



**24/00323/PPD - CHANGE OF USE OF LAND FOR THE SITING OF 2NO. PODS FOR HOLIDAY ACCOMMODATION AND THE CREATION OF 2NO. MOTORHOME PITCHES AT 47 FIVEPENNY, BORVE, ISLE OF LEWIS**

Report by Chief Planner

**PURPOSE**

- 1.1 Since the planning application has been the subject of six or more representations the planning application cannot be determined under delegation and in accordance with the Scheme of Delegation is referred to the Planning Applications Board for decision.

**EXECUTIVE SUMMARY**

- 2.1 The Report recommends approval subject to conditions of an application for the change of use of land for the siting of 2no. pods for holiday accommodation and the creation of 2no. motorhome pitches.
- 2.2 The Report sets out a description of the proposed development, the site and its context together with the advice of consultees and the contributions submitted by the public; this is followed by an assessment of the proposed development against the policies and provisions of the Development Plan and has regard to all relevant material planning considerations.
- 2.3 The key issues raised by contributors, consultees and the policy assessment are the principle of the development of a campsite within a rural settlement, residential amenity impacts, road safety impacts, and impacts on the rural landscape, and pollution.
- 2.4 The conclusion and recommendation are for approval subject to conditions that will mitigate effects. The recommendation recognises the justification for a modest caravan site in the area and that at the proposed scale is unlikely to contribute to road safety impacts on the highway overall or result in adverse effects on crofting or residential amenity.

**RECOMMENDATIONS**

- 3.1 It is recommended that the application be APPROVED subject to the conditions set out in Appendix 1 to this Report.**

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Appendix 1: Schedule of proposed conditions  
Appendix 2: Plans  
Appendix 3: Consultation responses  
Appendix 4: Representations  
Background Papers: None

## IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	None
Legal	None
Staffing	If approved, future discharge of Planning Conditions, construction stage condition compliance/post construction monitoring.
Assets and Property	None
Strategic Implications	Implications/None
Risk	None
Equalities	None
Corporate Strategy	None
Environmental Impact	None corporately
Consultation	None

## BACKGROUND AND PROPOSAL

### Background

- 5.1 This application for planning permission was registered as valid on 29 August 2024.
- 5.2 This Report sets out an assessment against the policies and provisions of the Development Plan and has regard to all relevant material planning considerations, to inform a conclusion and recommendation as to the determination.

### Description of development

- 5.3 The application proposes a change of use of land for the siting of 2no. pods for holiday accommodation and the creation of 2no. motorhome pitches.
- 5.4 The 2no. pods measure 6 metres in length x 3.1 metres in width with an overall height of 2.6 metres. A set of patio style doors is proposed on the front elevation of each pod and a small window is proposed on the rear elevation of each pod. The plans show the external appearance of the pods as being tiled over the domed structure of the pods with horizontal cladding on the front and rear elevations. The pods are to be sited to the west of the site with a car parking space for each pod alongside the accommodation.
- 5.5 The 2no. motorhome pitches measure 8 metres x 5 metres. There is a 6 metre separation distance between the 2 pitches. The motorhome pitches are to be sited on the eastern side of the site closest to the adjacent dwelling (47 Fivepenny).
- 5.6 The existing croft access is proposed to be widened to 6 metres as part of this application. An area of hardstanding will be required around the pods and motorhome pitches.

### Description of site and its context

- 5.7 The site is located within the rural settlement of Fivepenny, Borve, Isle of Lewis. The application site is located to the north of the main road through the village (A857) and is to the west of the residential dwelling of 47 Fivepenny which is the address of the applicant. The site at present is under grass, is fairly level in terms of topography and part of a croft in fair condition.
- 5.8 The site is not within any landscape, environmental or historic designations. The landscape character of the site is classed as gently sloping crofting. The majority of crofts in Fivepenny, Borve are narrow

linear crofts which lead from the main road down to the shore. The croft on which the application site is located is different in that it has a more horizontal emphasis with the croft surrounding the dwelling (47 Fivepenny) on both sides and to the rear. The extent of the croft amounts to approximately 2 acres.

