

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 (in the Chair)
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	Apologies for Absence Leisgeulan Mr A Baxter, Mr N McLean, Mr R MacWilliam and Mr A Jarvie.	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	

	Mr D Rixson – Item 6.4 Mr B Lobban – Item 6.7	
		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 14 December 2021 which was APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	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"> • 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 • 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. 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 comprising up to 165 residential units and associated infrastructure. (21/05714/PAN) (PLS/02/22) Ward: 19 Applicant: Mrs Mary M Duncan Site Address: Land at Inshes Farm, Inshes, Inverness, IV2 5BB. Members raised the importance of adequate mitigation for flooding.	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	SH/DM
5.2	Description: 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) Ward: 18 Applicant: Whirlwind Energy Storage Ltd Site Address: 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.	
	NOTED the application.	SH/DM

5.3	<p>Description: 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>Ward: 17</p> <p>Applicant: The Highland Council</p> <p>Site Address: Culloden Academy, Keppoch Road, Culloden, Inverness IV2 7JZ.</p>	
	<p>NOTED the application.</p>	<p>SH/DM</p>
6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Renewable Energy Systems Ltd (RES) (21/01521/S36) (PLS/05/22)</p> <p>Location: Land 2.8KM SE Of Little Lyne, Glenferness. (Ward 18)</p> <p>Nature of Development: 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>Recommendation: Raise no objection.</p> <p>Motion: 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"> • 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. • 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. 	
	<p>Agreed: to RAISE AN OBJECTION to the application for the reasons provided by Mr Lobban.</p>	<p>SH</p>
6.2	<p>Applicant: SSE Generation Limited (21/04080/S36) (PLS/06/22)</p> <p>Location: Glenmoriston Estate, North of Levishie, Invermoriston. (Ward 12)</p> <p>Nature of Development: 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>Recommendation: Raise no objection.</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"> 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; 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; 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; 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; 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 included 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. 	
	<p>Agreed: to RAISE NO OBJECTION, 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>	SH
6.3	<p>Applicant: The Highland Council Housing (21/04703/MSC) (PLS/07/22) Location: Land 370M SE Of Balloch Farm, Cherry Park, Balloch, Inverness. (Ward 17) Nature of Development: 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. Recommendation: Approve.</p>	

	Agreed: to APPROVE the application subject to the conditions recommended in the report.	SH
6.4	<p>Applicant: Link Group Ltd (21/02989/MSC) (PLS/08/22) Location: Land 130M East of 77 Lochaber Road, Upper Achintore, Fort William. (Ward 21) Nature of Development: 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. Recommendation: Approve.</p> <p>Declaration of Interest: Mr D Rixson declared an interest in item 6.4 and left the meeting during its consideration.</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>	
	Agreed: to APPROVE the application subject to the conditions recommended in the report.	SH
6.5	<p>Applicant: Ardnamurchan Estate (21/00161/FUL) (PLS/09/22) Location: Land 320M SE Of Beinn Bhreac, Acharacle. (Ward 21) Nature of Development: Installation of a floating pier, formation of timber transfer area and access track. Recommendation: Grant.</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>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	LP
6.6	<p>Applicant: Miss Bonny Watkins (21/01623/FUL) (PLS/10/22) Location: Bonnys Wonderland, 20A Ben Nevis Drive, Ben Nevis Industrial Estate, Fort William, PH33 6RU. (Ward 21) Nature of Development: Change of Use to Class 1 (beauty salon) on first floor of Unit (Retrospective). Recommendation: Grant.</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>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	SmM
6.7	<p>Applicant: Ms Elspeth Rainy Brown (21/03710/FUL) (PLS/11/22) Location: Land 225M SE of The Lade, Cromdale. (Ward 20) Nature of Development: Erection of house, storage shed, upgrade of access, siting of 3 glamping pods. Recommendation: Grant.</p> <p>Declaration of Interest: Mr B Lobban declared an interest in item 6.7 and</p>	

	left the meeting during its consideration.	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	LN
7	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	
7.1	Applicant: Vento Ludens (Limited (PPA-270-2253) (20/05073/FUL) Location: Land 2,180 metres SE of Challenger Lodge, Tomich, Cannich (Ward 12) Nature of Development: 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.	
	NOTED 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.	DM
7.2	Applicant: Inverness Paving Ltd (PPA-270-2241) (20/01728/FUL) Location: Treetop Stables, Feabuie, Culloden Moor, Inverness, IV2 5EQ (Ward 19) Nature of Development: 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: 21/00009/REFIN - LINK	
	NOTED: 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	Applicant: Mr Mark Hornby, MRH Design (PPA-270-2239) (20/04611/FUL) Location: Land 120 metres south-west of Culchunaig Farmhouse, Westhill, Inverness (Ward 19) Nature of Development: Change of use and conversion of steading to form private dwelling. The report could be accessed using the eplanning search facility: 21/00003/REFIN - LINK	
	NOTED the decision of the Scottish Ministers accept the Reporter's recommendation that planning permission should be granted subject to conditions.	

