Agenda Item	**8.1**
Report No	**HLC/135/26**

THE HIGHLAND COUNCIL

Committee: **THE HIGHLAND LICENSING COMMITTEE**

Date: **1 December 2026**

Report title: **Application for the grant of a licence for a House in Multiple Occupation – 5 Auchroisk Place, Cromdale (Ward 20 – Badenoch and Strathspey)**

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

1. Purpose/Executive summary

1.1 This report relates to an application for a licence for a house in multiple occupation.

2. Recommendation

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

3. Background

3.1 The licensing of houses in multiple occupation (HMO) is an activity covered under Part 5 of the Housing (Scotland) Act 2006.

3.2 An HMO is defined as living accommodation in which 3 or more unrelated adults live and share one or more of the basic amenities which are a toilet, personal washing facilities and facilities for the preparation or provision of cooked food. It must be their only or main residence.

4. Application

4.1 On 16 August 2026 an application for the grant of a licence in respect of a house in multiple occupation was received from Ms Louise Simpson.

4.2 The property to which the application relates is at 5 Auchroisk Place, Cromdale.

4.3 The maximum number of persons applied for to reside in the premises is 5.

5. Process

5.1 Following receipt of this application a copy of the same was circulated to the following Agencies/Services for consultation:

- Police Scotland,
- Scottish Fire and Rescue Service,
- Highland Council Environmental Health Service,
- Highland Council Building Standards Service,
- Highland Council Planning Service, and
- Highland Council Housing Service.

5.2 Police Scotland, Scottish Fire & Rescue Service, Highland Council Building Standards, Highland Council Planning Service and Highland Council Housing Service have all confirmed that they have no objections to the application.

6. Highland Council Environmental Health Service

6.1 Highland Council Environmental Health Service have advised that they would be unable to issue a pass memo for the Premises until the works detailed on the Schedule of non-compliance issued by Highland Council Environmental Health Service and attached as **Appendix 1** have been completed and confirmed as acceptable by Highland Council Environmental Health Service. The applicant has been made aware of this requirement. At the time of writing this report an update on such works being completed is awaited.

7. Certification

7.1 The licensing process also requires the applicant to submit a number of documents and certificates in respect of the premises.

7.2 At the time of writing this report the following mandatory documents related to the application are awaited from the applicant:

- Public liability insurance, and
- PAT testing certificate.

8. Objections

8.1 Letters of objections in respect of the application have been received as follows:

i. Lara and David Beach – received 19 October 2026 (attached as **Appendix 2);** and

ii. Andrew and Giovanna Staton – received 19 October 2026 (attached as **Appendix 3).**

9. Determining Issues

9.1 Section 130 of Part 5 of Housing (Scotland) Act 2006 states that a Licensing Authority may refuse to grant a licence where the applicant or anyone else detailed on the application is not a fit and proper person.

9.2 Section 131 of the same Act also states that a Licensing Authority may grant a licence only if it considers that the living accommodation concerned:

(a) is suitable for occupation as an HMO, or
(b) can be made so suitable by including conditions in the HMO licence.

and in determining whether any living accommodation is, or can be made to be, suitable for occupation as an HMO the local authority must consider—

(a) its location,
(b) its condition,
(c) any amenities it contains,
(d) the type and number of persons likely to occupy it,
(da) whether any rooms within it have been subdivided,
(db) whether any rooms within it have been adapted and that has resulted in an alteration to the situation of the water and drainage pipes within it,
(e) the safety and security of persons likely to occupy it, and
(f) the possibility of undue public nuisance.

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

9.4 A copy of this report has been sent to the applicant and objectors who have all been invited to attend the meeting and will each be provided with an opportunity to be heard by the Committee. They have also been advised of the procedure which will be followed by at the meeting.

10. Policies

10.1 The following policies are relevant to this application:

Highland Council HMO Conditions and Standards. A copy of these can accessed at: Houses in Multiple Occupation (HMOs) - Highland Council or a hard copy can be supplied where requested.

11. Implications

10.1 Not applicable.

Date: 11 November 2026

Author: Michael Elsey

Background Papers: Housing Scotland Act 2006, Part 5

Appendices:

Appendix 1 – Report from Environmental Health Service
Appendix 2 – Letter from Lara and David Beach dated 19 October 2026
Appendix 3 – Letter from Andrew and Giovanna Staton dated 19 October 2026

Appendix 1

Community Services Environmental Health SCHEDULE OF NON-COMPLIANCE			
Premises	Alcantara, 5 Auchroisk Place, Cromdale, PH26 3QF	Visit Date	15/10/2026

No.	Adopted Standard	Licence Condition	Standard paragraph
62	14.2	31.1	The entry doors to bedrooms require to be capable of being locked by residents to ensure their privacy and security. At the time of inspection, no locks were provided on the bedroom doors. A lock requires to be provided in the inside of the bedroom doors. The use of a key must not be necessary to operate the lock from inside the room.