#### **Variations made prior to determination**

- 5.9 The Location Plan and Site Plan (plan 01) was amended to show that the existing croft access is to be widened to 6 metres in line with the, Streetlighting and Bridges (Comhairle Roads) consultation comment. A further annotation was added to show that an existing gorse bush to the south east of the access is to be removed (revised plan 01B).

#### **Environmental Impact Assessment Regulations (EIA)**

- 5.10 The proposed development is not of a nature or scale of development that triggers Screening under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations).
- 5.11 The development does not constitute Environmental Impact Assessment (EIA) development.

#### **Habitats Regulations – Appropriate Assessment**

- 5.12 Not required.

#### **PLANNING HISTORY**

- 6.1 An application was approved on 10 January 2025 for the change of use of land to site a container to be used partly as a hot food takeaway and partly for storage as well as providing access and parking/turning for visitors (planning application reference 24/00324/PPD). That site was on the eastern side of 47 Fivepenny and formed part of the same croft as the application site.

#### **PLANNING HIERARCHY**

- 7.1 In terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, the class and scale of development is such that it falls within the classification of a 'Local Development', therefore in terms of Planning Regulations, the applicant was not required to undertake any formal pre-application consultation with the local community.

#### **POLICY CONTEXT**

##### **The 'Development Plan'**

- 8.1 Following the enactment of a provision of the Planning (Scotland) Act 2019 on 13 February 2023, the statutory 'Development Plan' for the administrative area of Comhairle nan Eilean Siar is comprised of [National Planning Framework 4 \(NPF4\) \(2023\)](#) and the [Outer Hebrides Local Development Plan \(LDP\) 2018](#) and its supplementary guidances. Section 24(3) of the Act provides that in the event of any incompatibility between a provision of NPF4 and a provision of the LDP that whichever of them is the later in date, is to prevail.
- 8.2 The Development Plan policies with particular relevance to the application are:
- NPF4:**
- Policy 1 – Tackling the climate and nature crises
  - Policy 2 – Climate mitigation and adaptation
  - Policy 3 – Biodiversity
  - Policy 29 – Rural development
  - Policy 30 – Tourism

#### OHLDP:

- Policy DS1: Development Strategy – Rural Settlement
- Policy PD1: Placemaking and Design
- Policy PD2: Car Parking and Roads Layout
- Policy PD6: Compatibility of neighbouring uses
- Policy ED1: Economic development
- Policy ED2: Retail and service provision
- Policy NBH1: Landscape
- Policy ED3 – Caravans, huts and temporary buildings
- Policy EI2: Water and waste water
- Policy EI4: Waste management

#### OHLDP Supplementary Guidance

[Caravans, Huts and Temporary Buildings \(November 2021\)](#)

#### **Other Relevant National Guidance**

[Biodiversity: draft planning guidance](#)

[Developing with Nature guidance](#)

#### **CONSULTATIONS**

9.1 Statutory consultation was undertaken as required by Regulations. The detailed response of statutory and other consultation bodies can be viewed at Appendix 3 to this Report but is summarised as follows.

- **Scottish Water**  
No objection to the application. The development is within the West Lewis Water Treatment Works catchment. The development is also within the Borve North Sep Waste Water Treatment Works catchment. Surface water should be dealt with onsite.
- **Comhairle Roads**  
Widen the proposed bellmouth and construct the access in accordance with Drawing 24/00323.
- **Comhairle Building Standards**  
A building warrant will be required for a new connection to the sewer to serve sanitary facilities in the pods.
- **Comhairle Environmental Health**  
The site, if approved will be subject to the conditions of a licence under the Caravan Sites and Control of Development Act 1960.

