

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

28 APRIL 2022, 9.30AM, MS TEAMS

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
Mrs C Caddick	Mr D Rixson
Mrs M Davidson	Ms E Roddick (except 6.9 to end)
Mr D Fraser	

Non-Committee Members Present: Mr D MacPherson, Mr K Gowans

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mr B Robertson, Team Leader (BR)
Mr K Gibson, Principal Planner (KG)
Ms C Millard, Planner (CM)
Mr R Dowell, Planner (RD)
Mr N Brockie, Planner (NB)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Ms C McArthur, Principal Solicitor
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr B Lobban, Mr J Bruce, Mr N McLean, Mr 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 22 March 2022 which was APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	<p>There had been circulated Report No PLS/27/22 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.</p> <p>Members’ attention was drawn to two further applications:</p> <ul style="list-style-type: none"> • 22/01732/S36 - Tom Nan Clach Wind Farm Extension - Erection and Operation of a Wind Farm for a period of 40 years, comprising of 7 Wind Turbines with a maximum blade tip height of 149.9m, access tracks, borrow pits, battery energy storage compound substation, control building, and ancillary infrastructure; and • 22/01760/S36 - Bunloinn Windfarm - Erection and Operation of a Wind Farm for a period of 35 years, comprising of 10 Wind Turbines with a maximum blade tip height 230m, access tracks, borrow pits, battery energy storage compound substation, control building, and ancillary infrastructure. <p>The Committee NOTED the current position with the applications.</p>	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	<p>Description: Mixed use development comprising residential development, commercial / retail development, primary school and associated landscaping and infrastructure (22/01326/PAN) (PLS/28/22)</p> <p>Ward: 19</p> <p>Applicant: Tulloch Homes Ltd</p> <p>Site Address: Land 415M SW Of, 47 Redwood Crescent, Inverness.</p> <p>Clarification was sought by Members on access arrangements, which it was anticipated would be considered during pre-application discussions, and Members emphasised the importance of undertaking early archaeological investigations, given the historically significant sites in the vicinity.</p>	
	NOTED the submission and AGREED Members’ comments would be brought to the applicant’s attention in addition to the material considerations referred to in the report.	SH
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Mr Garry Macdonald (20/01442/PIP) (PLS/29/22)</p> <p>Location: Land between The Heights and El Palamino, Ladystone, Bunchrew, Inverness. (Ward 12)</p> <p>Nature of Development: Formation of house plot (in lieu of Plot 2 (17/05112/PIP)).</p> <p>Recommendation: Grant.</p>	

	<p>Motion: Mr D Fraser, seconded by Mrs M Davidson, to refuse the application as it would not accord with the Highland wide Local Development Plan 2012 policy 28 Sustainable Design as it would not be compatible with public road servicing provision.</p> <p>Amendment: Mr J Gray, seconded by Mrs C Caddick, to grant planning permission as recommended in the report.</p> <p>For the motion: Balfour, Boyd, Davidson, Fraser (D), Roddick For the amendment: Caddick, Fraser (L), Gray, Rixson</p>	
	Agreed: to REFUSE planning permission for the reasons provided by Mr D Fraser.	KG
6.2	<p>Applicant: Patterdale Property Ltd (21/05522/FUL) (PLS/30/22) Location: Plot 1 to Rear of Former Filling Station, Onich, Fort William, PH33 6RY. (Ward 21) Nature of Development: Erection of house. Recommendation: Grant.</p> <p>A combined presentation was provided for agenda items 6.2, 6.3 and 6.4, although the applications were determined separately.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CM
6.3	<p>Applicant: Patterdale Property Ltd (21/05524/FUL) (PLS/31/22) Location: Plot 2 to Rear of Former Filling Station, Onich, Fort William, PH33 6RY. (Ward 21) Nature of Development: Erection of house. Recommendation: Grant.</p> <p>A combined presentation was provided for agenda items 6.2, 6.3 and 6.4, although the applications were determined separately.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CM
6.4	<p>Applicant: Patterdale Property Ltd (21/05525/FUL) (PLS/32/22) Location: Plot 3 to Rear of Former Filling Station, Onich, Fort William, PH33 6RY. (Ward 21) Nature of Development: Erection of house. Recommendation: Grant.</p> <p>A combined presentation was provided for agenda items 6.2, 6.3 and 6.4, although the applications were determined separately.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CM
6.5	<p>Applicant: Brian Rizza (21/00769/FUL) (PLS/33/22) Location: Blairlomond, 11 Drummond Crescent, Inverness IV2 4QW (Ward 15) Nature of Development: Erection of extension to garage. Recommendation: Refuse.</p>	

