

**THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE**

**27 APRIL 2021, 9.30AM
MINUTE / ACTION NOTE**

Listed below are the decisions taken by Committee at their virtual Microsoft Teams meeting and the actions that now require to be taken. The webcast of the meeting will be available within 48 hours of broadcast and will remain online for 12 months: <https://highland.public-i.tv/core/portal/home>

A separate memorandum will be issued if detailed or further instructions are required, or where the contents of the memorandum are confidential. Please arrange to take the required action based on this action note.

Committee Members Present:

Mr R Balfour	Mr T Heggie (except item 6.3, 6.4 and 6.10 onwards)
Mr A Baxter	Mr B Lobban
Mr J Bruce	Mr N McLean (except item 6.5)
Mrs C Caddick	Ms E Roddick (except Item 6.6 onwards)
Mrs M Davidson (except item 6.10 onwards)	Mr B Thompson
Mr L Fraser (except items 6.3 onwards)	
Mr J Gray	

Non-Committee Members Present: Mr D Fraser, Mr A Henderson, Mrs T Robertson, Mrs H Carmichael

Substitutes: Mr D Macpherson (for Mr A Jarvie) (except item 6.10 onwards)

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
 Mr B Robertson, Team Leader (BR)
 Ms S MacMillan, Team Leader (SM)
 Mr J Kelly, Principal Planner (JK)
 Mr K Gibson, Principal Planner (KG)
 Ms C Millard, Planner (CM)
 Mr N Brockie, Planner (NB)
 Ms C Farmer, Planner (CF)
 Mr P Wheelan, Planner (PW)
 Mr M Clough, Senior Engineer, Transport Planning
 Mr I Meredith, Acting Principal Solicitor – Regulatory Services
 Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr B Boyd, Mr A Jarvie and Mr R MacWilliam.	n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	n/a

	Mr T Heggie – Item 6.3 (non-financial)	
3	Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais	n/a
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 9 March 2021 which was APPROVED .	
4	Major Development Update Iarrtasan Mòra	
	There had been circulated Report No PLS021/21 by the Area Planning Manager - providing an update on progress of all cases within the “Major” development category currently with the Infrastructure and Environment Service for determination. Members expressed concern that major applications were not included on this update once the application had been determined, but while development was still in progress. It was important there was a public forum at which progress on such applications could be discussed and it was AGREED a means of doing this would be considered outwith the meeting and reported back in due course. The Committee NOTED the current position with the applications.	DM
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Reinforcement of 132kV substation, decommissioning and replacement of equipment, installation of three transformers with noise enclosures, associated platform extension, access, landscaping and ancillary works (21/00905/PAN) (PLS/022/21) Ward: 12 Applicant: Scottish And Southern Electricity Networks. Site Address: Beauly Substation, Wester Balblair, Beauly.	DM
	The Committee NOTED the application.	
5.2	Description: Residential development comprising approximately 70 houses, associated landscaping and infrastructure (21/01166/PAN) (PLS/023/21) Ward: 19 Applicant: Mrs Mary M Duncan Site Address: Land 230M SW Of The Ranch, Inshes, Inverness The following amendments to the report were provided: <ul style="list-style-type: none"> • at Paragraph 1.2 the validation date for the PAN should state 09 March 2021 as per the PAN form (not 24 Feb); and • at Paragraph 1.4 the 1st consultation event date should state 22 April 2021 as per the PAN form (not 22 Mar). 	PW
	The Committee NOTED the application.	

5.3	<p>Description: Mixed use development comprising: up to 800 houses; primary school / community campus, office and retail / commercial development; 9 hole golf course; woodland planting, amenity open space and associated infrastructure (21/01347/PAN) (PLS/024/21)</p> <p>Ward: 19</p> <p>Applicant: Kirkwood Homes</p> <p>Site Address: Land 170M SW Of Magdalen, Druid Temple Road, Inverness (Fairways Loch Ness Golf Course)</p> <p>Members pointed out that the application did not comply with the current Local Development Plan, and that the revised LDP, currently under consultation, would not be in place for a few months. For this reason, the applicant should be advised to include a Planning Statement covering this issue.</p>	DM
	The Committee NOTED the application and AGREED Members' comments would be provided to the applicant.	
5.4	<p>Description: Demolition of existing building and erection of Courtyard by Marriott Hotel, including retail unit at ground floor (21/01712/PAN) (PLS/025/21)</p> <p>Ward: 14</p> <p>Applicant: Bricks Group</p> <p>Site Address: 122B Academy Street Inverness IV1 1LX</p>	DM
	The Committee NOTED the application.	
5.5	<p>Description: Bhlaraidh Wind Farm Extension - Erection and Operation of a Wind Farm, comprising of 18 Wind Turbines with a maximum blade tip height 180m, access tracks, two temporary construction compounds, borrow pits, substation, and ancillary infrastructure (21/01826/PAN) (PLS/026/21)</p> <p>Ward: 12</p> <p>Applicant: SSE Renewables</p> <p>Site Address: Glenmoriston Estate North Of Levishie, Invermoriston</p> <p>Matters raised by Members included the following:</p> <ul style="list-style-type: none"> • the positioning of the turbines was important because of the amount of deep peat in the area, and to take into consideration visibility issues for each turbine; • the breeding season of black grouse should not be interfered with; • the residential amenity of the community at Bhlaraidh was important, especially in relation to traffic and the provision of information on times of work; • there should be no access to the site from Alltsigh; and • compensatory tree planting should be sought from the developer. 	DM
	The Committee NOTED the application and AGREED Members' comments would be provided to the applicant.	
6	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Scottish Water (20/02401/FUL) (PLS/027/21)</p> <p>Location: Wastewater Treatment Works, Ardersier. (Ward 17)</p> <p>Nature of Development: Retrospective application to amend planning</p>	BR