#### **REPRESENTATIONS**

10.1 Seven representations were received objecting to the development. The main issues raised within the representations are:

- Principle of a campsite in the location proposed;
- Speed of traffic on the main road and history of accidents;
- Increase of traffic movements and potential risk of future accidents;
- Visibility from the site access;
- Use of existing croft access;
- Pedestrian safety issues;
- Noise impacts;
- Environmental pollution impact from waste and disposal of waste;
- Impact on the visual amenity of the area;

- Need for the caravan site.

10.2 These issues are addressed in the Appraisal section of this Report.

#### **OTHER STATEMENTS SUBMITTED**

11.1 None.

#### **PLANNING APPRAISAL**

##### **Principle of Development**

- 12.1 The application site is located within the established 'rural settlement' of Fivepenny, Borve, Isle of Lewis.
- 12.2 The Comhairle Development Strategy Policy (Policy DS1 of the OHLDP) states that the principal policy objective in rural settlements is to accommodate development to meet sustainable growth for local needs; including particularly for residential, tourism and service activities. As such it provides 'in principle' support for tourism development in rural settlements and provides that development proposals must have a siting and design which is appropriate to the established rural character and settlement pattern of the local area; and that development on croft land should not adversely affect the operational use and sustainability of the croft.
- 12.3 National Planning Policy Framework 4 (NPF4) Policy 29 (rural development), states that the Scottish Government's 6-fold Urban Rural Classification 2020 (URC 2020) should be used to identify remote rural areas and states that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported. Development in rural areas should be suitably scaled, sited, and designed to be in keeping with the character of the area. Development proposals in 'remote rural areas', where new development can often help to sustain fragile communities, will be supported where the proposal will support local employment, support, and sustain existing communities and is suitable in terms of location, access, siting, design, and environmental impacts.
- 12.4 Fivepenny, Borve village is classed as being located within a 'remote rural area' in terms of Policy 29 and therefore further consideration is given to the relevant criteria.
- 12.5 The proposal is small in scale but will contribute income to the applicant's small scale business enterprise and support local self-employment while providing accommodation options for tourism in an area where the variety of provision is relatively sparse.
- 12.6 In this case the siting and design of the pods and motorhome pitches are assessed to be in an acceptable location; with satisfactory siting and design details in terms of landscape, visual impacts and wider community amenity. There are no concerns with the appearance of the pods or indeed the scale or layout of the proposed site which includes the siting of the 2no. motorhome pitches.
- 12.7 The scale of the development is small in relation to the wider environment and subject to control of waste water through the building warrant process is unlikely to result in any environmental harm.
- 12.8 Access and parking is considered satisfactory and discussed further below.
- 12.9 Subject to compliance with the detailed policies of the Development Plan the principle of developing a small scale caravan site at this location is acceptable.

