

<b>Reference:</b>	21/04323/FUL	<b>Case Officer:</b>	Craig Simms
<b>Email:</b>	Craig.Simms@highland.gov.uk		
<b>Proposal:</b>	Car park extension with replacement rangers and toilet buildings		
<b>Address:</b>	Achmelvich Public Toilets Lochinver		
<b>Ward:</b>	01 - North, West And Central Sutherland		
<b>Target Date:</b>	16 November 2021	<b>Extension Sought? Y/N:</b>	No
<b>Target Met:</b>	TARGET DATE MET	<b>Reason delayed:</b> N/A	
<b>Advertised:</b>	Northern Times - Schedule 3 development (14 days)	<b>Closing Date for Reps:</b>	15 October 2021
<b>Reps:</b>	For: 0	Against: 0	Neutral: 0
<b>Appropriate Assessment</b>	No	<b>EIA Development</b>	No

#### PLANNING HISTORY

None found.

#### DEVELOPMENT PLAN

##### Highland Wide Local Development Plan (2012) Policies:

28 - Sustainable Design  
 29 - Design Quality & Place-making  
 36 - Development in the Wider Countryside  
 43 - Tourism  
 49 - Coastal Development  
 56 - Travel  
 57 - Natural, Built & Cultural Heritage  
 61 - Landscape  
 64 - Flood Risk  
 65 - Waste Water Treatment  
 66 - Surface Water Drainage  
 77 - Public Access

##### Caithness and Sutherland Local Development Plan (CaSPlan) (2018) Policies:

No site-specific policies apply. Site lies within Assynt-Coigach National Scenic Area.

##### Supplementary Guidance:

Flood Risk & Drainage Impact Assessment (Jan 2013)  
 Highland's Statutorily Protected Species (March 2013)  
 Special Landscape Area Citations (June 2011)

Scottish Planning Policy & Other Guidance:

Scottish Planning Policy 2014

**CONSULTATIONS**

Consultee	Date Replied	Objections Raised
Access Officer		
Access Panel Ross & Cromarty		
Transport Planning Team	21 September 2021	None
Assynt Community Council		

**ASSESSMENT**

<b>Material Considerations:</b>	The planning assessment takes account of the following and other matters identified in the main issues section:	
Planning history	Infrastructure/drainage	Representations
Layout	Privacy/Day-lighting	Consultee comments
Design and materials	Noise	Conservation area
Trees and landscaping	Public Safety	Listed building
Car parking, access and servicing	Residential amenity/impact on neighbours	Protected Species

**Main Issues**

**Proposal and Site Description**

It is proposed to replace an existing ranger hut and toilet block with a larger, single-storey structure of mostly timber construction set on a small terrace, accessed by steps and an access ramp. It would provide in addition to a new ranger hut a cold shower facility, five gender-neutral toilet cubicles, along with baby changing and accessible toilet facilities. This would be situated to the south of the existing car park, which is proposed to be reconfigured and slightly expanded – this would result in almost double the existing parking provision (77 spaces, as opposed to the current 39).

**Supporting Information**

Design and Access Statement

**Issues Raised by Consultees**

Transport Planning Team: little adverse effect on the public local road network. Requested that cycle facilities be provided, at least two cycle rack stands. [Officer Note: this will be addressed via an attached condition.]

**Issues Raised by Third Parties**

None

### **Description of Variations During Processing of Application**

None

### **Planning Appraisal**

#### **Siting and Design**

The proposed design is understated but of high quality, in keeping with its National Scenic Area setting. Nestled to the west of an existing mound and finished with machair/locally-sourced green roofs, it would not be overly conspicuous when viewed from its surrounding area. Local larch rainscreens would both 'silver' over time and would contain a relatively modest amount of embodied energy, preventing the proposed development's carbon footprint from being needlessly large in a time of climate emergency.

Proposals within National Scenic Areas are required to submit a Design Statement detailing how design considerations have been integral to the proposed development. The submitted Design and Access Statement is considered to be sufficient for this purpose.

In terms of siting, the proposed development would stand on the current site of a small toilet block. Relocating the ranger hut to stand adjacent to the toilet block is considered to be a more legible, sympathetic arrangement and would be less impactful in terms of massing than reconstructing two separate buildings.

The existing toilet block and ranger hut both appear tired and utilitarian; while they both serve important (some would say essential) purposes, they no longer contribute positively to the visual amenity of the area. The proposed development would therefore contribute a significant public amenity benefit and would greatly enhance the appearance of its surroundings.

#### **Flood Risk and Drainage**

SEPA's Flood Risk Management Map identified the application site as subject to a medium likelihood of surface water flooding (up to 0.5% annual probability). The submitted Design and Access Statement proposes a field drain, sump and soakaway system of 110 cubic metres' volume. This arrangement is considered to be acceptable. It is also borne in mind that the rationalisation and slight expansion of an existing use is proposed; the proposed development would not introduce a More Vulnerable Use to the area identified as subject to flood risk. As the site's existing usage is furthermore identical to that as proposed, it is assumed that an adequate water supply is in place to serve the proposed development.

#### **Core Paths**

The application site's access track appears to coincide with the route of Core Path SU18.01. No mention of this is apparent in the submitted Design and Access Statement, however a footnote is attached to require unimpeded access during construction phases. In any event, Policy 77 of the Highland-wide Local Development Plan states that where a proposal affects a Core Path, it will be required to "retain the existing path ... while maintaining or enhancing its amenity value". The proposed development is considered to comply with this policy requirement. A short hairpin section of existing Core Path might however be consumed by the extended car park, although a pedestrian route northwards would still be maintained. This is not considered to be a significant issue; it would in fact be a beneficial rationalisation, safeguarding Core Path users by allowing them to skirt around the car park's western edge rather than enter it, as is required by its existing configuration.

#### **Developer Contributions**

No developer contributions would be required on determination of this application.

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

**DELEGATED DECISION**

<b>Decision:</b>	Recommend Application be granted with Conditions
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**Action required before decision issued?** **NO**

**CONDITIONS AND REASONS RELATIVE TO APPLICATION 21/04323/FUL**

1.	No development shall commence until full details of a secure communal bicycle storage system incorporating at least two cycle rack stands have been submitted to and approved in writing by the Planning Authority in consultation with the Transport Planning Team. Thereafter, the storage system shall be installed in accordance with these approved details prior to the first operation of the development and thereafter maintained in perpetuity.
Reason:	In order to facilitate the use of a variety of modes of transport.

**IMPORTANT INFORMATIVES**

Please read the following informatives and, where necessary, act upon the requirements specified:

**REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

**TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

**Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

**Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

**Scottish Water**

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient

spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

### **Septic Tanks & Soakaways**

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

[http://www.highland.gov.uk/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

### **Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

### **Construction Hours and Noise-Generating Activities**

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Protected Species – Halting of Work**

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the

application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species>

**Core Path**

Public access to any Core Path within, or adjacent to, the application site shall at no time be obstructed or deterred by construction-related activities, unless otherwise approved in writing by the Council's Access Officer as a temporary measure required for health and safety or operational purposes. Under such circumstances, any temporary obstruction or deterrent shall cover only the smallest area practicable and for the shortest duration possible, with waymarked diversions provided as necessary.

**SIGNATURES**

Case Officer Name:	Craig Simms	Date:	12.11.2021
Team Leader etc:	Emma Forbes	Date:	16 November 2021