

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

18 AUGUST 2022, 10.30AM, COUNCIL HEADQUARTERS, INVERNESS

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 C Aitken	Mr B Lobban
Mr C Balance (except item 6.1 to end)	Mr A MacDonald (except 6.11 to end)
Mr M Cameron	Mrs I MacKenzie
Mr D Fraser	Mr A MacKintosh (except 6.6)
Mr L Fraser	Mr T MacLennan (in the Chair)
Mr K Gowans	Mr P Oldham
Mr A Graham	Ms M Reid (except 6.11 to end)
Mr R Jones	Ms L Saggars

Non-Committee Members Present: Mr R MacKintosh, Ms B Jarvie (remote), Mr D MacPherson (remote), Mr D Gregg (remote), Mrs T Robertson (remote)

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mr B Robertson, Team Leader (BR)
Mr J Kelly, Principal Planner (JK)
Ms L Prins, Principal Planner (LP)
Mr K Gibson, Principal Planner (KG)
Ms C Millard, Planner (CM)
Mr R Dowell, Planner (RD)
Mr W Langdon (WL)
Mr P Wheelan, (PW)
Ms C MacLeod (CMcL)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr I Meredith, Solicitor and Clerk
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan There were none.	

		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	There were no declarations of interest. Transparency Statement Mr B Lobban declared, in relation to Items 6.3, 6.4 and 6.5, that, contrary to claims made in an email sent to Members, he had no association or connection with the applicant in any capacity and, having sought advice from the Monitoring Officer, was satisfied that there was no reason to prevent him from taking an active part in the deliberations on those application.	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 23 June 2022 which was APPROVED.	n/a
4	Major Development Update Iarrtasan Mòra	
	There had been circulated Report No PLS/55/22 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. Members' attention was drawn to the following further updates: 22/02306/PIP - Land 230M SW Of The Ranch Inshes Inverness - Residential development of 165 houses and associated infrastructure – It sets out in the report that the applicant was looking to change their application to a detailed application. They have however now confirmed they would like it to remain as a permission in principle application and it will be determined in due course. New Applications Ward 19 - 22/03219/PIP - Land S Of The A9 Interchange W Of The A9 Including Field On South Of Macaskill Drive, Inverness - Mixed use development comprising up to 400 residential units, business/commercial and community uses and supporting infrastructure – aiming for determination of the application in December 2022. Ward 19 – 22/03432/FUL - Land 255M South Of Drumossie Hotel, Inshes, Inverness - Erection of 80 Residential Units with Associated Access, Landscaping and Infrastructure with Associated Access, Landscaping and Infrastructure – Determination timescales likely around December 2022. New Proposal of Application Notices Ward 12 - 22/03650/PAN- Land Approximately 200 Metres South Of Fasnakyle Power Station, Cannich - Battery Storage Facility up to 50MW (Major Application): access track, compound of energy storage equipment, meter building, security cameras, fencing, new planting of trees – September committee Ward 19 - 22/03649/PAN - Land South Of Fairways Golf Centre, Slackbuie,	SH

