

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

17 AUGUST 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 J Bruce (except item 6.7 onwards)	Mr A Jarvie
Mrs C Caddick	Mr B Lobban
Mrs M Davidson	Mr N McLean
Mr D Fraser	Mr R MacWilliam (from 6.3)
Mr J Gray (in the Chair)	Mr B Thompson
Mr T Heggie	

Non-Committee Members Present:

Mr A Henderson, Mr D Macpherson, Mr D Rixson, Mr D Mackay

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
 Mr S Hindson, Planning Team Leader (SH)
 Mr B Robertson, Planning Team Leader (BR)
 Ms L Prins, Principal Planner (LP)
 Ms S MacMillan, Planning Team Leader (SM)
 Mr M Clough, Senior Engineer, Transport Planning (MC)
 Mr I Meredith, Acting Principal Solicitor
 Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan	
	Mr B Boyd, Mr L Fraser, A Baxter	n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	None.	n/a

3	Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais	
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 15 June 2021 which was APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	There had been circulated Report No PLS/51/21 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. In response to an enquiry about the Bhlairaidh Wind Farm Extension, it was explained that the Council was yet to be consulted on the proposal and, if submitted shortly, it was anticipated the response to the application would be determined in January 2022, either at Committee or through delegated powers. The Committee NOTED the current position with the applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Residential development and associated infrastructure (21/02436/PAN) (PLS/052/21) Ward: 19 Applicant: Springfield Properties PLC Site Address: Land 80M East of Balvonie Cottage, Inshes, Inverness	
	NOTED the application and points made during Item 5.3.	
5.2	Description: Mixed use development comprising foodstore (approx. 1900 sq m GFA) and residential development including affordable housing (approx. 39 units), car parking, servicing, new access, landscaping and SUDS (21/02777/PAN) (PLS/053/21) Ward: 16 Applicant: Lidl Great Britain Ltd Site Address: Land 180M SW Of Police Headquarters, Old Perth Road, Inverness. Members expressed concern about the possible scale of the development and access issues, given the residential nature of the area.	
	NOTED the application and points made during item 5.3, and AGREED Members' comments would be provided to the applicant.	DM/SH
5.3	Description: Renewal of Planning Permission in Principle 13/04334/PIP for a mixed use extension to Inshes District Centre to include up to 4,700 sqm of class 1, 2 and 3 uses; public house/restaurant incorporating manager's residential accommodation; community allotments; all with associated engineering works, car parking, servicing, new access roads and landscaping to extend the submission of matters specified in conditions by three years (21/03348/PAN) (PLS/054/21)	

	<p>Ward: 19 Applicant: Aberdeen Standard Investments Site Address: Land Adjacent To Inshes Retail Park, Dell Of Inshes, Inshes, Inverness.</p> <p>With reference to the developments at items 5.1, 5.2 and 5.3, concern was expressed that the significant number of developments in this area of Inverness were only being considered on their own merits and that their strategic and cumulative impact on the area also required to be considered.</p>	
	<p>NOTED the application and AGREED to investigate a method of assessing the cumulative impact of several large developments on an area.</p>	DM/SH
6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Miss Rhona Maclean (21/01094/PIP) (PLS/055/21) Location: Land 60m NW of Lochview, Morar, Mallaig. (Ward 11) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>It was clarified that Items 6.1 and 6.2 would be presented and debated together, but decided separately.</p> <p>Motion: Mr B Thompson, seconded by Mr J Bruce, to approve the applications at items 6.1 and 6.2 for the following reasons:</p> <ul style="list-style-type: none"> • development at this site was acceptable given the existing development pattern within the wide Mallaig and Morar areas, which included houses at higher elevations and in similarly prominent visible positions; and • conditions on development, including but not limited to, building height, location on the permitted plot, permitted development rights and drainage, to be agreed by officers in consultation with local Members. <p>Amendment: Mr J Gray, to refuse the application for the reasons provided in the report.</p> <p>Mr Gray's amendment failed to find a seconder and fell.</p>	
	<p>Agreed: to GRANT planning permission for the reasons provided by Mr Thompson.</p>	LP
6.2	<p>Applicant: Miss Rhona Maclean (21/01095/PIP) (PLS/056/21) Location: Land 50m West of Lochview, Morar, Mallaig. (Ward 11) Nature of Development: Erection of house. Recommendation: Refuse.</p>	
	<p>Agreed: to GRANT planning permission for the reasons provided by Mr Thompson at item 6.1.</p>	LP
6.3	<p>Applicant: Springfield Properties PLC (21/01018/FUL) (PLS/057/21) Location: Land To South Of Nairn Road, Ardersier. (Ward 17) Nature of Development: Remix of house types in sub-phases B, C and D for a total of 66 homes previously granted planning permission under 18/03073/FUL. Recommendation: Grant.</p>	

