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| Agenda Item | **9.2** |
| Report No | **HLC/137/26** |

**THE HIGHLAND COUNCIL**

**Committee:** **THE HIGHLAND LICENSING COMMITTEE**

**Date:** **1 December 2026**

**Report title:** **Application for the grant of a short term let licence – Dà Dhruim, Duror, PA38 4BS (Ward 21 – Fort William and Ardnamurchan))**

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

## 1. Purpose/Executive Summary

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

## 2. Recommendation

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

## 3. Background

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

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

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

## 4. Application

4.1 On 24 June 2026 an application for the grant of a short term let licence was received from Mr Edward Vos.

4.2 The property to which the application relates is Dà Dhruim, Duror, PA38 4BS (the "Premises"). A site plan was provided by the applicant as part of the application process and is attached as an appendix to this report (**Appendix 1).** The Premises are those edged in red on the plan on page 1 of Appendix 1.

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

4.4 Mr and Mrs Vos are named on the application as the owners of the Premises.

4.5 The person named on the application as being responsible for the day-to-day management of the Premises is Janette Macdonald.

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 property which can accommodate a maximum capacity of eight guests. Floor plans of the Premises were provided by the applicant as part of the application process, and these can be found on page two 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.

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

5.3 The Scottish Fire & Rescue Service was not further consulted on the application as the fire safety checklist, which was completed by the applicant, pertaining to the application was deemed satisfactory.

## 6. Certificate of Compliance

6.1 The applicant has provided a certificate of compliance confirming that a public notice of application for their short term let licence was displayed at or near the Premises for a period of 21 days from 26 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 representations were received and are attached as an Appendices to this report:

- Representation received by email on 23 July 2026 from Mr John Jennett **(Appendix 2).**
- Representation received by email on 23 July 2026 from Mr Steve Bignell and Mrs Carole Bignell **(Appendix 3).**

## 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 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/representations

9.1 In the emails of representation found at Appendices 2 and 3, 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: 13 November 2026

Author: Patrycja Bujdasz

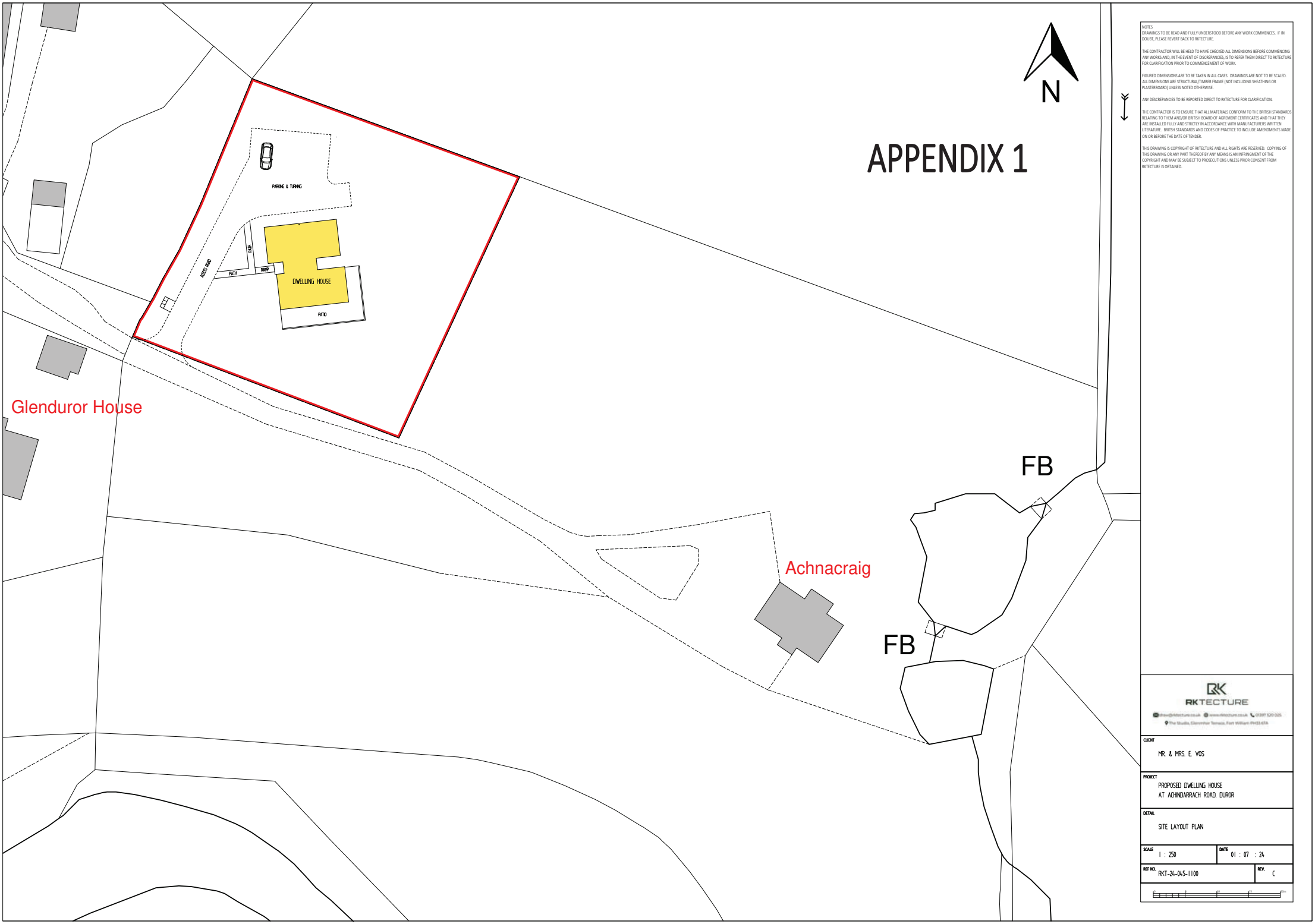
Reference: FS850861143

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: Representation received by email on 23 July 2026 from Mr John Jennett.
Appendix 3: Representation received by email on 23 July 2026 from Mr Steve Bignell and Mrs Carole Bignell