7.4	<p>Applicant: Miss Lynne Cordiner (PPA-270-2257) (21/02073/FUL) Location: 5 West Heather Road, Inverness, IV2 4WS (Ward 15) Nature of Development: conversion of existing garage to form ancillary accommodation.</p>	
	<p>NOTED:</p> <ul style="list-style-type: none"> a. the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission; and 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. 	
7.5	<p>Applicant: Salar Ali (ENA-270-2036) (20/00378/ENF) Location: Cherry House Caravan, Farr, Inverness IV2 6XG (Ward 12) Nature of Development: 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>NOTED 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>The meeting ended at 12.25pm.</p>	

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

22 MARCH 2022, 9.30AM VIA MS TEAMS

MINUTE / ACTION NOTE

Listed below are the decisions taken by Committee at their meeting in the Council Chamber, Inverness, 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 (except item 6.6 to end)
Mr A Baxter (except items 6.3 and 6.11 to end)	Mr J Gray (Chair for items 1 to 6.5)
Mr B Boyd (except item 6.10 to end)	Mr A Jarvie (except item 6.6 to end)
Mr J Bruce	Mr B Lobban
Mrs C Caddick (Chair for items 6.6 to end)	Mr R MacWilliam (from item 6.2)
Mrs M Davidson	Mr D Rixson (except item 6.3)
Mr D Fraser	Ms E Roddick (except 6.5 to end)

Non-Committee Members Present:

Mr A Henderson, Mr D Macpherson, Mrs T Robertson

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
 Mr B Robertson, Team Leader (BR)
 Mr K Gibson, Principal Planner (KG)
 Ms A Harvey, Planner (AH)
 Mr P Wheelan, Planner (PW)
 Mr A Fraser, Principal Engineer
 Mr M Clough, Senior Engineer, Transport Planning
 Mr I Meredith, Acting Principal Solicitor
 Ms R Banfro, Solicitor
 Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr N McLean	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	

	Item 6.3 - Mr A Baxter and Mr D Rixson	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 8 February 2022 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/12/22 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. The Committee NOTED the current position with the applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iartais	
5.1	Description: Construct a pumped storage hydro scheme (PSH) at a small freshwater loch, Loch Monaidh, which is situated between Loch Ericht, Loch Garry1 and Loch Rannoch, approximately 9 km south west of Dalnaspidal and 11 km north of Bridge of Ericht. Corrievarkie PSH will have a storage capacity of approximately 14.5 gigawatt hours (GWh) with approximately 600 MW installed electrical generation capacity (subject to further investigation and feasibility works) (22/00392/PAN) (PLS/013/22) Ward: 20 Applicant: Intelligent Land Investments Group Plc Site Address: Land 10850M SW Of Balsporan Cottage, Dalwhinnie. Members asked for information on the visibility of the access road to be communicated to the Committee outwith the meeting. Information was also sought on whether some of the spoil from the site would be used elsewhere or landscaped into the development over time.	
	NOTED the application and AGREED Members' questions would be responded to outwith the meeting after consultation with the applicant.	DM
5.2	Description: Depositing of spoil, formation of jetty and associated landscaping (22/00536/PAN) (PLS/014/22) Ward: 11 Applicant: SSE Renewables Site Address: Land at Mucomir Farm Sand and Gravel Quarry, Gairloch, Spean Bridge, PH34 4EQ. Matters raised by Members included: <ul style="list-style-type: none"> • Detailed information was required on the amount of spoil to be removed from the site and the number and frequency of the barge trips required to facilitate this, noting the noise that could be generated from this activity; • Loch Lochy was an area of archaeological interest and an investigation of the land in and around the farm should be undertaken; • An archaeological survey beneath the water line was requested, with 	