### **Tourism and caravan sites**

- 12.10 Policy 30 of the NPF4 (tourism) states that development proposals for new or extended tourist facilities or accommodation, including caravan sites will be supported. Proposals for tourism related development will take into account compatibility with the surrounding areas in terms of the nature and scale of the activity and impacts of increased visitors, opportunities for the appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas.
- 12.11 The pods meet the definition of a caravan and are assessed as such. In terms of scale and appearance they are typical of other pods found across the Western Isles. In this case, the application scheme is considered to be sufficiently located in that the use will fit well with existing forms of development and uses in the area. There are many tourism offers found across the Outer Hebrides which are closely integrated within residential and agricultural and service related developments.
- 12.12 In terms of traffic generation, the development proposes one parking space next to each pod and the motorhome pitches will have mobile vehicles parked on them. As such, with 4 vehicles on the site, it is not considered that the development will result in a significant or unacceptable increase to traffic entering or leaving the site.
- 12.13 The road network is capable of supporting the additional movements and there are bus stops within close proximity to the site; one to the south west of the site on the A857 near the junction to Church Street which is approximately 170 metres away. There is also a bus stop approximately 560 to the north east of the site also on the A857 near the turning to the Curiosity Caravan honesty shed. The proximity of these bus stops will work towards sustaining public transport as visitors may make use of the bus service going up to Ness and down to Stornoway and beyond.
- 12.14 Policy ED3 of the OHLDP (caravans, huts and temporary buildings) requires that proposals for caravans as holiday accommodation and touring caravan sites must comply with the policies contained in the Caravans, Huts and Temporary Buildings Supplementary Guidance. Removal of the caravan or temporary building and reinstatement of the site at the end of the consented period will be a condition of the planning permission.
- 12.15 The Caravans, Huts and Temporary Buildings Supplementary Guidance states in Policy 2 of the Supplementary Guidance requires that there is a provision of satisfactory and safe road access and car parking (the parking standard is one space per unit, where a unit caters for no more than 4 persons); the siting and design respect the character and amenity of the surrounding area; and there will be acceptable provision for domestic water, foul drainage and refuse disposal.
- 12.16 In this case, the pods will cater for no more than 4 persons and as such one car parking space for each pod will be acceptable. The siting and design of the scheme as a whole, as mentioned previously, is considered to be acceptable in respect of the character and amenity of the surrounding area.
- 12.17 Policy 2A (caravans for holiday let) of the Supplementary Guidance states that planning permission for caravans to be stationed for holiday letting will only be granted where the number of caravans and their scale is respectful of the landscape character, topography and settlement pattern, the proposal should not be visually prominent in the landscape, should have no unacceptable adverse impacts on important landscapes and vistas; materials are of a high quality and the design and external appearance is appropriate to its setting; and the use is restricted to holiday lets to a maximum of 28 days in one occupation with no return within 28 days. Consent is also to be limited to 10 years.
- 12.18 Policy 2B (touring caravan and camping sites) of the Supplementary Guidance states that proposals for touring caravan sites will be acceptable where: it is proportionate in scale to its location and setting, and will not result in an over concentration of sites in any one locality to the detriment of the landscape or residential amenity; outwith main settlements, the layout should be open plan and without formally

defined curtilages between units; access to the site has been designed to allow safe movement of large vehicles and towed units to and from the site and the public highway; hard surfacing across the site should be kept to a minimum; the location of development should enable the responsible disposal of waste without harm to the environment.

- 12.19 An agreed option for water connection and waste-water disposal should be confirmed with Scottish Water. For small touring caravan sites (of no more than 5 pitches) minimal facilities may be permissible if there are adequate publicly accessible waste-water disposal points in the locality. Where this is not attainable, applications should be supported by a management plan setting out user options for waste-water disposal. In such cases, signage must be provided on site stating that vehicles with their own sanitary facilities are permitted and that they must dispose of their waste-water responsibly at the nearest disposal point as it is an offence to do so into a watercourse, surface drain or groundwater. The signage should also detail available waste-water disposal points.
- 12.20 For sites on agricultural land, consent will be limited to use between 01 April and 30 September. For sites of 0-5 touring caravan pitches, in certain circumstances it may be permissible for small touring caravan sites to have no on-site sanitary and hygiene provision.
- 12.21 The use of the site for a total of 2no. pods and 2no. motorhome pitches is considered to be of a density which is suitable for the rural area. The site forms part of a 2 acre croft and the use of part of the croft for the intended use is considered to be proportionate. The motorhome pitches are laid out with designated areas for the vehicles to park on an area of hardstanding. Details of the hardstanding area are to be sought by way of condition.
- 12.22 Multiple representations have been received which make reference to large vehicles needing two lanes to get into the site. The site is proposed to be used by motorhomes and campervans which will be slightly smaller than a touring caravan or a static caravan. These smaller type vehicles use the main public roads across the Outer Hebrides without issues and there is no evidence to suggest that this site would be any more difficult to access in a motorhome or campervan once the access has been widened as is proposed by the application.
- 12.23 The 2no. pods which form part of this application are classed as caravans and meet the definition of a caravan for planning purposes. The application also proposes 2no. motorhome pitches on the site which are to be used by motorhomes or campervans only. It is not considered appropriate to allow static or touring caravans on the site in this instance as due to the exposed nature of the site, static or touring caravans are more prone to deterioration more quickly, in terms of their visual appearance. The nature of the site will mean that motorhomes will more likely use the site for perhaps a few days or a week and then drive off again. A condition to restrict the type of caravan that can use the site (no static caravans or homes permitted) is proposed on any consent.