	<p>permission 10/02007/FUL (as amended by planning permission 13/04590/S42) to allow increased heights of the Picket Fence Thickener Tank and inlet works and installation of electrical substation.</p> <p>Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
6.2	<p>Applicant: The Highland Council (21/00100/FUL & 21/00103/LBC) (PLS/028/21)</p> <p>Location: Inverness Castle, View Place, Inverness. (Ward 14)</p> <p>Nature of Development: 21/00100/FUL - Change of use and alteration/refurbishment of former Sheriff Court and Offices (Class 4 & 10) to learning, interpretation, exhibition & venue space (Class 1, 4, 10, 11); internal alterations; erection of link building between South & North towers with cafe/retail space (Class 1 & 3); formation of roof terrace and lobby; landscaping works & alterations to the public realm</p> <p>21/00103/LBC - Conversion and alteration/refurbishment of former Sheriff Court and Offices to learning, interpretation, exhibition & venue space; internal alterations; erection of link building between South & North towers with cafe/retail space; formation of roof terrace and lobby; landscaping works & alterations to the public realm.</p> <p>Recommendation: Grant.</p>	NB
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report <u>and</u> that Condition 7 be amended to specify what is required to be submitted within the Access Management Plan, including the need to consider further the start/terminus of long distance routes to make interpretation clearer for users, as well as, as a separate condition as necessary for the provision of Electric Vehicle Charging infrastructure to be included for all disabled parking spaces.</p>	
6.3	<p>Applicant: Mr & Mrs Schulz (20/04779/FUL) (PLS/029/21)</p> <p>Location: Cawdor Guest House, 7 Cawdor Street, Nairn, IV12 4QD. (Ward 18)</p> <p>Nature of Development: Part Change of Use of Existing Guest House to form Cafe (Class3) (retrospective).</p> <p>Recommendation: Grant.</p> <p>Declaration of Interest: Mr T Heggie declared a non-financial interest in this item for personal reasons and in the interest of transparency, left the meeting during discussion and decision.</p>	CM
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
6.4	<p>Applicant: Mr Kaspars Baldins (20/05057/FUL) (PLS/030/21)</p> <p>Location: The Chalet, Gorthleck, Inverness, IV2 6UJ . (Ward 12)</p> <p>Nature of Development: Temporary siting of 3no. static caravans (forestry workers/ Baltic Forestry Ltd) storage and maintenance of unoccupied touring caravans.</p> <p>Recommendation: Grant.</p> <p>The following corrections to the report were provided:-</p>	BR

	<ul style="list-style-type: none"> • section 1.4, the last para: second last sentence should read, “No occupation of...” and the last sentence should read, “Operations within the yard would be limited to the company only”; • section 8.7, the last bullet, second line, should be changed to “area between the statics and the”; and • section 8.10, change “fell” to “foul”. 	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	
6.5	<p>Applicant: Vento Ludens Limited (20/05073/FUL) (PLS/031/21) Location: Land 2180M SE Of Challenger Lodge, Tomich, Cannich. (Ward 12) Nature of Development: Temporary siting (5 years) of meteorological mast. Recommendation: Grant.</p> <p>Motion: Mrs M Davidson, seconded by Mr A Baxter, to refuse the application for the following reasons:</p> <p>i. the proposal is contrary to Policy 28 of the Highland wide Local Development Plan as it will have significant visual impact for recreational users of the Affric - Kintail way and the nearby well used path network. Its excessive height will give undesirable visual prominence from areas around Knockfin and at the entrance to Glen Affric adversely impacting on the character of the area. The disparity in heights with the nearby Tweedmouth memorial will be most evident; and</p> <p>ii. the proposal does not demonstrate avoidance and/or unnecessary disturbance to deep peat and is therefore contrary to Policy 55 of the Highland wide Local Development Plan.</p> <p>Amendment: Mr J Gray, to approve the application as recommended in the report. Mr Gray’s amendment failed to find a seconder and fell.</p>	BR
	Agreed: to REFUSE planning permission for the reasons provided by Mrs Davidson.	
6.6	<p>Applicant: B & L Properties (Scotland) Ltd (21/00780/FUL) (PLS/032/21) Location: 14A Ardross Street, Inverness, IV3 5NS. (Ward 13) Nature of Development: Erection of three serviced apartments (replacement building to 20/02642/FUL). Recommendation: Grant.</p>	BR
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	
6.7	<p>Applicant: Mr & Mrs A and V Groom (20/04751/PIP) (PLS/033/21) Location: Smithy Croft, Station Road, Carr-Bridge. (Ward 20) Nature of Development: Provision of house plot. Recommendation: Grant.</p>	BR
	Agreed: to DEFER the application as Members had not been provided with copies of the Cairngorm National Park Local Plan dated March 2021.	
6.8	<p>Applicant: Lochaber Housing Association (20/03270/FUL) (PLS/034/21) Location: Land 40m NW of 12 Glenkingie Terrace, Caol, Fort William. (Ward 11)</p>	CM