	<p>reference to the possibility of historically important crannogs, prior to any dredging activity being undertaken;</p> <ul style="list-style-type: none"> • In relation to community consultation, while it was accepted that the developer would bear the cost of a chair for the Corrieglass Liaison Group, attention was drawn to the public perception of the independence of the chair and that this matter should be reflected on by the developer, with consideration being given to a condition being added to any planning permission to tackle this issue; and • Information was sought on the potential to use some of the spoil for coastal rock armouries. 	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	DM
5.3	<p>Description: Mixed use development including residential, commercial/business uses and associated infrastructure (22/00576/PAN) (PLS/015/22) Ward: 19 Applicant: Hazledene (Inverness) Ltd Site Address: Land South of The A9 Interchange, West of the A9 Including Field to the South of Macaskill Drive, Inverness.</p> <p>It was explained that paragraph 2.5 of the report, which contained reference to an Environmental Impact Assessment (EIA) Scoping Opinion, had been included in error.</p> <p>Concern was expressed by Members on the following issues:</p> <ul style="list-style-type: none"> • the continued encroachment of the suburbs into the hinterland. It was important to avoid, for example, high block of flats near the A9, but to have the development blend appropriately into the surroundings; and • the development would be built on relatively high ground and exposed to wind and snow. It was important the Council was adequately equipped with winter maintenance vehicles to service the development. 	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	DM
6.1	<p>Applicant: Aberdeen Standard Investments (21/04857/PIP) (PLS/16/22) Location: Land Adjacent To Inshes Retail Park, Dell of Inshes, Inverness (Ward 19) Nature of Development: Mixed use development 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 (Renewal of Planning Permission in Principle 13/04334/PIP). Recommendation: Refuse.</p> <p>Motion: Mr J Gray, seconded by Mrs M Davidson, to refuse the application as recommended in the report.</p> <p>Amendment: Mr A Jarvie, seconded by Mr B Lobban, to approve the application on the grounds the proposed development accords with the existing development plan and has extant planning permission in force, with additional conditions as follows:</p>	

	<p>a. Detailed flood risk and drainage impact assessment to be provided prior to the commencement of development;</p> <p>b. Phase 2 contributions to be secured by means of legal agreement; and</p> <p>c. All other conditions to be agreed by local members.</p> <p>For the motion: Balfour, Boyd, Bruce, Caddick, Davidson, D Fraser, L Fraser, Gray, Rixson, Roddick</p> <p>For the amendment: Baxter, Jarvie, Lobban</p>	
	Agreed: to REFUSE planning permission as recommended in the report.	PW
6.2	<p>Applicant: Springfield Properties PLC (21/03612/FUL) (PLS/17/22)</p> <p>Location: Land at Drum Farm South of Fire Station Drumnadrochit. (Ward 12)</p> <p>Nature of Development: Erection of 91 residential units and associated roads,</p> <p>Recommendation: Grant.</p> <p>Key issues discussed by Members included the following:</p> <ul style="list-style-type: none"> • all the roofs should be the same colour; • it was important that surface water issues were appropriately dealt with; • the landscape plan should include an extensive tree buffer at the rear of the development and that screening should be undertaken as soon as possible and in consultation with the Community Liaison Group, which should convene as early as possible; and • it was of concern that the developer contributions for the school and / community facilities did not reflect that although the total number of houses had decreased by two, the total number of bedrooms had increased from 175 to 196. 	
	<p>Agreed:</p> <p>i. to GRANT planning permission subject to the conditions recommended in the report, and to an update to condition 4 to include that any working hours beyond normal working hours shall be agreed in advance of work progressing and subject to consultation through the community liaison group as established under condition 18; and</p> <p>ii. that an additional developer contribution of £1019 per unit, index linked, to enhance recreation provision within the locality, is secured via Section 75.</p>	AH
6.3	<p>Applicant: Edge Hospitality (21/03755/FUL) (PLS/18/22)</p> <p>Location: Onich Hotel, Onich, Fort William, PH33 6RY. (Ward 21)</p> <p>Nature of Development: Siting of 5 Accommodation Pods in grounds on Onich Hotel.</p> <p>Recommendation: Grant.</p> <p>Declarations of Interest: Mr D Rixson, as he had a connection to one of the objectors, and Mr A Baxter, as one of the objectors had given him free use of a holiday unit, declared an interest in item 6.3 and left the meeting during its consideration.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and additional detail added to Condition 6 to include reference to native planting, with advice to be sought on this from Mrs M Davidson, if possible.	WL