#### **Waste and wastewater**

- 12.24 In terms of water supply and foul drainage, the pods are proposed to be connected to a mains supply. Development connected to a mains sewer is the preference for developments in rural settlements with mains connections available. There is an available mains sewer in close proximity to the site.
- 12.25 Scottish Water consultation response confirmed that they have no objection to the proposal and that there are public connections available. Surface water effects are likely to be minimal and surface water should be dealt with onsite.
- 12.26 The application scheme is considered to comply with the requirements of policy EI2 of the OHLDP.

#### **Access and parking**

- 12.27 Policy PD2 of the OHLDP (car parking and roads layout) requires that development access should meet criteria set out by Comhairle Roads in relation to the access point.

- 12.28 Many of the representations received in relation to this application made reference to the existing and/or proposed access arrangement, road safety, previous accidents on the road; and the proximity of a separate access for the house and hot food takeaway container to the east.
- 12.29 Comhairle Roads have been consulted on this application proposal and require that the bellmouth is widened and constructed in accordance with Drawing 24/00323. The drawing sets out that the access should be widened to a minimum of 6 metres, existing gorse bushes should be cut back to improve visibility, a suitably sized culvert should be installed, with head walls if the access crosses a roadside ditch. Surface water should be prevented from flowing onto the main road by installing a dished channel, dropped kerb, cattle grid or a grated drain with the water then being led in to a suitable water course. The first three metres of the proposed access should be surfaced with bitmac/concrete to prevent loose debris from being spread onto the public road. A minimum visibility splay of 90 metres in each direction is required in each direction (as measured from a point 3.5m into the site from the edge of the public road). No obstructions over one metre in height within the visibility splay will be allowed.
- 12.30 Following the above comments, the location plan and site plan was revised to show that the existing croft access is to be widened to six metres in line with the comments from Comhairle Roads (see Plan 01B).
- 12.31 In light of representations, Comhairle Roads were asked for any data held about accidents along this stretch of road. They advised that the 'Crashmap' website has only 4 recorded injury road traffic collisions (RTCs) between 1999 and 2022, three slight and one serious. No 'no injury' data is recorded. These incidents were some distance from the site, three of them approximately one kilometre. There was a serious RTC last year (2024) where three vehicles were involved. This was the result of an overtaking manoeuvre, not speeding, and was approximately 500m from the site. Other incidents may have happened but there is no information on those incidents available.
- 12.32 It is acknowledged that many of the representations made reference to history of accidents on this road, however traffic movements to and from the proposed site providing a total of for 4 'units' of tourist accommodation are not considered to result in a significant amount of additional movements, such that the proposal would result in adverse impacts on the road network. As such the application scheme is considered to comply with policy PD2 of the OHLDP.

#### **Landscaping, place making and design**

- 12.33 Policy PD1 (place making and design) of the OHLDP requires that development proposals must demonstrate a satisfactory quality of place-making, siting, scale, and design that respect and reflect positive local characteristics and will compliment or enhance the surrounding built and natural environment.
- 12.34 Policy NBH1 of the OHLDP requires that development proposals should relate to the specific landscape characteristics of the local area, ensuring that the overall integrity of the landscape character is maintained. Development proposals should not have an unacceptable significant landscape or visual impact.
- 12.35 The landscape character of the application site is classed as gently sloping crofting which is characterised by the repetitive pattern of croft-houses backed by narrow crofts laid out in strips. The landscape type is visually diverse due to land use management patterns.
- 12.36 In this case the application site and host croft are different to neighbouring crofts in that the croft is not a linear croft which leads down to the shore. The croft has more of a horizontal emphasis with the croft which totals approximately 2 acres being spread to the side and rear of 47 Fivepenny which is the applicant's address. Given the nature of the croft, it is not considered that the proposed use of part of



the croft to be used for tourism purposes to site 2no. pods and 2no. motorhome pitches will adversely affect the landscape character of the site itself or that of the wider area.