APPENDIX 1
N
PARKING & TURNING
ACCESS ROAD
PATH
PATH
RAMP
DWELLING HOUSE
PATIO
Glenduror House
Achnacraig
FB
FB
NOTES
DRAWINGS TO BE READ AND FULLY UNDERSTOOD BEFORE ANY WORK COMMENCES. IF IN DOUBT, PLEASE REVERT BACK TO RKTECTURE.
THE CONTRACTOR WILL BE HELD TO HAVE CHECKED ALL DIMENSIONS BEFORE COMMENCING ANY WORKS AND, IN THE EVENT OF DISCREPANCIES, IS TO REFER THEM DIRECT TO RKTECTURE FOR CLARIFICATION PRIOR TO COMMENCEMENT OF WORK.
FIGURED DIMENSIONS ARE TO BE TAKEN IN ALL CASES. DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS ARE STRUCTURAL/TIMBER FRAME (NOT INCLUDING SHEATHING OR PLASTERBOARD) UNLESS NOTED OTHERWISE.
ANY DESCREPANCIES TO BE REPORTED DIRECT TO RKTECTURE FOR CLARIFICATION.
THE CONTRACTOR IS TO ENSURE THAT ALL MATERIALS CONFORM TO THE BRITISH STANDARDS RELATING TO THEM AND/OR BRITISH BOARD OF AGREMENT CERTIFICATES AND THAT THEY ARE INSTALLED FULLY AND STRICTLY IN ACCORDANCE WITH MANUFACTURERS WRITTEN LITERATURE. BRITISH STANDARDS AND CODES OF PRACTICE TO INCLUDE AMENDMENTS MADE ON OR BEFORE THE DATE OF TENDER.
THIS DRAWING IS COPYRIGHT OF RKTECTURE AND ALL RIGHTS ARE RESERVED. COPYING OF THIS DRAWING OR ANY PART THEREOF BY ANY MEANS IS AN INFRINGMENT OF THE COPYRIGHT AND MAY BE SUBJECT TO PROSECUTIONS UNLESS PRIOR CONSENT FROM RKTECTURE IS OBTAINED.
RKTECTURE
CLIENT
MR. & MRS. E. VOS
PROJECT
PROPOSED DWELLING HOUSE
AT ACHINDARRACH ROAD, DURROR
DETAIL
SITE LAYOUT PLAN
SCALE
1 : 250
DATE
01 : 07 : 24
REF NO.
RKT-24-045-1100
REV.
C

CONTRACTOR TO CROSS REFERENCE DRAWINGS WITH STRUCTURAL ENGINEERS DRAWINGS & DETAILS PRIOR TO COMMENCEMENT OF WORKS

The Highland Council
Comhairle na Gàidhealtachd

The Highland Council Building Standards Service

Building Warrant reference: 25/00112/DOM2

APPROVED 22/05/2025

Glenn Campbell
Building Standards Manager



ACCESSIBLE THRESHOLD DETAIL - NOT TO SCALE

## ELECTRICAL LEGEND

| | |
|---|---|
| | LIGHT SWITCH |
| | PENDANT LIGHT FITTING |
| | LIGHT FITTING WITH INTEGRATED SWITCH |
| | UPLIGHTER(S) MOUNTED ON GIRDER TRUSS(ES) |
| | SINGLE SWITCHED SOCKET |
| | DOUBLE SWITCHED SOCKET |
| | COOKER CONTROL UNIT |
| | TELEPHONE POINT |
| | TV POINT |
| | SHAVER SOCKET |
| | MIRROR WITH LIGHT & INTEGRATED SHAVER SOCKET |
| | EXTERNAL LIGHT PIR - MOTION SENSOR |
| SD | SMOKE DETECTOR |
| HD | HEAT DETECTOR |
| | EXTRACTOR FAN |
| WL | WALL LIGHT |
| CU/M | CONSUMER UNIT / METER |
| | RECESSED DOWNLIGHTER |
| CD | CARBON MONOXIDE DETECTOR |

NOTES:
DRAWINGS TO BE READ AND FULLY UNDERSTOOD BEFORE ANY WORK COMMENCES. IF IN DOUBT, PLEASE REVERT BACK TO RKTECTURE.

THE CONTRACTOR WILL BE HELD TO HAVE CHECKED ALL DIMENSIONS BEFORE COMMENCING ANY WORKS AND, IN THE EVENT OF DISCREPANCIES, IS TO REFER THEM DIRECT TO RKTECTURE FOR CLARIFICATION PRIOR TO COMMENCEMENT OF WORK.

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NOTES :
MAINS OPERATED SMOKE DETECTORS TO BS 5446 & BS 5839 DETECTORS INTERCONNECTED AND PERMANENTLY WIRED TO A PROTECTED CIRCUIT WITH MINIMUM 72 HOURS BATTERY BACK UP.