	<p>Inverness - Battery Storage Facility up to 50MW (Major Application): access track, compound of energy storage equipment, meter building, security cameras, fencing, new planting of trees</p> <p>Ward 20 - 22/03622/PAN - 250M South East Of Spey Dam Laggan - Erection of distillery, marketing suite and maturation warehouses with associated access, parking, infrastructure, and servicing</p> <p>Ward 12 - 22/03236/PAN - Land At Borlum Hill And Tomahoid 1km SSE Of Fort Augustus - Mountain bike trail centre and associated facilities, including a range of bike trails, vehicular uplift, up-lift track, parking, café, associated retail, bike hire, mountain bike coaching areas, and adventure play facilities for children, and scaped areas and marked walks within the development area for use by non-mountain bikers</p> <p>Ward 12 – 22/03236/PAN - Land At Borlum Hill And Tomahoid 1km SSE Of Fort Augustus - Holiday letting accommodation, staff housing, access.</p> <p>The Committee NOTED the current position with the applications.</p>	
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	<p>Description: Development of holiday lodges and associated infrastructure south of Macdonald Highlands Hotel (22/02386/PAN) (PLS/56/22) Ward: 20 Applicant: Macdonald Hotels & Resorts Site Address: Site of Dry Ski Slope, Grampian Road, Aviemore.</p> <p>Matters raised by Members included the potential impact of the development on the dualling of the A9, the importance of not restricting access to Craigellachie nature reserve and nearby footpath, and the potential for flooding.</p>	
	NOTED the application and AGREED Members’ comments would be provided to the applicant.	DM / SH
5.2	<p>Description: Residential development, including private/affordable residential and staff accommodation, with associated infrastructure on land southeast of the Scandinavian Village Aviemore (22/02387/PAN) (PLS/57/22) Ward: 20 Applicant: Macdonald Hotels & Resorts Site Address: Land 150m NW of Caravan Park, Grampian Road, Aviemore</p>	
	NOTED the application.	
5.3	<p>Description: Demolition of existing Nairn Academy and replacement with new secondary school, playing fields, access, landscaping and associated infrastructure. (22/02707/PAN) (PLS/58/22) Ward: 18 Applicant: Highland Council Site Address: Nairn Academy, Duncan Drive, Nairn, IV12 4RD</p> <p>Members welcomed the application and noted the tight timescales.</p>	

	NOTED the application.	
5.4	<p>Description: Formation of Aviemore to Carrbridge Non-Motorised User Route/Path (22/02796/PAN) (PLS/59/22)</p> <p>Ward: 20</p> <p>Applicant: The Highland Council</p> <p>Site Address: Land 100M SW Of Carsaig, Kinchurdy Road, Boat Of Garten</p>	
	NOTED the application.	
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Bricks Capital (21/05238/FUL) (PLS/60/22)</p> <p>Location: 122B Academy Street, Inverness. (Ward 14)</p> <p>Nature of Development: Demolition of building and erection of hotel; formation of Class 11 commercial unit.</p> <p>Recommendation: Grant</p> <p>The Clerk explained that as this item had been deferred from the previous meeting of the Committee, only those Members present for this item at the meeting on 23 June 2022 were entitled to participate.</p> <p>Motion: Mr T MacLennan, seconded by Mr B Lobban, to grant planning permission as recommended in the report.</p> <p>Amendment: Mr L Fraser, seconded by Mr M Cameron, to refuse the application because the height of the building would dominate neighbouring Old High Church, cemetery, and smaller buildings of surrounding old town of Inverness. The design did not enhance or preserve the conservation area and townscape heritage of that part of Inverness. The building would dominate the surrounding townscape at important gateway to into old town.</p> <p>For those reasons it was contrary to policies 28, 29, and 57 of Highland-wide Local Development Plan.</p> <p>For the Motion: Ms M Reid, Mr K Gowans, Mr B Lobban, Mr P Oldham, Ms L Saggars, Mr R Jones, Mr T MacLennan</p> <p>For the Amendment: Mr L Fraser, Mrs I MacKenzie, Mr D Fraser, Mr C Aitken, Mr M Cameron, Mr A Graham, Mr A MacKintosh</p> <p>Abstention: Mr A MacDonald</p> <p>There being 7 votes for the motion and 7 votes for the amendment, the Chair used his casting vote in favour of the motion.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report and the conclusion of a Section 75 Agreement.	JK
6.2	<p>Applicant: Mr S Entwistle (21/02839/FUL) (PLS/61/22)</p> <p>Location: Land 45M East of Na Sealgairean, Glenfinnan. (Ward 11)</p> <p>Nature of Development: Erection of a House.</p> <p>Recommendation: Refuse.</p> <p>Motion: Mr P Oldham, seconded by Mr B Lobban, to refuse planning</p>	