	<p>Nature of Development: Erection of 18 residential units. Recommendation: Grant.</p> <p>Motion: Mr B Thompson, seconded by Mr A Baxter, to refuse the application for the following reasons:-</p> <p>The application is contrary to Highland Wide Local Development Plan Policy 29 because through the scale of the development on this site, it does not demonstrate sufficient sensitivity and respect towards existing layout and design. Furthermore it is also contrary to HWLDP Policy 29 as it does not have sufficient regard to the historic pattern of development though the removal of parking and access.</p> <p>There was no amendment.</p>	
	<p>Agreed: to REFUSE planning permission for the reasons provided by Mr Thompson.</p>	
6.9	<p>Applicant: Boyd Brothers Haulage Ltd (20/02027/S42) (PLS/035/21) Location: Annat Pier, Corpach, Fort William. (Ward 11) Nature of Development: Section 42 application to vary Condition 1 of planning permission 99/00458/FULLO to allow berthing and disembarking of vessels on Sundays but maintain no operational use is allowed. Recommendation: Grant.</p>	SM
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and a further condition requiring the establishment of a community liaison group, the wording of which is to be finalised in consultation with the local Members for Wards 11 and 21.</p>	
6.10	<p>Applicant: Network Rail (20/02746/FUL) (PLS/036/21) Location: Land 685M South Of Inverness Airport, Dalcross. (Ward 17) Nature of Development: Construction of two platform railway station and ancillary infrastructure including: car and cycle parking; bus drop off zone; electric vehicle charging points; waiting shelters; access road improvements; pedestrian and cycle access ramp off C1017; surface water drainage system; landscaping; earthworks for track loop; associated works to remove Overbridge 87; works to close the U5409 and associated pedestrian and cycle ramp off U5409; compound; layby; railway link; delivery of turning heads to facilitate closure of the Dalcross/Petty Level Crossing; new footbridge crossing at Woodend; and change of use of land to operational railway land. Recommendation: Grant.</p> <p>Amended wording for Conditions 5 and 14 were provided as follows:</p> <p>Condition 5 - No development shall commence until a Travel Plan, which sets out proposals to enhance integration between train services and local bus services and promoting non-car connectivity with Inverness Airport and adjacent Business Parks, has been submitted to, and approved in writing by, the Planning Authority.</p> <p>The approved Travel Plan shall thereafter be implemented from the date of first occupation of any part of the development.</p> <p>Condition 14 – ‘No felling shall commence until’ should replace ‘No development shall commence until’.</p>	CF

	<p>Agreed:-</p> <ul style="list-style-type: none"> i. to APPROVE the making of the Stopping Up order for the U5409 road as it relates to closure of Overbridge 87; ii. to APPROVE the making of the Stopping Up Order for the Petty Level Crossing; and iii. to GRANT planning permission, subject to the conditions and reasons set out in the report and amendments sought to conditions 5 and 14 as detailed above. 	
6.11	<p>Applicant: The Highland Council (21/01265/FUL) (PLS/037/21) Location: Land 430M SW of Highland Rugby Club, Bught Road, Inverness. (Ward 13) Nature of Development: Low head hydroelectric development with a generating capacity of up to 100kW (amended design and turbine arrangement), extension of access. Recommendation: Grant.</p>	KG
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
7	<p>Exclusion of Public Às-dùnadh a’Phobail</p> <p>The Committee RESOLVED that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting during discussion of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A of the Act</p>	
8	<p>Planning Enforcement Report Aithisg Co-èigneachadh Dealbhaidh</p> <p>There had been circulated to Members only Report No PLS/038/21 by the Area Planning Manager – South</p> <p>The Committee AGREED the recommendation as set out in the report.</p>	
	<p>The meeting ended at 4.45pm.</p>	