- 12.37 Representations have been made which make reference to the visual appearance of the area, but the comments do not relate directly to the landscape character but more to the general aesthetic of the village. It is not considered that 2no. pods which are typical in appearance and found in multiple locations across the island, and 2no. motorhome pitches will cause any significant and demonstrable visual harm to the amenity of the area. The site will be used by four units of tourist accommodation which are sited and designed in a simple way.
- 12.38 The proposed use of the site for tourist accommodation is considered to accord with policies PD1 and NBH1 of the OHLDP.

#### **Compatibility and neighbouring uses**

- 12.39 Policy PD6 of the OHLDP states that all development proposals shall ensure that there is no unacceptable adverse impact on the amenity of neighbouring uses. Where appropriate, proposals should include mitigation measures to reduce the impact on the amenity of neighbouring uses.
- 12.40 Representations received in relation to the application made reference to various potential noise, traffic, and waste concerns.
- 12.41 Comhairle Roads were consulted on the application scheme and provided comments which are addressed in a previous section of this Report. The access and parking are to be subject to conditions requiring that parking spaces are available for use prior to the first use of the pods and motorhome pitches onsite; and the access will need to be properly surfaced and drained to ensure that loose material and surface water does not flow onto the public road.
- 12.42 In terms of noise impacts, the use of the site for four units of holiday accommodation (2no. pods and 2no. motorhome pitches) is not considered to give rise to a significant amount of noise issues. Whilst it is acknowledged that occupants of those units might make some level of noise, the planning authority cannot assume that antisocial behaviour and excessive noise will result. Comhairle Environmental Health have powers under separate legislation which will allow them to act if noise issues become frequent and significantly disrupt the amenity of occupants of neighbouring properties.
- 12.43 In conclusion, it is considered that subject to conditions, the development will not give rise to any significant and demonstrable harm to the amenity of occupants of nearby residential properties and as such complies with condition PD6 of the OHLDP.

#### **Waste management**

- 12.44 Policy EI4 of the OHLDP requires that space to accommodate the provision of recycling facilities must be designed and built into all new development proposals.
- 12.45 Representations received in relation to this application commented on waste, the disposal of waste and potential nuisances caused from poor management.
- 12.46 Sufficient space exists on site for waste containers for disposal; including for recycling of materials where possible.
- 12.47 In terms of waste, a condition is proposed to seek details of waste receptacles and where on the site they will be stored and details of how waste will be managed and disposed of on site. Details from the applicant of the nearest chemical waste disposal point to the site is also required so that this information can be passed on to motorhome users on the site.

- 12.48 Accordingly, the development, subject to conditions, is considered to comply with the requirements of Policy EI4 of the OHLDP.

#### **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 13.1 The application for the change of use of land for the siting of 2no. pods for holiday accommodation and creation of two motorhome pitches on a parcel of land next to a main traffic route within a rural settlement is considered to be acceptable. Policy lends support to tourist facilities in rural settlements and following assessment it is concluded that at the scale proposed, there is unlikely to be an unacceptable level of harm in terms of pollution, to road safety, crofting, or residential amenity. The proposal is considered to be acceptable and policy compliant having assessed the application against key policies contained within the Development Plan taken as a whole.

#### **PLANNING OBLIGATION**

- 14.1 None required.

#### **DIRECTIONS**

- 15.1 None required.

#### **RECOMMENDATION**

- 16.1 It is recommended that the application be APPROVED subject to the conditions set out in Appendix 1 to this Report.