Appendix 2

Lara and David Beach
[redacted]
[redacted]

19/10/2026

The Licensing Team
The Highland Council
HQ, Glenurquhart Road
Inverness
IV3 5NX

Dear Licensing Team,

RE: OBJECTION TO HMO LICENCE APPLICATION
Property Address: 5 Auchroisk Place, Cromdale, PH26 3QF

I am writing as a local resident to formally object to the application for a House in Multiple Occupancy (HMO) licence for the property listed above. My home is located within the same cul-de-sac at [redacted]

I object to the granting of this licence under the Civic Government (Scotland) Act 1982. The unique, hazardous layout and unfinished state of our residential road mean the locality is entirely unsuitable for a high-density HMO.

My objection is based on the following specific infrastructure and safety grounds:

1. Severe Insufficiency of On-Site Parking for Five Independent Tenants
   The application seeks a licence for 5 independent tenants. Unlike a standard family home where vehicles are frequently shared, a 5-tenant HMO accommodates five separate adults, each highly likely to possess their own vehicle, alongside regular delivery drivers and personal visitors. The proposed property has a highly restricted layout that can only accommodate a maximum of 3 to 4 parking spaces at an absolute push. It is clear that the property cannot contain the vehicle load generated by 5 separate households, and the resulting overflow will be forced onto our narrow residential street, completely exhausting the limited public space.
2. Blockage of Traffic Calming Narrowing, Blindspots, and Winter Ice Hazards
   Our road features a deliberate physical narrowing designed as a traffic calming measure, which forces vehicles onto the opposite side of the road to negotiate the bottleneck safely. Any overflow parking near or opposite this narrowing caused by the lack of on-site spaces will completely choke the street and blind the sightlines of oncoming drivers.

Furthermore, because this road is unadopted and unfinished, it receives no winter gritting or snow clearance from the council. During the winter months, the road surface becomes exceptionally icy and treacherous. Drivers trying to navigate a slippery, un-gritted bottleneck while dodging tightly packed overflow cars will face a significantly elevated risk of losing traction, sliding, and causing collisions.

1. Cul-de-Sac Gridlock and Emergency Service Restrictions
   As a cul-de-sac with no through-traffic, the street relies entirely on a clear turning area at the end of the road. Increased vehicle numbers from 5 independent tenants will inevitably lead to cars obstructing the turning head. Combined with the narrowing further down the street, this creates a high risk of total gridlock, leaving emergency vehicles (Fire, Ambulance) and Highland Council refuse lorries unable to turn safely, forcing them to reverse long distances down a hazardous street.
2. Physical Vulnerability of the Unadopted, Unfinished Road
   This street is an unadopted road that remains structurally unfinished and unpaved to standard council specifications. The high vehicle turnover and lack of dedicated parking spaces generated by a 5-tenant multi-occupancy property will accelerate the physical wear and tear of this unfinished surface, creating deep potholes and hazardous driving conditions for all road users.

Introducing a high-occupancy commercial residential use to a property served by a vulnerable, unadopted cul-de-sac with a hazardous bottleneck and inadequate parking is an overdevelopment of the site that compromises public safety. I respectfully urge the Licensing Committee to recognise these severe infrastructure limitations and refuse the application.

Please confirm receipt of this representation and notify me of the date of the Licensing Committee meeting where this application will be heard.

Yours sincerely,



Lara Beach

David Beach

Andrew and Giovanna Staton

[redacted]

[redacted]

19/10/2026

The Licensing Team
The Highland Council
HQ, Glenurquhart Road
Inverness
IV3 5NX

RE: OBJECTION TO HMO LICENCE APPLICATION 5 Auchroisk Place, Cromdale PH26 3QF

Hi,

We would to like to formally object to the application of an HMO at the property listed above. Our house is in the same cul-de-sac as the aforementioned property.

Our objection is as follows:

Unsuitability of property as a high density HMO for the following reasons-

Insufficient parking at the property for 5 tenants (possibly more if rooms are rented to couples?), potentially resulting in tenants and visitors parking on a road already quite tight when cars are parked there. This could result in difficult access for emergency services, delivery vans etc, workmen, also the refuse lorry, and as its coming up to winter, the gritter and snow-plough.

Currently Auchroisk Place is a quiet place to live and we obviously have no issue if property is rented/owned by a single family. Renting the property to up to 5 independent tenants could result in the cul-de sac becoming much busier with cars coming and going. There is also the possibility of increased noise. Note that when the house was an Airbnb there was a significant noise issue.

I would be grateful if you could send me confirmation upon receipt of this letter, by email or otherwise.

Yours Faithfully

Andrew Staton

[redacted]