	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	SH
6.4	<p>Applicant: Springfield Properties PLC (21/02091/FUL) (PLS/058/21) Location: 26, 27, 28 & 29 Meadow Wood Road, Inshes, Inverness. (Ward 19) Nature of Development: Remix of the development to change house types on Plots 70/71 (Arden/Balerno) with detached (Lauder) and 2 semi-detached (Dallachy), replace Plot 68/69 (Kintore and Culbin) with 3 storey apartment. Increasing overall numbers on the site from 90 to 95 residential units. Recommendation: Grant</p> <p>Attention was drawn to an error in the report at paragraph 1.1 which referred to a total of 90 units when this should have stated 95.</p> <p>Motion: Mr A Jarvie, seconded by Mrs C Caddick, to refuse the application on the basis that the visual impact of the three storey flats was out of character by the nature of their height on the A9 boundary. Furthermore, there was insufficient data to demonstrate there would not be an unacceptable noise impact on residents. Therefore, the application was contrary to Policy 28 and 29 of the Highland Wide Local Development Plan.</p> <p>There was no amendment, therefore Mr Jarvie's motion was carried.</p>	
	Agreed: to REFUSE planning permission for the reasons provided by Mr Jarvie.	SH
6.5	<p>Applicant: Ardersier Port Ltd (20/00484/PIP) (PLS/059/21) Location: Former Fabrication Yard, Ardersier, Nairn. (Ward 17) Nature of Development: Mixed use masterplan for residential and leisure development including housing, marina, boat yacht club, visitor centre, nature conservation zones and hotel with supporting community facilities and sewage treatment plant (Renewal of Planning Permission in Principle 12/04225/S42 and 05/01294/OUTIN). Recommendation: Grant</p> <p>Issues raised during discussion included access to the A96, climate change and flood risk, and contributions to the Nairn to Inverness coastal trail.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	PW
6.6	<p>Applicant: Mr Garry Macdonald (20/01442/PIP) (PLS/060/21) Location: Land Between the Heights and El Palamino, Ladystone Bunchrew, Inverness. (Ward 12) Nature of Development: Formation of house plot (in lieu of Plot 2 (17/05112/PIP)). Recommendation: Grant.</p> <p>Members asked that revocation of extant permission must be completed before new permission was granted, and that local Members were consulted regarding compensatory tree planting and landscape planning prior to felling of existing trees.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and the following amendment:	BR

	<p>Condition 8 to be amended to include:</p> <ul style="list-style-type: none"> • upgrading to adoptable standard of the access road from the existing adopted road to the plot; • installation of a gate at the top end of Ladystone Road in accordance with the submission from Network Rail; <p>and that the final wording of the condition be determined by Planning Officers in consultation with local Members.</p>	
6.7	<p>Applicant: Miss Lynne Cordiner (21/02073/FUL) (PLS/061/21) Location: 5 West Heather Road, Inverness. (Ward 15) Nature of Development: Conversion of existing garage to form ancillary accommodation. Recommendation: Grant</p> <p>Motion: Mr B Thompson, seconded by Mr R MacWilliam, to refuse the application as the proposal was contrary to Policy 28 (Sustainable Design) of the Highland Wide Local Development Plan in that it adversely affected the amenity of other residents through increased activity associated with the house.</p> <p>Amendment: Mr J Gray, seconded by Mr A Jarvie, to approve the application as recommended in the report.</p> <p>For the motion: Caddick, Davidson, Fraser (D), Lobban, MacWilliam, Thompson For the amendment: Gray, Heggie, Jarvie Abstentions: McLean</p>	
	<p>Agreed: to REFUSE planning permission for the reasons provide by Mr Thompson.</p>	BR
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu lartas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: Brian Rizza (PPA-270-2236) (20/01803/FUL) Location: High View, Lower Muckovie, Inshes, Inverness, IV2 5BB (Ward 19) Nature of Development: Retrospective application for the erection of garage and supportive gabion wall with associated works.</p>	
	<p>NOTED the Notice of Intention from the Reporter appointed by the Scottish Ministers to:</p> <p>7.1.1 to dismiss the appeal made and to refuse planning permission for the reasons stated in the Decision Letter; and 7.1.2 that the council has not acted in an unreasonable manner resulting in liability for expenses and, in exercise of the powers delegated to the Reporter, they declined to make any award.</p>	
7.2	<p>Applicant: Intelligent Land Investments (ILI) (Highlands PSH) Ltd PS-270-1 (Power Station) (18/05427/S36) Location: Approximately 14Km South West of Inverness, Land 630M East Of</p>	

	<p>Park Cottage, Dores, Inverness (Ward 12)</p> <p>Nature of Development: Construction and operation of the Red John Pumped Storage Hydro Scheme.</p> <p>Members commented on the considerable time and effort required of Highland Council officials to deal with such large scale applications and suggested that investigation be made into seeking financial support for similar future developments.</p>	
	<p>NOTED the Scottish Ministers' decision to grant, subject to conditions, section 36 consent for the Development as more particularly described at Annex 1 of the letter and AGREED to investigate whether financial support could be sought for officer time for future applications of this scale.</p>	DM/SH
7.3	<p>Applicant: James Macnaughton (PPA-270-2240) (20/01714/FUL)</p> <p>Location: Glenmamie, Lochailort, Highland, PH38 4NA (Ward 11)</p> <p>Nature of Development: Change of use of ground to proposed development of four holiday accommodation pods, with site access, parking and septic tank drainage.</p>	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal to refuse planning permission for the reasons stated.</p>	
	<p>The meeting ended at 2.10pm.</p>	