CAVITY BARRIERS ARE REQUIRED TO PROTECT THE CAVITY AGAINST PENETRATION OF FIRE AND SMOKE OR TO RESTRICT MOVEMENT WITHIN THE CAVITY. ALL CAVITIES SHOULD HAVE CAVITY BARRIERS WITH AT LEAST A SHORT FIRE RESISTANCE DURATION INSTALLED AROUND THE EDGES OF THE CAVITY INCLUDING AROUND THE HEADS, JAMBS AND SILLS OF EXTERNAL DOORS AND WINDOW OPENINGS. A CAVITY BARRIER SHOULD ALSO BE PROVIDED BETWEEN A ROOF SPACE AND ANY OTHER ROOF SPACE OR BETWEEN A CAVITY AND ANY OTHER CAVITY SUCH AS AT THE WALL HEAD BETWEEN THE CAVITY WALL AND A ROOF SPACE (CAVITY). ALSO PROVIDE AT JUNCTIONS BETWEEN TWO CAVITY WALLS. HORIZONTAL CAVITY BARRIERS TO BE PROVIDED AT FIRST FLOOR LEVEL. CAVITY BARRIERS TO CONSIST OF 50 X 50MM TIMBER BATTEN WRAPPED IN DPC MATERIAL.

CHARNWOOD C4 WOOD BURNING STOVE TO BE PROVIDED TO LIVING AREA. STOVE TO BE PLACED UPON 12mm THICK SUPERIMPOSED HEARTH (MAX STOVE RADIANT HEAT = 100 DEGREES) WITH MIN. PLAN DIMENSIONS OF 850 X 850mm. THERE MUST BE A MINIMUM OF 150mm OF HEARTH AT EACH SIDE AND THE REAR OF THE STOVE APPLIANCE AND A MINIMUM OF 300mm AT THE FRONT. 75mm FACING BRICK ON THE WALL DIRECTLY BEHIND THE STOVE & 150mm WIDER THAN THE WIDTH OF THE HEARTH AT EACH SIDE. FACING BRICK WALL TO FINISH 1200mm ABOVE FINISHED FLOOR OR 300mm ABOVE STOVE APPLIANCE - WHICHEVER IS GREATER.

STOVE TO SERVED BE SELKIRK OR EQUAL TWIN WALLED INSULATING STAINLESS STEEL CHIMNEY TERMINATING MIN OF 600mm ABOVE ROOF RIDGE. NO COMBUSTIBLE MATERIALS WITHIN 50mm OF OUTER FLUE SURFACE. CHIMNEY TO BE SURROUNDED WITH 8mm RIGID MESH AT ROOF PENETRATION TO PREVENT VERMIN ACCESS OR NESTING.

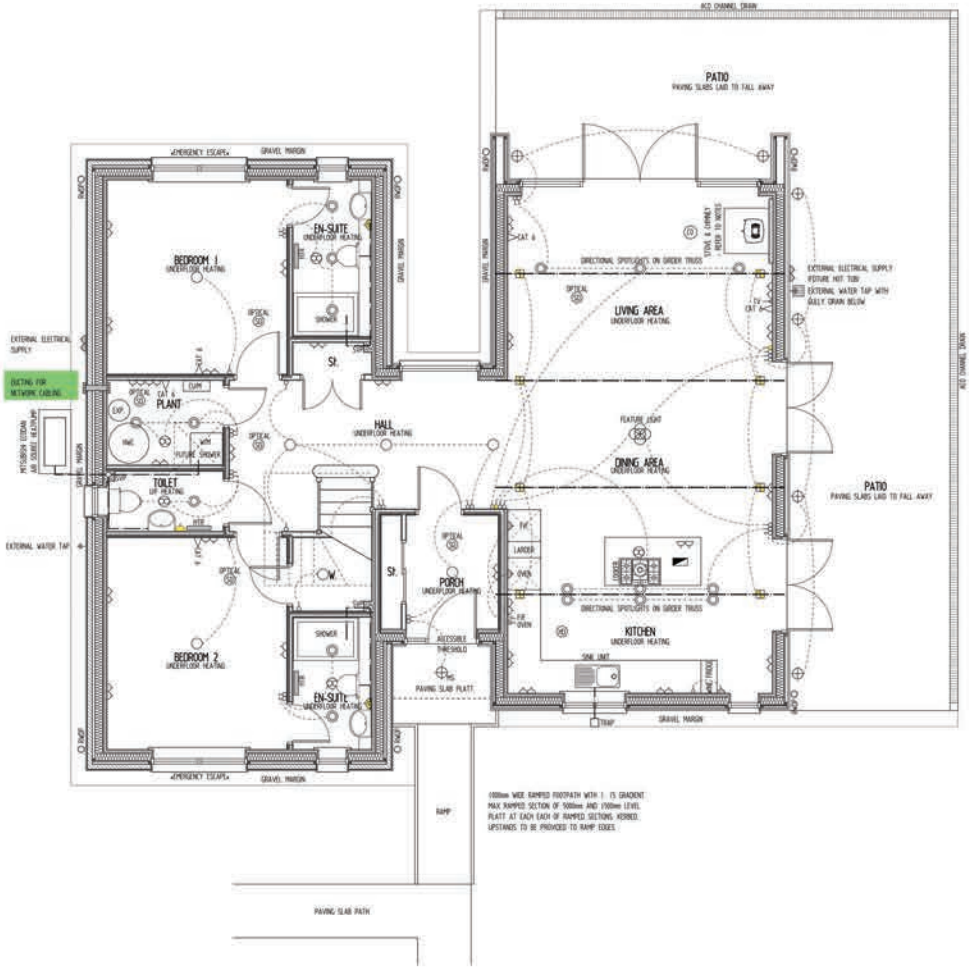
EMERGENCY ESCAPE WINDOWS.
UNOBSTRUCTED OPENABLE AREA THAT IS AT LEAST 0.33M² & AT LEAST 450mm HIGH OR 450mm WIDE WITH THE BOTTOM EDGE OF OPENING AREA BEING BETWEEN 800 - 1100mm ABOVE FINISHED FLOOR LEVEL.