	A combined presentation was provided for agenda items 6.5 and 6.6, although the applications were determined separately. Clarification was sought and provided that Members were aware of the different reasons for refusal in the reports for agenda items 6.5 and 6.6.	
	Agreed: to REFUSE planning permission for the reasons provided in the report.	NB
6.6	<p>Applicant: Brian Rizza (21/00770/LBC) (PLS/34/22) Location: Blairlomond, 11 Drummond Crescent, Inverness IV2 4QW (Ward 15) Nature of Development: Erection of extension to garage. Recommendation: Refuse.</p> <p>A combined presentation was provided for items 6.5 and 6.5. although the applications were determined separately. Clarification was sought and provided that Members were aware of the different reasons for refusal in the reports for agenda items 6.5 and 6.6.</p>	
	Agreed: to REFUSE listed building consent for the reasons provided in the report.	NB
6.7	<p>Applicant: Kinellan Building Ltd (22/00424/FUL) (PLS/35/22) Location: Land 140M SW of 1 Hillhead, Inverfarigaig (Ward 12) Nature of Development: Erection of 6 affordable houses, road and services. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission, subject to the conditions recommended in the report and:</p> <ul style="list-style-type: none"> • an additional condition to be drafted to ensure the creation of a community liaison group; and • an additional informative clarifying that “The new access would be a private access only, and not a private road, as it will have no right of public access across it, and is not being built to adoptive standards.” <p>Members also indicated their desire that some of the developer contributions arising from this development could be used for local community projects.</p>	BR
6.8	<p>Applicant: Ms Chloe Mackenzie (21/02998/FUL) (PLS/36/22) Location: Land 135M NW of 8 Teavarran Kiltarlity (Ward 12) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>Motion: Mrs M Davidson, seconded by Mr D Fraser, to grant planning permission for the following reasons:</p> <p>While there is no formal agricultural assessment, there is sufficient local knowledge of the business and the support required for the family to continue to run the deer farm. The applicant’s own herd of pygmy goats is genuine and, therefore, it is considered that there is agricultural justification. Therefore, subject to sensitive design, it would comply with policy 35 of the Highland wide Local Development Plan.</p> <p>In that regard, the house is in keeping with the group of farm buildings and croft outbuilding. Its position is in keeping with the scattered crofting</p>	

	<p>community of Cagganvallie and Abriachan and, therefore, compliant with the Rural Housing Siting and Design policy and policy 28 and 29 of the Highland wide Local Development Plan.</p> <p>Amendment: Mr J Gray, seconded by Mrs C Caddick, to refuse the application as recommended in the report.</p> <p>For the motion: Balfour, Boyd, Davidson, Fraser (D), Rixson For the amendment: Caddick, Fraser (L), Gray, Roddick</p>	
	<p>Agreed: to GRANT planning permission for the reasons provided by Mrs Davidson. It was also agreed to grant delegated powers to the planning officer to draft appropriate conditions, in particular to address screening and archaeology.</p>	KG
6.9	<p>Applicant: Mr Gareth Jones (20/01307/PIP) (PLS/37/22) Location: Land 30M SE of Oakbank East, Milton, Drumnadrochit. (Ward 12) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>Motion: Mrs M Davidson, seconded by Mr D Fraser, to grant planning permission for the following reasons:</p> <p>Whilst it accepted that the size of the site is restricted, there is sufficient land for development which would not have a detrimental impact on the character, cohesiveness, spacing and established pattern and amenity of the area and, therefore, complies with policy 28 and policy 29 of the Highland wide Local Development Plan</p> <p>The existence of the workshop building, which the building will replace, will ensure that the character of the housing group and its relationship with neighbouring properties is respected and therefore complies with policy 28 and policy 29 of the Highland wide Local Development Plan and the Rural Housing Supplementary Guidance.</p> <p>On that basis, it is deemed appropriate rounding off of an existing house group and, therefore, meets one of the exceptions to policy 35 of the Highland wide Local Development Plan.</p> <p>Amendment: Mr J Gray, seconded by Mr L Fraser, to refuse the application as recommended in the report.</p> <p>For the motion: Balfour, Boyd, Davidson, Fraser (D), For the amendment: Caddick, Fraser (L), Gray, Rixson</p> <p>As there were four votes for the motion and four votes for the amendment, the Chair used his casting vote in favour of the amendment.</p>	
	<p>Agreed: to REFUSE planning permission for the reasons provided in the report.</p>	RD
6.10	<p>Applicant: Robertson Homes Limited (21/05305/MSC) (PLS/38/22) Location: Land 40m SW of Gateside, 1A Leachkin Road, Inverness. (Ward 13) Nature of Development: Submission of Matters Specified in Condition 2 (Siting and Design), 3 (Design Statement), 6 (Flood Risk), 10 (Surface Water</p>	

