owners for the assurance of all the other residents living on this estate.
Here are some of most concerns relating to this STL application.
"**No Caravans, Power Boats, Marine Craft, Trailers, or Vehicles other than a motor car and motorcycles on a plot or anywhere within the estate".**
"No Business may be operated from these properties".
"Each dwellinghouse shall be used as a private dwellinghouse only and for no other purpose whatsoever and <u>it shall never in any way be sub-divided or occupied by more than one family at a time</u>".

h). Ground Maintenance. All property owners pay a sum towards the maintenance of the whole land area comprising of the ex- 'Simpsons' estate out-with the areas of their property boundary. If we have distant landlords, how can we ensure temporary residents are paying their fair proportion to keep the area nice.

I write this as an appeal to Highland Council to reject the above STL application for the sanity and wellbeing of our small community within Beauly. Granting the licence would be the "thin end of a wedge" to encourage more of the same.

[redacted]

Submitted by:-

Mr Anthony Boyland
[redacted],
[redacted]
[redacted]

24 June 2026

Email [redacted]
SMS/MOB [redacted]

Appendix 9

Karen Nicholson (Legal (Licensing))

From: [redacted]
Sent: 27 June 2026 11:43
To: Licensing
Subject: Objection to short term let application

Categories: CV Updated, Waiting Legal Licensing Response, Karen, Objection

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

Objection to short-term let application
Ref Lynn Shona Mitchell at property 4 Priory Way, Beauly

We are writing to raise concerns about the short term let application for the above noted property. We are resident in the street and object that the property will no longer be a residential house but a business for short term lets. Beauly is a small village, a rise in short term lets will have a detrimental impact on the community, limiting the housing options for people who wish to live here long term. We understand the missives / deeds may note the house cannot be used for business purposes.

We understand the applicant does not live locally, and we have concerns about how the business will be managed in relation to visitors behaviour, bins, parking etc . Other neighbours of short term lets have reported increased noise and activity at unsociable hours - which may seem like a minor inconvenience but can really impact someone's life.

We trust the objections outlined above will be considered when you consider the short term let application

Regards

Sara Simpon
[redacted]

Short Term Let Licensing Team

Highland Council HQ

Glenurquhart Road

Inverness

IV3 5NX

[redacted]

21/7/26

STL Case 835332579 - 4 Priory Way, Beauly, IV4 7GF

Dear Sir/Madam,

This letter is my written submission in support of my STL licence application 835332579.

Let me first lay out some context for my decision to apply for a licence.

I inherited the house, 4 Priory Way, Beauly from my late mother in 2021. It was purchased in 2012 and occupied by my parents thereafter. My family have used the house as a second home since 2021, staying in the house at least once a month.

In April 2025 I was told that I would have to pay a 100% increase in council tax as the property was a second home. In April of this year I was informed, with two weeks' notice, that I would be obliged to pay a further 100% increase with a proposed further 100% increase by 2028.

I will not go into the politics behind this decision but it is both unaffordable and punitive and has forced my hand.

My family, the Morrisons, are recorded as living on the Braes of Beauly since **1695.** Furthermore, the current croft, has been leased and subsequently owned, by the family since the late 1700's. So, despite some objectors inferring that I am somehow not local, my family has a 300+ year connection to Beauly.

My daughter and her husband now own the family croft house and live there with their two children. My husband I are delighted that our third grandchild is due later this year. They are gradually doing up the old house and manage the croft land. A large proportion of our time, when we visit, is spent caring for our grandchildren and helping with croft and house upkeep.

Whilst my husband and I had to leave the Highlands for education and work, it does not diminish my family connection to Beauly.

My husband's 97-year-old mother is still living at home in Aberdeenshire, and he is one of her designated carers, so this ties us to our home in Inverurie. We have always considered moving up to Beauly at a future date when circumstances change.

So, we have lots of strong connections to the area and a natural desire to see and support our grandchildren on a regular basis. However, I need to find a way to mitigate the additional council tax costs I am now having to pay. Applying for a licence and running the house as a short term let property is the only real option that would allow my family to continue to use the house, on the regular basis that we do today, and bring in some income to offset our greatly increased outgoings.

Whilst the above context is not strictly a licencing committee matter, it does set out my reasons for pursuing the actions I have taken.

The following sets out my responses to the specific concerns which objectors have raised.

My family and I still plan to stay in the house on, at least, a monthly basis. Our primary driver is to see wider family, and provide support to, our grandchildren. Its residential character remains and it will **not** be available for let 365 days a year.

I have, subject to licence approval, chosen a property letting agency, Sykes Cottages, who are well established and have a good reputation. Their legal team work with the Association of Scottish Self-Caterers (ASSC) to ensure properties, such as mine, stay compliant with relevant legislation and policy. My husband and I know two homeowners who currently, or have previously, run STL properties and have taken their guidance as to how to approach managing my property successfully.

I can confirm that I will **not** be advertising the property as an Airbnb. This seems to be an emotive brand with some people.

The minimum stay I have discussed with Sykes will be 3 nights, which will minimise some of the concerns regarding frequent turnover.