CONTRACTOR TO SUPPLY & INSTALL IN-BUILDING PHYSICAL INFRASTRUCTURE TO ALLOW FOR THE FUTURE INSTALLATION OF A SERVICE PROVIDER'S NETWORK CABLING AND ASSOCIATED EQUIPMENT TO THE END USER'S LOCATION WITH MINIMAL DISRUPTION TO THE BUILDING FABRIC. THE IN-BUILDING PHYSICAL INFRASTRUCTURE TO CONSIST OF 40mm ELECTRICAL DUCTING HORIZONTAL DUCTWORK THROUGH THE EXTERNAL IS TO SLOPE DOWNWARDS TO THE OUTSIDE TO PREVENT POSSIBLE WATER INGRESS AND BE FITTED WITH TEMPORARY SEALS INTERNALLY & EXTERNALLY

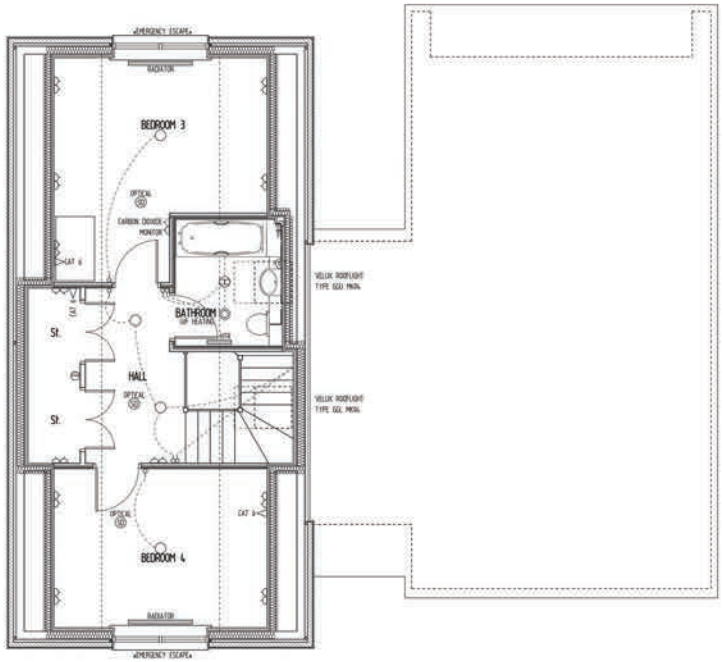
CARBON DIOXIDE MONITOR TO BE INSTALLED TO MASTER BEDROOM AS SHOWN. THE MONITOR EQUIPMENTS TO BE CAPABLE OF RECORDING & DISPLAYING READINGS WITHIN A RANGE OF AT LEAST 0 - 5,000 PARTS PER MILLION. THE EQUIPMENT SHOULD ALSO BE CAPABLE OF LOGGING DATA AT NO MORE THAN 15 MINUTE INTERVALS OVER A 24 HOUR PERIOD. CARBON DIOXIDE MONITORS/DETECTORS ARE TO BE WITHIN THE SCOPE OF EITHER OR BOTH:

- EUROPEAN DIRECTIVE 2006/95/EC - LOW VOLTAGE DIRECTIVE AND/OR
- EUROPEAN DIRECTIVE 1999/5/EC - RADIO & TELECOMMUNICATION TERMINAL EQUIPMENT DIRECTIVE

CARBON DIOXIDE MONITOR/DETECTOR TO BE INSTALLED IN FULL ACCORDANCE WITH MANUFACTURERS WRITTEN LITERATURE.




GROUND FLOOR LAYOUT PLAN




FIRST FLOOR LAYOUT PLAN

RKTECTURE
rktecture.co.uk | 07397 520 026
The Studio, Chanonry Terrace, Fort William PH33 6TA

CLIENT
MR. & MRS. E. VOS

PROJECT
PROPOSED DWELLING HOUSE & GARAGE
AT ACHINDARRACH ROAD, DUROR

DETAIL
DETAILED DRAWING NO. 6 -
GROUND & FIRST FLOOR LAYOUT PLANS - GENERAL

| SCALE | DATE |
|---|---|
| 1 : 50 | 01 : 07 : 24 |

REF NO: RKT-24-045-1106 REV: D

**Patrycja Bujdasz (Legal (Licensing))**

# APPENDIX 2

**Subject:** RE: Short-Term Let Licence Application – Da Dhruim, Duror, PA38 4BS

**Sent:** 23 July 2026 15:35
**To:** Legal - Licensing [redacted]
**Cc:** Ash Fowler (Legal (Licensing)) [redacted]; STL Licensing [redacted]
**Subject:** RE: Short-Term Let Licence Application – Da Dhruim, Duror, PA38 4BS

**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.

Following on exchanges below please find attached representation letter.
I would be grateful if you would acknowledge receipt.
Kind regards

John Jennett

**Representation in Respect of Short-Term Let Licence Application at Da Dhruim, Duror, PA38 4BS**

**Dear Sir/Madam,**

I write to make a representation in respect of the above short-term let licence application. We are immediate neighbours to the property and have provided a copy of this representation to the applicants.

At the outset, I wish to make clear that I do not object to short-term letting in principle. I recognise the value of quality self-catering accommodation and support such use where it can operate safely, responsibly and without unacceptable impact on neighbouring residents, local infrastructure, public safety or residential amenity.

I have confined this representation to matters relevant to the statutory licensing considerations, including the location, character and condition of the premises, the nature and extent of the proposed activity, the kind of persons likely to occupy the premises, public nuisance, public safety and whether there is other good reason to comment..