6.4	<p>Applicant: Esther Botha (21/05206/FUL) (PLS/19/22) Location: The Viewmount, East Terrace, Kingussie, PH21 1JS. (Ward 20) Nature of Development: Landscape engineering works to form garden terraces and erection of retaining wall structures (retrospective). Recommendation: Grant.</p> <p>Motion: Mr B Lobban, seconded by Mrs M Davidson, to refuse the application as it is contrary to Policy 3.3(b) of the CNPA LDP 2021 in that it is not designed to be sympathetic to the traditional pattern and character of the surrounding area and contrary to 3.3(c) of the Local Development Plan as the use of materials fails to complement the setting of the property by way of the scale, massing and material of the already constructed wall.</p> <p>There was no amendment.</p>	
	Agreed: to REFUSE planning permission for the reasons provided by Mr Lobban.	BR
6.5	<p>Applicant: Mrs Maryjane Mackay (21/05313/FUL) (PLS/20/22) Location: 46 Kenneth Street Inverness IV3 5DH. (Ward 13) Nature of Development: Erect extension Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	BR
6.6	<p>Applicant: Mrs Catherine Hood (21/00514/FUL) (PLS/21/22) Location: Land 25M SE Of Crimond, Cannich. (Ward 12) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>Motion: Mrs M Davidson, seconded by Mr D Fraser, to approve the application as information submitted by applicant supports view that attenuation by upstream dams significantly reduced flood risk to level that a Flood Risk Assessment would not be required so the application accords with policy 64.</p> <p>There was no amendment.</p>	
	Agreed: to GRANT planning permission for the reasons provided by Mrs Davidson, with conditions to be drawn up by planning officers in consultation with Local Members.	DM
6.7	<p>Applicant: Springfield Properties PLC (20/03444/FUL) (PLS/22/22) Location: Land Adjacent to Fire Station, East End, Beauly. (Ward 12) Nature of Development: Erection of 40 residential units (24 houses, 16 flats) and associated works. Recommendation: Grant.</p> <p>A presentation was provided jointly for Items 6.7 and 6.8, although they were determined separately.</p> <p>A correction was provided for the conditions in the report for Item 6.7 as follows: Condition 17 should be replaced by Condition 22, and the wording of</p>	

	Condition 22 be adjusted by changing the word 'second' to 'fourth.'	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and subject to satisfactory negotiation, delegated to the Area Planning Manager, with the applicant on the long term responsibility for the flood prevention scheme design remaining with the applicant to be secured through condition and/or agreement.	BR
6.8	<p>Applicant: Springfield Properties PLC (20/03445/FUL) (PLS/23/22) Location: Land Adjacent to Fire Station, East End, Beauly. (Ward 12) Nature of Development: Erection of 11 residential units (7 houses and 4 flats) and roads. Recommendation: Grant.</p> <p>A presentation was provided jointly for Items 6.7 and 6.8, although they were determined separately.</p> <p>A correction was provided for the conditions in the report for Item 6.7 as follows: Condition 16 should be replaced by Condition 21, and the wording of Condition 21 be adjusted by changing the word 'second' to 'fourth.'</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report and subject to satisfactory negotiation, delegated to the Area Planning Manager, with the applicant on the long term responsibility for the flood prevention scheme design remaining with the applicant to be secured through condition and/or agreement.	BR
6.9	<p>Applicant: Robertson Homes (20/03555/MS) (PLS/24/22) Location: Land 165M NE of Great Glen House, Leachkin Road, Inverness. (Ward 13) Nature of Development: Application for the Approval of Matters Specified in C from Site 4 to Great Glen Way and Footpath Link from Site 5 to Kilvean Cemetery.. Recommendation: Approve.</p> <p>It was suggested that issues raised during discussion by local Members about the wider infrastructure requirements should be brought up at a ward business meeting in the first instance.</p>	
	Agreed: to APPROVE the application as recommended in the report.	DM
6.10	<p>Applicant: Stratherrick And Foyers Community Trust Ltd (21/02331/PIP) (PLS/25/22) Location: Land 100M NW of Linden, Gray's Park, Foyers. (Ward 12) Nature of Development: Community amenity development (masterplan), MUGA, sports/play areas, car park, community hall, gym. Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report and subject to the establishment of a community liaison group at least 6 months before any development is started.	KG
6.11	<p>Applicant: RWE Generation UK Ltd (21/00225/FUL) (PLS/26/22) Location: Site 480M South of Garrogie Lodge, Whitebridge, Inverness. (Ward 12) Nature of Development: Construction of adjustable weir, control cabin, kiosk;</p>	

	track works, borrow pit. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and subject to negotiations taking place with the developer for a higher level of financial contribution to mitigate any damage to road verges at Loch Garthside, Gorthleck, with an appropriate level to be decided in consultation with Local Members.	KG
7	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	
7.1	Applicant: SIMEC Wind One Ltd (18/04733/S36) (WIN-270-11) Location: Land 3730M NW Of 1 Garvamore, Laggan Nature of Development: Glenshero wind farm consisting of 39 turbines with an indicative capacity of 168 MW	
	NOTED the decision of the Scottish Ministers to refuse the application for consent under section 36 of the Electricity Act 1989 and deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 for the construction and operation of Glenshero Wind Farm for the reasons given in the decision letter.	
7.2	Applicant: Mr MacCormick (ENA-270-2039) (21/00137/ENF) Location: 48 River Park, Nairn, IV12 5SR Nature of Development: The alleged breach of planning control: The alleged erection of fencing above 1 metre high that is forward of the principal elevation of a house without planning permission.	
	NOTED the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and direct that the enforcement notice dated 4 November 2021 be upheld.	
	The meeting ended at 4.10pm.	

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>	