

**THE HIGHLAND COUNCIL**  
**SOUTH PLANNING APPLICATIONS**  
**COMMITTEE**

**8 FEBRUARY 2022, 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 L Fraser
Mr B Boyd	Mr J Gray ( <b>in the Chair</b> )
Mr J Bruce	Mr T Heggie
Mrs C Caddick	Mr B Lobban
Mrs M Davidson	Mr D Rixson
Mr D Fraser	

**Non-Committee Members Present:**

Mr D MacKay, Mr D Macpherson, Mrs H Carmichael, Mr A Henderson

**Officers participating:**

Mr D Mudie, Area Planning Manager – South (DM)  
Mr S Hindson, Team Leader (SH)  
Ms L Prins, Principal Planner (LP)  
Ms S MacMillan, Team Leader (SmM)  
Ms L Neil, Planner (LN)  
Ms R Banfro, Solicitor  
Mr I Meredith, Acting Principal Solicitor  
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	<b>Apologies for Absence</b> <b>Leisgeulan</b>  Mr A Baxter, Mr N McLean, Mr R MacWilliam and Mr A Jarvie.	
		n/a
2	<b>Declarations of Interest</b> <b>Foillseachaidhean Com-pàirt</b>	

	Mr D Rixson – Item 6.4 Mr B Lobban – Item 6.7	
		n/a
<b>3</b>	<b>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</b>	
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 14 December 2021 which was <b>APPROVED</b> .	n/a
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	There had been circulated Report No PLS/01/22 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.  A further update was provided as follows:  <ul style="list-style-type: none"> <li>• 21/02331/FUL (Community amenity development, Stratherrick And Foyers Community Trust Ltd) – it was anticipated that this application would be reported to the Committee in March 2022; and</li> <li>• 21/00101/S36 (Corriegarth 2 Wind Farm) – it was anticipated that this application would be reported to the Committee in either April or June 2022.</li> </ul> The Committee <b>NOTED</b> the current position with the applications.	<b>SH</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
5.1	<b>Description:</b> Residential development comprising up to 165 residential units and associated infrastructure. (21/05714/PAN) (PLS/02/22) <b>Ward:</b> 19 <b>Applicant:</b> Mrs Mary M Duncan <b>Site Address:</b> Land at Inshes Farm, Inshes, Inverness, IV2 5BB.  Members raised the importance of adequate mitigation for flooding.	
	<b>NOTED</b> the application and <b>AGREED</b> Members' comments would be provided to the applicant.	<b>SH/DM</b>
5.2	<b>Description:</b> Battery Energy Storage Facility comprising up to 50 energy storage containers with a total storage capacity of up to 49.9MW, control building, transformers, switchgear and ancillary infrastructure (21/06018/PAN) (PLS/03/22) <b>Ward:</b> 18 <b>Applicant:</b> Whirlwind Energy Storage Ltd <b>Site Address:</b> Land 300M SE Of Househill House, Househill Nairn  Members raised concerns about the location of an industrial facility in an area allocated for housing. This had already been raised with the applicant and any impact would be assessed in due course.	
	<b>NOTED</b> the application.	<b>SH/DM</b>

5.3	<p><b>Description:</b> Phased re-development of Culloden Academy comprising replacement of school buildings, sports facilities and car parking, phased site plans included in this submission. (21/05771/PAN) (PLS/04/22)</p> <p><b>Ward:</b> 17</p> <p><b>Applicant:</b> The Highland Council</p> <p><b>Site Address:</b> Culloden Academy, Keppoch Road, Culloden, Inverness IV2 7JZ.</p>	
	<b>NOTED</b> the application.	<b>SH/DM</b>
<b>6</b>	<b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b>	
6.1	<p><b>Applicant:</b> Renewable Energy Systems Ltd (RES) (21/01521/S36) (PLS/05/22)</p> <p><b>Location:</b> Land 2.8KM SE Of Little Lyne, Glenferness. (Ward 18)</p> <p><b>Nature of Development:</b> Cairn Duhie Wind Farm Redesign - Erection and operation of wind farm for a period of 35 years, comprising of 16 wind turbines with maximum blade tip height of 149.9m, access tracks, borrow pits, switching station, substation, control building, temporary construction compound, battery storage infrastructure, and ancillary infrastructure.</p> <p><b>Recommendation: Raise no objection.</b></p> <p><b>Motion:</b> Mr B Lobban, seconded by Mr D Rixson, to raise an objection to the application for the following reasons (there was no amendment):</p> <ul style="list-style-type: none"> <li>• The application was contrary to Policy 67 (Renewable Energy) of the Highland wide Local Development Plan, the Onshore Wind Energy Supplementary Guidance (in respect of Criterion 3, 4 5 and 6), and Scottish Planning Policy as the development would have a significantly detrimental visual impact, from the elevated parts of the Drynachan and Lochindorb SLA, and road users on the A939 and A940, which were not outweighed by the benefits of the development.</li> <li>• While it was recognised that the principle of a wind farm was accepted on the site, the proposed variation was unacceptable in visual impact terms due to the increased height, and associated increased rotor diameter, of the proposed turbines by virtue of the siting and design of the proposed development having a significantly detrimental visual and cumulative impacts with other wind energy development, and due to the development not respecting the pattern and character of existing wind farm development in the wider area.</li> </ul>	
	<b>Agreed:</b> to RAISE AN <b>OBJECTION</b> to the application for the reasons provided by Mr Lobban.	<b>SH</b>
6.2	<p><b>Applicant:</b> SSE Generation Limited (21/04080/S36) (PLS/06/22)</p> <p><b>Location:</b> Glenmoriston Estate, North of Levishie, Invermoriston. (Ward 12)</p> <p><b>Nature of Development:</b> Bhlraidh wind farm extension - Erection and Operation of Wind Farm for period of 50 years, comprising of 18 Wind Turbines with maximum blade tip height 180m, access tracks, borrow pits, substation, control building, and ancillary infrastructure.</p> <p><b>Recommendation: Raise no objection.</b></p> <p>Issues raised during discussion included concern about the increased height of the turbines and whether they required aviation lighting, the intended</p>	