The issues I raise arise from the specific circumstances of this application: the characteristics of the property and its location, the shared access arrangements, the proposed occupancy level, the absence of identified local management and the absence of identified operational information explaining how the premises would be operated in practice.

These points are based on actual experience of the locality, including previous short-term letting activity using the same access route, observed vehicle difficulties and recurring utility interruptions, rather than general assumptions about short-term letting.

A central issue is that the Council may default to relying upon its standard short-term let licence conditions without first considering whether those conditions can realistically work in this particular case.

Many of those conditions require the licence holder to take “reasonable steps” in relation to matters such as neighbour amenity, waste management, security and public safety. The difficulty here is that the practical limitations of the property and its location may mean that even a reasonable and responsible licence holder could not take steps sufficient to overcome them.

This is particularly important because the matters raised in this representation arise primarily from the inherent characteristics of the premises and location. They are set out in the numbered sections below.

**1. Character of the Area and Residential Amenity**

*Statutory reason(s): location, character and condition; nature and extent of the proposed activity; kind of persons likely to occupy the premises; public nuisance.*

The property was completed in June 2026 and appears to have been constructed with a view to a significant amount of its occupancy being secondary letting. The building sits within an established residential cluster of 8 existing houses within 200 metres - none of which are licensed short-term lets. This is a quiet residential environment.

The closest neighbouring properties include:

- My own property, approximately 50 metres away, which incorporates a separate building used daily as a home office located approximately 30 metres from the application property.
- A neighbouring property approximately 15 metres away which includes a compound and polytunnel for a domestic fruit and vegetable growing operation with regular seasonal activity.

These are active and sensitive neighbouring uses.

The repeated turnover of guests associated with secondary letting introduces a pattern of occupation materially different from normal residential use. Visitors are likely to be unfamiliar with the locality, neighbouring properties, access arrangements and operational constraints of the site.

This creates a foreseeable risk of disturbance, interruption and conflict with neighbouring residential and business activities.

Whilst the property itself may be capable of ordinary residential occupation, that does not necessarily mean it is suitable for intensive occupation by up to ten short-term visitors on a commercial basis.

**2. Access, Suitability and Shared Use**

*Statutory reason(s): location, character and condition; public safety; public nuisance.*

Access is obtained from the U602 via a rough private track approximately 150 metres in length which is shared between four properties. The gradient varies between approximately 15 and 20 degrees, equivalent to gradients of approximately 1:3.7 to 1:2.7.

This is a steep access road for visiting guests unfamiliar with the location.

The road is not suitable for all vehicles at any time of year. Its gradient, surface condition, alignment and rural construction create challenges even in normal conditions, particularly for smaller vehicles and for larger vehicles carrying a load and/or with inherently low ground clearance.

There is a real and foreseeable risk of vehicles becoming damaged, stranded, immobilised or otherwise unable to proceed due to gradient, vehicle suitability, weather conditions or driver error. This concern is based on actual experience and observed incidents rather than speculation.

Because the road is shared, any such incident has the potential to obstruct access not only for the visitor involved but also for neighbouring residents, contractors, deliveries and potentially emergency services.

The condition of the road has deteriorated in recent years, particularly during the construction of the application property. I am not aware of any proposals to improve or upgrade the access arrangements to accommodate the increased use associated with a commercial short-term letting operation. The significance of this is that the condition of the road continues to deteriorate, a factor that is generally accepted and accommodated by permanent residents familiar with its limitations and who choose and use suitable vehicles typically 4x4 with raised clearance.

There is also a practical wayfinding issue. The applicant does not appear to control land at the junction with the U602 where any signage or clear arrival instructions may be required. Without reliable wayfinding arrangements, there is a foreseeable risk of guests missing the turning, seeking assistance from neighbouring residents, or attempting difficult turning manoeuvres on the narrow U602. This has happened previously in the locality, including vehicles ending up in the adjacent ditch and requiring recovery.

A standard licence condition cannot alter the physical characteristics of a steep, rough and progressively deteriorating shared access road.

**3. Winter Conditions and Lack of Alternatives**

*Statutory reason(s): location, character and condition; public safety; public nuisance.*

The access road is private, unadopted, not gritted and cannot be cleared of snow and ice.

In practice it typically becomes impassable during periods of winter weather for around one to two weeks each year.

There is no realistic alternative parking provision nearby and no safe pedestrian route available to the property when these conditions exist. Current residents rely upon four-wheel-drive vehicles and winter tyres in order to maintain access during such periods. Changing weather patterns now mean these conditions can arise over a longer period rather than just being confined to December and January.

In these circumstances, guests may be unable to access or leave the premises safely; vehicles may become stranded; access for neighbouring residents may be obstructed; emergency access may be compromised; and neighbours may be drawn into providing assistance.

The Council may wish to clarify what contingency measures, guest communication procedures, alternative arrangements or incident response measures would apply in such circumstances.

It is difficult to identify what reasonable steps a licence holder could realistically take to overcome the effects of severe weather upon a steep private access road where no realistic alternative parking or pedestrian access exists.

**4. Occupancy of Ten Persons and Vehicle-Related Risks**

*Statutory reason(s): nature and extent of the proposed activity; kind of persons likely to occupy the premises; public safety; public nuisance.*

I note that the application seeks permission for occupancy of up to ten persons.

Whilst occupancy standards are a matter for the Licensing Authority, the proposed maximum occupancy appears high when considered alongside the physical constraints affecting the site, including access arrangements, utility resilience and proximity to neighbouring residential properties.