	<p>permission for the reasons provided in the report.</p> <p>Amendment: Mr A MacDonald, seconded by Ms L Saggars, to grant planning permission because the benefit of developing the land and providing housing in the area outweighed the detrimental impact on the Ancient Woodland and therefore was a justifiable departure from policy.</p> <p>For the Motion: Ms M Reid, Mr K Gowans, Mr B Lobban, Mr L Fraser, Mr P Oldham, Mr R Jones, Mr D Fraser, Mr C Aitken, Mr M Cameron, Mr A Graham, Mr A MacKintosh</p> <p>For the Amendment: Ms L Saggars, Ms I MacKenzie, Mr A MacDonald, Mr T MacLennan</p> <p>The motion was carried by 11 votes to 4.</p>	
	<p>Agreed: to REFUSE planning permission for the reasons provided in the report.</p>	WL
6.3	<p>Applicant: Mr Stephen Chalmers (22/00376/FUL) (PLS/62/22) Location: Tigh an Each, Balgowan, Newtonmore. (Ward 20) Nature of Development: Use of the site as a campervan aire (5 pitches). Recommendation: Grant.</p> <p>Motion: Mr R Jones to defer Items 6.3, 6.4 and 6.5 for a site visit, and to consult with the Crofting Commission and Cairngorms National Park Authority regarding the application.</p> <p>Mr Jones' motion failed to find a seconder and fell.</p> <p>It was explained that a combined presentation would be provided for Items 6.3, 6.4 and 6.5, though they would be debated and decided separately.</p> <p>Issues covered during debate included the siting of the caravans, the use of crofts for commercial activities, incremental development on the site, possible overdevelopment of the site, the importance of adhering to and enforcing planning regulations, the need to improve the tourism economy in the area and maintain rural populations.</p> <p>Motion: Mr B Lobban, seconded by Mr K Gowans, to grant planning permission subject to the conditions detailed in the report but with a requirement that any details relating to Condition 3 (Landscaping) are agreed in consultation with local ward Members; and with an additional condition requiring the site access to be upgraded to SDB2 standard as set out in the Council's Roads Guidelines.</p> <p>Amendment: Mr R Jones, to defer the application to discuss it further with the agencies mentioned, those being the Crofting Commission and the Cairngorm National Park Authority.</p> <p>Mr Jones's amendment failed to find a seconder and fell.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions detailed in the report and with a requirement that any details relating to Condition 3 (Landscaping) are agreed in consultation with local ward Members; and with an additional condition requiring the site access to be upgraded to SDB2</p>	JK

	standard as set out in the Council's Roads Guidelines.	
6.4	<p>Applicant: Mrs Michelle Stewart (22/00616/FUL) (PLS/63/22) Location: Land 80M SE of Tigh An Each, Balgowan, Newtonmore. (Ward 20) Nature of Development: Erection of stable block (retrospective). Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report but with a requirement that Condition 2 (Landscaping) makes specific reference to appropriate screen planting between the stable block and Balgowan House, and that any details relating to Condition 2 are agreed in consultation with local ward Members.</p>	JK
6.5	<p>Applicant: Mr Stephen Chalmers (22/00644/FUL) (PLS/64/22) Location: Tigh an Each, Balgowan, Newtonmore. (Ward 20) Nature of Development: Installation of foul drainage treatment plant and outfall. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to a condition ensuring that the treatment plant and storage tanks are located underground.</p>	JK
6.6	<p>Applicant: Mr Martin Holt (21/05869/FUL) (PLS/65/22) Location: Camus Sealladh, Achateny, Acharacle, PH36 4LG. (Ward 21) Nature of Development: Alterations and Extension to house. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	CM
6.7	<p>Applicant: Mr M Holt (21/05871/PIP) (PLS/66/22) Location: Land 90m NE of Camus Sealladh, Achateny, Acharacle. (Ward 21) Nature of Development: Erection of house. Recommendation: Grant.</p> <p>Three late representations had been received raising concerns over the late submission of information by the applicant, and a late letter of objection had been received from Mr Ian Blackford, MP. The issues raised did not raise any further material planning considerations.</p> <p>Attention was drawn to a drafting error in the report where reference was mistakenly made to a bike hire business in Condition 5.</p>	
	<p>Agreed: to GRANT planning permission subject to conditions 1 -4 and 6 as outlined in the report, and subject to revision of condition 5 as detailed above.</p>	CM
6.8	<p>Applicant: Corriegarth 2 Windfarm Ltd (21/00101/S36) (PLS/67/22) Location: Land at Carn Na Saobhaidhe, Gorthleck, Inverness. (Ward 12) Nature of Development: Corriegarth 2 Wind Farm - Erection and Operation of a Wind Farm for a period of 30 years, comprising of 16 Wind Turbines with a maximum blade tip height of 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure. Recommendation: Grant.</p> <p>It was clarified that the recommendation was not as stated on the agenda and at the start of the report 'to grant,' but to 'raise no objection,' as detailed in</p>	