	<p>Drainage), 14 (Access Roads and Drainage), and 17 (Contaminated Land) of Planning Permission in Principle 12/01832/S42 - Erection of 30 Residential Units and associated infrastructure.</p> <p>Recommendation: Approve.</p> <p>Items 6.10 and 6.11 were presented together but determined separately.</p> <p>During discussion, local Members asked that efforts be made to re-establish the community liaison group urgently and that the developer be urged to improve communication with residents.</p>	
	<p>Agreed: to APPROVE the application subject to the conditions recommended in the report.</p>	RD
6.11	<p>Applicant: Robertson Homes Limited (21/05309/FUL) (PLS/39/22) Location: Land 40m SW Of Gateside, 1A Leachkin Road, Inverness. (Ward 13) Nature of Development: Erection of 47 residential units and associated infrastructure. Recommendation: Grant.</p> <p>Items 6.10 and 6.11 were presented and determined together.</p> <p>During discussion, local Members asked that efforts be made to re-establish the community liaison group urgently and that the developer be urged to improve communication with residents.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	RD
6.12	<p>Applicant: Loch Ness Homes Ltd (22/00780/FUL) (PLS/40/22) Location: Carn Glas, Lewiston, Drumnadrochit. (Ward 12) Nature of Development: Erection of 37 residential units, roads, landscaping and associated infrastructure (Re-design of Planning Permission - 19/00415/MS). Recommendation: Grant.</p> <p>Updates to the report were provided as follows:</p> <ul style="list-style-type: none"> • Phase 1 was for 20, not 25 as stated in the report; • In relation to paragraph 8.10, the applicant had clarified the area of the proposed greenspace would be used as the compound; and • temporary and permanent path connection details would be added to Condition 1. 	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and the amended wording of Condition 1 to read as follows:</p> <p>No development shall commence until a detailed scheme for the completion of all open spaces, paths, and landscaping within the site has been submitted to, and approved in writing by, the Planning Authority.</p> <p>For the avoidance of doubt the scheme shall detail timescales for implementation in accordance with the following:</p> <ul style="list-style-type: none"> • Plots 34-37 (inclusive) shall not be occupied until the central open 	SH

	<p>space, inclusive of tree planting and play equipment, has been delivered to the satisfaction of the Planning Authority in accordance with the scheme to be approved under condition 2 of this planning permission;</p> <ul style="list-style-type: none"> • Provision of a temporary footpath connection from Glenurquhart Care Centre to Dal of Borlum (adjacent to the site compound), prior to any other development on the site being undertaken. The specification of this shall include grey self binding gravel with a size 0-6mm laid to a depth of 50mm on a 150mm depth compacted hardcore base; and • all other permanent paths and landscaping completed prior to occupation of the last house within the development. <p>Thereafter, the approved scheme shall be implemented in full.</p> <p>Reason: To ensure that the paths, landscaping and open space within the site is delivered timeously and to ensure sufficient access, play and open space provision exists within the application site to serve future residents' needs.</p>	
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: Highland Housing Alliance (PPA-270-2260) Location: Co-Operative Retail Services Ltd, Balmacaan Road, Drumnadrochit, Inverness, IV63 6UQ Nature of Development: Erection Of 15. No 2 And 2.5 Storey Blocks Of 2-Bed</p>	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and refuse planning permission.</p>	
	<p>The meeting ended at 1pm.</p>	