Whilst the adequacy of parking provision may itself be a planning matter (and it is assumed that there is sufficient parking for the designated occupancy withing the curtilage of the property) the operational consequences arising from occupation by ten guests remain directly relevant to licensing considerations.

The concern is that occupation by up to ten guests is likely to mean multiple vehicles, amplifying vehicle movements and the number of drivers unfamiliar with the access arrangements, increasing the risk of unsuitable vehicles attempting to use the road; vehicles becoming stranded; obstruction of the shared access road; difficulties for residents, deliveries and emergency services; and disturbance arising from arrivals, departures and manoeuvring all as outlined above.

The Council may wish to clarify what vehicle management arrangements would apply, including any maximum vehicle numbers, winter access arrangements and procedures for dealing with stranded or obstructing vehicles.

Given the proposed occupancy level and the physical characteristics of the site, these matters are significant.

**5. Previous Letting Experience and Year-Round Vehicle Difficulties**

*Statutory reason(s): location, character and condition; kind of persons likely to occupy the premises; public safety; public nuisance.*

A nearby property accessed by the same track previously operated as a short-term let prior to the current licensing regime when under different ownership.

I believe this was based on a maximum occupancy of 3 people and with a “housekeeper” living nearby - despite which there were numerous occasions when guests sought assistance from neighbouring residents, including assistance with directions, access issues, utility interruptions and vehicle difficulties.

Importantly, vehicle problems and strandings were not confined to periods of snow and ice. They occurred throughout the year despite the road being in far better condition than it is now.

This demonstrates that the issue arises from the inherent characteristics of the location and access arrangements rather than from exceptional winter conditions alone.

The concerns raised in this representation are therefore evidence-based and arise from actual experience of the locality rather than hypothetical assumptions about how short-term letting might operate.

**6. Infrastructure Resilience – Power and Water**

*Statutory reason(s): location, character and condition; public safety; other good reason.*

The area experiences recurring utility outages specific to the immediate locality.

There have been approximately six significant power outages and five interruptions to the public water supply during the past twelve months, including at least one power outage lasting in excess of twenty-four hours. These can be evidenced through reports made by SSEN and Scottish Water.

Although most houses in the area, including I believe the application property, have additional storage and pumps intended to mitigate water supply interruptions, local experience is that these measures do not always prevent disruption and may themselves require active management. In the previous short-term letting experience referred to above, guests sought assistance from neighbouring residents when mitigation arrangements failed.

Permanent residents are familiar with these issues and can prepare accordingly. Visiting guests are unlikely to be similarly equipped particularly for the inevitable extended power outages.

It is not clear from the application what contingency arrangements, guest welfare procedures, emergency attendance arrangements or local support mechanisms would apply in response to these risks.

No reasonable management intervention can prevent these predictable failures of the electricity network or interruptions to the public water supply. The relevant question is how effectively such events can be managed when they occur. On the information presently before the Council, it is not clear what local attendance arrangements would be capable of responding quickly to such situations.

**7. Noise, Outdoor Areas and Guest Behaviour**

*Statutory reason(s): nature and extent of the proposed activity; kind of persons likely to occupy the premises; public nuisance.*

The application confirms the existence of an outdoor patio and seating area.

Given the proximity of neighbouring properties, this is a significant consideration.

The concern is not merely formal parties or amplified music. In a quiet rural setting, ordinary conversation, outdoor dining, social gatherings, vehicle movements and evening use by groups of up to ten guests may all have a material impact upon neighbouring residents. The Council's published approach envisages additional conditions being considered when noise complaints arise. However, the circumstances giving rise to potential disturbance are foreseeable at the point of determination.

If the Council is minded to grant the licence, preventative conditions should be imposed from the outset rather than waiting for complaints to arise.

These should include:

- Curfews on outdoor noise and gatherings;
- No amplified music outdoors at any time;
- Clear guest conduct requirements displayed within the property;
- Immediate contact details for the responsible manager being made available to neighbouring residents; and
- Consideration of noise monitoring technology capable of alerting management to excessive noise events or excessive occupancy.

**8. Local Management and Operation**

*Statutory reason(s): public safety; public nuisance; other good reason.*

The application identifies the owner as being responsible for the day-to-day management of the premises.

However, the application also identifies the owner as residing approximately 350 miles away.

No local manager, caretaker, operational representative or emergency contact has been identified.

Given the practical challenges explained elsewhere in this representation, it is difficult to see how issues requiring prompt attendance could be addressed effectively from that distance.

It may be possible that a management company could be appointed. However, no such arrangement is identified in the application presently before the Council. Given the location of the property and the practical issues described above, the Council may wish to satisfy itself that any proposed management arrangement would be genuinely local, adequately resourced and capable of responding promptly if access, utility, guest welfare, noise or other operational issues arise. Without that clarity, it is difficult to assess whether the management arrangements would be sufficient for this particular location.

The Council should consider not whether a management arrangement might theoretically exist in future, but whether there is presently a realistic and effective management solution proportionate to the risks associated with this location.

**9. Lack of Operational Management Information**

*Statutory reason(s): public safety; public nuisance; other good reason.*

The application form may not require specific operational information on each of these matters, but the optional "Additional Information" section has been left blank. The Council must now satisfy itself how the standard "reasonable steps" requirements can realistically be met in this particular case.

The property has only recently been completed and, with the owners ordinarily based some distance away, the proposed use has not yet been tested through any meaningful period of occupation or local management. Given the practical challenges explained elsewhere in this representation, including access, utilities, waste and guest assistance, the Council may need to pay particular attention to clarifying how the following would be managed in practice:

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- Access and vehicle management, including unsuitable vehicles, winter access, stranded vehicles and obstruction of the shared road;
- Utility interruptions and how guests would obtain timely assistance;
- Neighbour complaints and other guest-related issues requiring prompt intervention;
- Waste management arrangements; and
- Who would attend locally if problems arise.