	<p>removal of turbines 13, 14 and 18 to reduce the visual impact of the windfarm, adverse impact on local biodiversity and concerns relating to peat management. Concern was also expressed about traffic management on the A82, especially during the construction phase and especially the need for additional northbound laybys to allow slower-moving traffic to pull in, and to reduce the speed through Invermoriston from 40mph to 30mph.</p> <p>Mrs M Davidson requested amendments to a number of conditions, with the final wording to be delegated to the Planning Manager in consultation with the local Members, as follows:</p> <ol style="list-style-type: none"> <li>a. Condition 16 - the Traffic plan should include a safety audit of the Torgoyle Bridge area and action on any short-term improvements such as Traffic Lights, plus agreement to provision of a lay by opposite Redburn/Dundreggan area, on the A887(T) in the interests of road safety and provision of road safety enhancements on the A82 in the village of Drumnadrochit;</li> <li>b. Condition 17 – in relation to Peat Management, the amount and positioning of peat improvement works should be agreed with NatureScot, SEPA, the Highland Council and the Liaison Group;</li> <li>c. Condition 18 - In relation to habitat management, to agree a programme of planting of an area of montane vegetation e.g., juniper and willow, as agreed with NatureScot, SEPA, the Highland Council and the Liaison Group;</li> <li>d. Condition 28 - In relation to biodiversity, and with particular emphasis on Black Grouse and Eagle territory issues, to add annual contributions to the 15-year study work being done by SSE at Dumnaglass;</li> <li>e. Condition 29 - A comprehensive outdoor access plan should be agreed with the Council's Access Officer, NatureScot, the local Community Council, and the Liaison Group. As part of this it should include improvements to and connectivity of the old drove roads Eve's Road and Bhlaridh to Loch Na Stac and Tomich, plus the addition of a new off-road footpath from Dundreggan to Redburn, in the interests of pedestrian road safety.</li> </ol>	
	<p><b>Agreed:</b> to <b>RAISE NO OBJECTION</b>, subject to: the removal of turbines 13, 14 and 18; amendment of the above conditions as detailed by Mrs Davidson, the final wording of which to be delegated to the Area Planning Manager in consultation with local Members; and grant delegated authority to the Area Planning Manager - South to respond to any Further / Supplementary Environmental Information related to the removal of Turbines 13, 14 and 18, and any consequential site layout modifications, if consulted by the Scottish Government's Energy Consents Unit.</p>	<b>SH</b>
6.3	<p><b>Applicant:</b> The Highland Council Housing (21/04703/MSC) (PLS/07/22)  <b>Location:</b> Land 370M SE Of Balloch Farm, Cherry Park, Balloch, Inverness. (Ward 17)  <b>Nature of Development:</b> Matters Specified in Conditions 2 (Design and Layout), 3 (Access), 7 (Drainage), 10 (Waste), 13 (Car Parking), 14 (Cycle Parking), 17 (Archaeology), 18 (Arboricultural Impact), 19 (Landscaping), 20 (Strategic Landscaping), 21 (Watercourse Buffer), 22 (Roads Mitigation), 23 (Electric Vehicle Charging), and 29 (Public Art) of Planning Permission in Principle 19/04213/PIP for the Erection of 49 Residential Units.  <b>Recommendation: Approve.</b></p>	