There were concerns about my distance from the house in the event of issues arising with the property. I can confirm that I have a designated property manager, plus an alternative backup, who both live 5 minutes away. Furthermore, Sykes operate a 24x7 help line for guests, owners and other interested parties which can be used in the unlikely event of issues. Should any issue arise, I will deal with it quickly and firmly.

The property will continue to be our second home, and I will be making it clear that I expect guests to treat the house and its neighbourhood with care and respect. My husband and I have, and will continue to, maintain the house and garden to a high standard. Arrangements have always been in place to ensure grass cutting and bin management. These will continue as per today.

At least one objector took the view that the awarding of a short term let licence would further reduce housing availability in the area. Given my family have owned the house since 2012 and we continue to use the house as a second home, this does not constitute a reduction in housing availability. My husband and I are not purchasing a property purely for the purpose of letting it out.

Concerns were raised re. CO and smoke alarms going untested and unmaintained. This is a condition of a licence, and I have made arrangements to ensure that this will be carried out and recorded as per the requirement.

A query was raised as to who will pay for communal upkeep of the estate. As the homeowner I will continue to pay our monthly fee for grounds maintenance, as I have done since taking ownership.

Parking was raised as an issue. I can confirm that the driveway is approximately 12m long and that there is ample room for 2 cars without impinging on the pavement. It will be

stipulated in our booking conditions that guests must park on the drive. With a maximum occupancy of 6, and, a more likely target group size of 2-4, I do not envisage street parking to be required regularly. Parking on the street, by other residents, is not uncommon, generally when people have visitors, so one extra car on occasion will not create a precedent.

Noise and general increase in activity is another concern raised. The demographic that the house is likely to attract, coupled with the quiet nature of the neighbourhood, the maximum occupancy and the room sizes means this is unlikely to attract groups of guests likely to cause a nuisance . Nonetheless, I will be emphasising the 'no party groups' in our booking conditions along with the need for all guests to preserve the quiet character of the street and the need to be respectful of neighbours, some of whom are elderly. I note that not all residents of Priory Way are retirees and there are vehicle movements from early morning throughout the day. I also note that some of these objections came from residents in the development that are not directly affected by Priory Way traffic movements, normal or otherwise. When we are resident, we frequently travel back and fore to our daughter's house several times a day. My husband and I have friends and family visit us at the house and the extra traffic this has generated has never created an issue. I do not envisage that guest arrivals, departures or cleaning visits will significantly change things. We have considered the likelihood of noise emanating from our rear garden. The fact that there is no power source in the garden for music, that I will not be providing access to a barbecue and there is no hot tub, will help to minimise garden use and noise in general.

Questions were raised as to why Beauly needs another short term let. I cannot answer that yet, but simply put, if the demand is not there, then there will be few or no bookings for our property. All I can say is that our proposed letting agent firmly believe that there is demand which my property can meet. If I do not get any bookings I will have to reconsider our options.

Finally, several objectors raised the issue of title deed conditions. The deed conditions were set out in 2007 when the house was originally built.

My husband and I have sought legal advice on this matter.

As we understand it, the primary mechanism for successfully overcoming a "no business use" clause, as referenced by some objectors, relies on the **Title Conditions (Scotland) Act 2003**, which mandates that objecting neighbours must prove that a breach causes an **objective**, **significant**, and **"material detriment"** to their property's value or enjoyment. Given the pre-existing use of the house, the mitigating actions outlined above and the projected demographics of our guests, we do not believe this to be the case. In addition, I am not changing the use of the house to something which would be fundamentally different from its 'residential' status.

My husband and I understand, via the advice we have received , that deed challenges are routinely overturned as objecting neighbours fail to show that an objective, quantifiable impact exists e.g. via a drop in property value or a severe disruption to their daily lives.

Whilst I acknowledge that the objectors have collectively and individually raised concerns in a very organised manner, I do not believe that our proposed course of action, given the mitigations and clarifications outlined herein, would lead to significant quantifiable detriment.

There is a distinct overlap in the role of the committee and any challenge to deeds in that, in both instances, objectors must demonstrate a clear detriment would be caused. Again, for the reasons given earlier, I do not believe this to be the case.

Finally, I will be using a local cleaner, using the local laundry, encouraging guests to use local businesses and using local tradespeople for house maintenance and continued licence compliance, should I be successful. All of which helps to sustain local employment and a healthy economy in the village.

Should the position regarding second home council tax change, my husband and I will review our approach.

In summary, I believe I have listened to and, where relevant, addressed the specific objections raised. I have also taken into account relevant legal advice. Furthermore, I have, and will continue to, act responsibly by working with a reputable agency, adhering to the licensing requirements rigorously and have taken a course of action which is based on a balance of family, community, and financial needs underpinned by licence compliance.

My husband and I informed our immediate neighbours before I applied for the licence as we wanted to be open and honest from the outset. We will, of course, respect the decision of the committee. Should I be successful, I commit to upholding the terms of the licence.

I respectfully request that you take my response into full consideration whilst reviewing my application

Yours faithfully,

[redacted]

Lynn Mitchell