In other cases, reliance on standard licence conditions may be entirely appropriate. The concern here is that, because of the particular characteristics of this property and its location, the Council should consider whether those generic conditions can realistically be complied with without a clear explanation of how they would operate in practice.

The question is not simply whether the licence holder can undertake to take reasonable steps. The question is what those steps are, who will take them, how quickly they can be taken, and whether they are realistically capable of addressing the practical limitations of this particular property.

**10. Waste and Recycling Management**

*Statutory reason(s): public nuisance; location, character and condition.*

Although the submitted site plan identifies a bin store within the curtilage of the property itself, bins would still need to be transported approximately 150 metres between the property and the public road immediately before collection and then returned promptly afterwards. Prompt recovery is important to avoid spillage in frequent bad weather, obstruction caused by bins being blown onto the single-track road, creating nuisance or danger to members of the public. The Council's own policy states: "Customers must, as soon as practicable after collection, remove the wheeled bins from the collection point and return them to their premises, to avoid any possible danger or nuisance to any members of the public."

Past experience has been that neighbours have had to intervene to deal with all such consequences. As the application property does not control any land at the public road, there appears no prospect of a bin enclosure being constructed at that location. In addition, with capacity for up to ten people, the Council may wish to clarify whether additional general waste capacity or commercial-sized waste provision would be required and, if so, how it would be moved to and from the collection point.

A waste management plan would therefore be needed to show how bins would be transported in both directions on the required day, who would be responsible for doing so, and how missed collections would be dealt with.

With a rotating system of three bins, it is not realistic to expect guests unfamiliar with local collection arrangements to manage the process correctly without active management involvement. This creates a foreseeable risk of incorrect waste separation, missed collections and waste-related nuisance.

These arrangements should be clarified before the Council determines whether the standard waste-related licence conditions can realistically be complied with at this location.

**11. Site Plan, and Land Ownership**

*Statutory reason(s): location, character and condition; other good reason.*

I have noted that the submitted site plan appears to include a small area of land outwith the applicant's ownership.

These matters should be clarified before any determination is made.

**12. Public Liability and Shared Access Road**

*Statutory reason(s): public safety; other good reason.*

I would also ask the Council to satisfy itself that appropriate public liability insurance arrangements extend not only to the dwelling itself but also to guest use of the private shared access road.

Given the known history of vehicle difficulties associated with the route, it would be prudent for the Council to be satisfied that adequate cover exists for risks associated with guest access and use of the premises, as there is a foreseeable risk that an incident could give rise to a claim.

**13. Conclusion and Suggested Conditions**

The question before the Council is whether, having regard to the location, character and condition of the premises, the nature and extent of the proposed activity, the kind of persons likely to occupy the property, and the implications for public nuisance and public safety, it can be satisfied that the premises are suitable and convenient for the conduct of the proposed licensed activity.

On the information presently before the Council, it is not clear that there is sufficient specific operational information to demonstrate how the standard licence conditions requiring "reasonable steps" would operate in practice at this property, or whether those steps could realistically overcome the inherent limitations of the location.

The concerns set out in this representation are evidence-based and derive from actual experience of the property, the shared access road, previous short-term letting activity in the locality, recurring utility outages and observed vehicle difficulties. They do not arise from any general opposition to short-term letting, nor are they intended as criticism of the applicant personally.

**Should the Council be able to Grant the Licence**

If, notwithstanding the above, the Council considers it may be able to grant the licence, I suggest that robust site-specific conditions should be considered.

In particular, consideration should be given to:

- A substantially reduced maximum occupancy limit reflecting the physical constraints affecting the site.
- A restriction on the maximum number of guest vehicles permitted at the property.
- A requirement for a named local manager, with suitable resources and backup arrangements, who can attend the property promptly when issues arise and who can be contacted by both guests and neighbouring residents.
- A vehicle and access management plan dealing with vehicle suitability, winter access, vehicle recovery procedures and the prevention of obstruction of the shared road.
- A waste management plan identifying responsibility for moving bins to and from the roadside collection point.
- Conditions controlling outdoor noise and use of external seating areas, including a prohibition on amplified music outdoors.
- A utility contingency and guest welfare plan covering power outages and water supply interruptions.
- Clarification of land ownership boundaries and operational areas shown on the submitted plans.

23 July 2026
John Jennett



**Patrycja Bujdasz (Legal (Licensing))**

# APPENDIX 3

**From:** Steve Bignell [redacted]
**Sent:** 23 July 2026 21:02
**To:** STL Licensing
**Cc:** Carole Bignell
**Subject:** Representation Short Term Let Da Dhruim
**Attachments:** Representation Short Term Let Da Dhruim.pdf

**Categories:** Ash

**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 letter of representation for the Short Term Let Licence application for Da Dhruim, Duror PA384BS

Steve & Carole Bignell

[redacted]

# Mr S & Mrs CA Bignell

[redacted]