	<b>Agreed:</b> to <b>APPROVE</b> the application subject to the conditions recommended in the report.	<b>SH</b>
6.4	<p><b>Applicant:</b> Link Group Ltd (21/02989/MSC) (PLS/08/22)  <b>Location:</b> Land 130M East of 77 Lochaber Road, Upper Achintore, Fort William. (Ward 21)  <b>Nature of Development:</b> Submission of Matters Specified in Condition 2 (Siting, Design and Layout) of Planning Permission in Principle 19/00897/PIP - Erection of 27 residential units and associated infrastructure.  <b>Recommendation: Approve.</b></p> <p><b>Declaration of Interest: Mr D Rixson declared an interest in item 6.4 and left the meeting during its consideration.</b></p> <p>During discussion, issues raised and responded to included flood water management, the wider waste-water network improvement requirements, the concern raised in representations related to potential over-development of the site, the exposed location of the site, and the disappointing appearance of the proposed housing.</p>	
	<b>Agreed:</b> to <b>APPROVE</b> the application subject to the conditions recommended in the report.	<b>SH</b>
6.5	<p><b>Applicant:</b> Ardnamurchan Estate (21/00161/FUL) (PLS/09/22)  <b>Location:</b> Land 320M SE Of Beinn Bhreac, Acharacle. (Ward 21)  <b>Nature of Development:</b> Installation of a floating pier, formation of timber transfer area and access track.  <b>Recommendation: Grant.</b></p> <p>During discussion, Members welcomed the beach remaining untouched and emphasised the importance of retaining public access, even though this was not a material planning consideration.</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>LP</b>
6.6	<p><b>Applicant:</b> Miss Bonny Watkins (21/01623/FUL) (PLS/10/22)  <b>Location:</b> Bonnys Wonderland, 20A Ben Nevis Drive, Ben Nevis Industrial Estate, Fort William, PH33 6RU. (Ward 21)  <b>Nature of Development:</b> Change of Use to Class 1 (beauty salon) on first floor of Unit (Retrospective).  <b>Recommendation: Grant.</b></p> <p>During discussion, Members advised that they did not condone or endorse a departure of a change of use within a safeguarded area.</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>SmM</b>
6.7	<p><b>Applicant:</b> Ms Elspeth Rainy Brown (21/03710/FUL) (PLS/11/22)  <b>Location:</b> Land 225M SE of The Lade, Cromdale. (Ward 20)  <b>Nature of Development:</b> Erection of house, storage shed, upgrade of access, siting of 3 glamping pods.  <b>Recommendation: Grant.</b></p> <p><b>Declaration of Interest: Mr B Lobban declared an interest in item 6.7 and left the meeting during its consideration.</b></p>	

	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>LN</b>
<b>7</b>	<b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b> <b>Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b>	
7.1	<b>Applicant:</b> Vento Ludens (Limited (PPA-270-2253) (20/05073/FUL) <b>Location:</b> Land 2,180 metres SE of Challenger Lodge, Tomich, Cannich (Ward 12) <b>Nature of Development:</b> Temporary siting (5 years) of a meteorological mast.  During discussion, Members expressed disappointment at the Reporter's decision, and it was suggested that local Members write to the Reporter to better understand the justification for their decision and to express concerns that the development was contrary to the Local Development Plan.	
	<b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission subject to the six conditions listed at the end of the decision notice.	<b>DM</b>
7.2	<b>Applicant:</b> Inverness Paving Ltd (PPA-270-2241) (20/01728/FUL) <b>Location:</b> Treetop Stables, Feabuie, Culloden Moor, Inverness, IV2 5EQ (Ward 19) <b>Nature of Development:</b> Change of use from Equestrian Centre to holiday, leisure and hospitality facilities including 13 lodges, café/shop, reception, laundry and restaurant. The full report could be accessed using the eplanning search facility: <a href="#">21/00009/REFIN - LINK</a>	
	<b>NOTED:</b>  a. the decision of the Scottish Ministers to disagree with the Reporter's recommendation to allow the appeal, and to refuse planning permission, for the reasons given in the report; and  b. the decision of the Scottish Ministers to agree with the Reporter's reasoning and conclusion and accept the recommendation that the Council has not acted in an unreasonable manner and should not be liable for expenses incurred.	
7.3	<b>Applicant:</b> Mr Mark Hornby, MRH Design (PPA-270-2239) (20/04611/FUL) <b>Location:</b> Land 120 metres south-west of Culchunaig Farmhouse, Westhill, Inverness (Ward 19) <b>Nature of Development:</b> Change of use and conversion of steading to form private dwelling.  The report could be accessed using the eplanning search facility: <a href="#">21/00003/REFIN - LINK</a>	
	<b>NOTED</b> the decision of the Scottish Ministers accept the Reporter's recommendation that planning permission should be granted subject to conditions.	

7.4	<p><b>Applicant:</b> Miss Lynne Cordiner (PPA-270-2257) (21/02073/FUL)  <b>Location:</b> 5 West Heather Road, Inverness, IV2 4WS (Ward 15)  <b>Nature of Development:</b> conversion of existing garage to form ancillary accommodation.</p>	
	<p><b>NOTED:</b></p> <ul style="list-style-type: none"> <li>a. the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission; and</li> <li>b. the decision of the Reporter appointed by the Scottish Ministers that the council has not acted in an unreasonable manner resulting in liability for expenses and to decline to make any award.</li> </ul>	
7.5	<p><b>Applicant:</b> Salar Ali (ENA-270-2036) (20/00378/ENF)  <b>Location:</b> Cherry House Caravan, Farr, Inverness IV2 6XG (Ward 12)  <b>Nature of Development:</b> The unauthorised engineering of the land to form a hardstanding and an access to the C1068 classified road and the siting upon the land of a static caravan and sheds without the required planning permission.</p>	
	<p><b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and direct that the enforcement notice dated 7 May 2021 be upheld.</p>	
	<p><b>The meeting ended at 12.25pm.</b></p>	