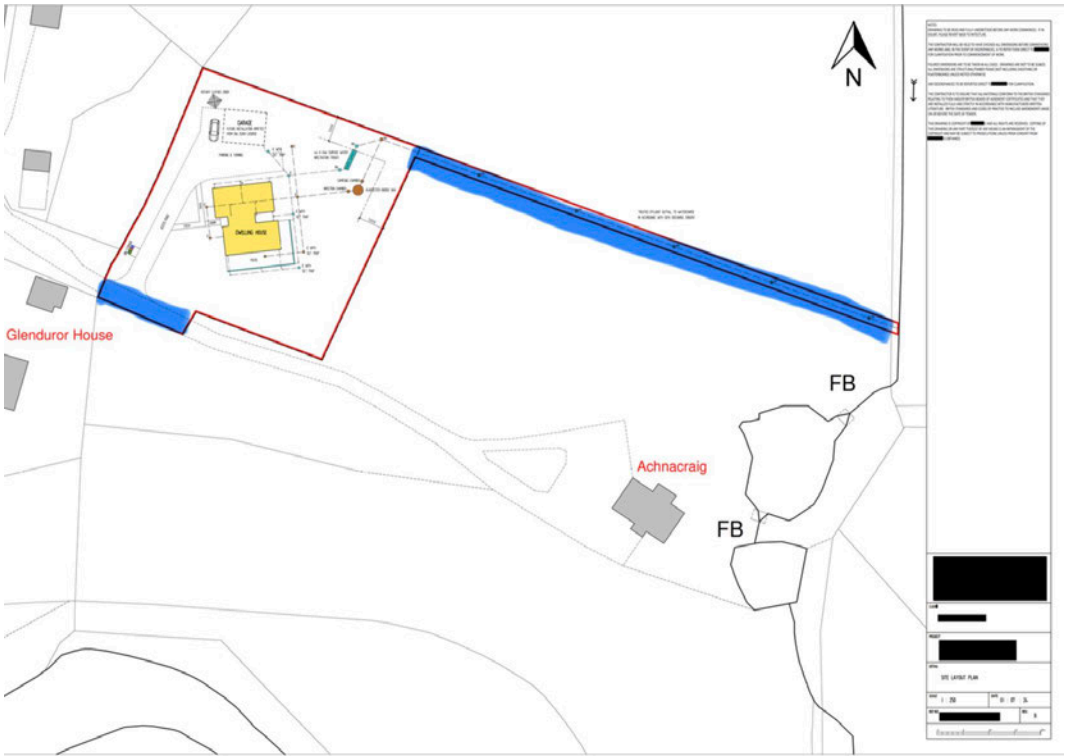
22 July 2026

The Highland Council
Charles Kennedy Building
Achintore Road
Fort William
PH33 7RQ

Dear Sir/Madam

We would like to make representation with respect to the application for short-term let licence for Da Dhruim, Duror PA384BS.

We are the neighbouring property to the south and east of the application premises. Da Dhruim does not own direct access to the track that services the neighbouring 4 properties, but has access to their driveway via a Demand on our Missives. We have moved our gate further down our driveway so that we can maintain a secure boundary, but we retain ownership of the land over which the property is accessed, The stays for an electricity pylon prevent direct access. The applicants also have a Demand on us for the installation and maintenance of their water and waste discharge to the registered but unnamed



burn which flows into our land. Please see appended map for clarity with land that belongs to us highlighted in blue.

From our perspective, the right of access granted under the Demand on our Missives is for residential and not commercial use.

Additionally, the owners are yet to make the boundary secure following the build, process (as is required within the Demands) with temporary fencing still in place from installation of the waste pipes through our land.

We understand that the application is for an occupancy of 10. As the outflow of the water from the property effectively flows through our land, we are concerned that this level of use will exceed the CAR which should have been sought from SEPA. Furthermore, the nature of short term lets means that people who are not familiar with off-mains water management are likely to be leasing the property and that undesirable items will end up in the system. The result of this will either be outflow that is outside the permitted limits discharging into the burn and then our land or overflow directly onto our land (the treatment plant is adjacent to our land and immediately uphill from us).

We are also concerned with the access to the property. We share use of a rough track from Achindarroch Road. This track is rough and already been subject to significant wear during the build of Da Dhruim. The nature of a short term lets means that an occupancy of 10 will place further strain on the track. Furthermore, there are several times each year when access is unachievable due to poor weather, with many occasions when the use of a 4x4 is the only safe method. There have been several occasions when non-4x4 vehicles have either left the track or the actual road due to lack of familiarity and/or inappropriate vehicle. There have been occasions when I have had to pull a vehicle back onto the road in order to maintain access (and I no longer own a large 4x4). Vehicles with low ground clearance are also likely to ground, potentially further damaging the access and/or damaging the vehicle. There is no alternative parking available locally for the occasions when access cannot be achieved.

We understand that the owner is nominated as the point of contact for the property and that no local representative has been established. The nature of short-term lets means that issues will arise on a regular basis e.g. we are at the top of the hill at the end of the mains water supply and regularly suffer from poor water pressure (particularly during the holiday season when the campsite at the bottom of the hill puts extra pressure on the service). Power cuts are also not uncommon during the winter. Having lived here for many years, we make provision for such occurrences but visitors are likely to want/need support/

assistance with this and other issues that will occur. With the owner being a day's drive away they will not be in a position to facilitate the active management that many issues will require.

With monthly recycling bin and bimonthly household bin collections we are also concerned about the management of waste and collection of bins from the single lane road. Our recycling bins are normally full each month and there are only 2 of us living at Achnacraig; with an occupancy of 10 waste is likely to build up quickly. Additional or larger bins are likely to hinder access to either the road or lane, especially if not immediately collected. Bins cannot be stored at the bottom of the access track, and so and arrangements will need to be made for bins to be 'put out' and collected weekly.

This is a small quiet community. We are concerned that, with a large number of visitors and increased vehicular access, noise levels will increase and disturb the nature of the area. These issues are completely foreseeable and need to be managed proactively rather than necessitating a reactive complaints process that will benefit nobody.

We look forward to hearing your responses to the issues raised.

Yours sincerely,



Steve & Carole Bignell