	<p>Section 11 of the report.</p> <p>Motion: Mr T MacLennan, seconded by Mr M Cameron, to raise no objection as recommended in the report.</p> <p>Amendment: Mr D Fraser, seconded by Mr B Lobban, to raise an objection because while acknowledging the contribution the proposed development would, if approved, make to renewable energy targets, the significantly adverse visual impacts are considered to outweigh the benefits offered by the application. In particular:</p> <p>The application is considered to be contrary to Policy 67 (Renewable Energy), of the Highland wide Local Development Plan and Scottish Planning Policy as the development would have a significantly detrimental visual impact individually and cumulatively on recreational users of the outdoors and road users as a result of the design, scale and location of the proposed development, in particular the prominent location of the proposal and the turbines which appear as outliers when viewed from west and south west of the scheme, as demonstrated by viewpoints at Meall Fuar Mhonaidh, Carna Leitra and General Wades Military Road (Suidhe viewpoint).</p> <p>Mr T MacLennan, having heard the amendment, withdrew his motion and it was taken forward instead by Mr M Cameron, seconded by Mr P Oldham</p> <p>For the motion: Ms M Reid, Mr P Oldham, Ms L Saggars, Mrs I MacKenzie, Mr M Cameron, Mr A MacDonald.</p> <p>For the amendment: Mr B Lobban, Mr L Fraser, Mr R Jones, Mr D Fraser, Mr C Aitken, Mr T MacLennan, Mr A Graham, Mr A MacKintosh.</p> <p>The amendment was carried by 8 votes to 6.</p>	
	Agreed: to RAISE AN OBJECTION for the reasons provided by Mr Fraser.	RD / SH
6.9	<p>Applicant: R.F. More (Properties) Limited (20/05048/PIP) (PLS/68/22)</p> <p>Location: Land At Wester Inshes South of West Park, Inshes, Inverness. (Ward 19)</p> <p>Nature of Development: Residential development of up to 101 dwellings and associated infrastructure.</p> <p>Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	PW
6.10	<p>Applicant: Springfield Properties Plc (21/04582/PIP) (PLS/69/22)</p> <p>Location: Land 80M East of Balvonie Cottage, Inshes, Inverness. (Ward 19)</p> <p>Nature of Development: Residential development with associated infrastructure.</p> <p>Recommendation: to advise the Directorate for Planning and Environmental Appeals that, if the Planning Authority were to determine the application, it would have refused the application as set out in section 11 of the report.</p> <p>There was circulated to Committee Members paper copies of an emailed response from an objector to various issues raised by planning officials in the report.</p>	

	Agreed: to ADVISE the Directorate for Planning and Environmental Appeals that if the Planning Authority were to determine the application, it would have refused the application, as detailed in the report.	SH
6.11	<p>Applicant: Martin Noble (22/00053/FUL) (PLS/70/22) Location: Land 30m East of Woodstock, Moss-side, Nairn. (Ward 18) Nature of Development: Erection of house. Recommendation: Grant.</p> <p>A late representation was circulated. It was explained that, contrary to what was stated in the report, the representation from the Community Council had not been late because an extension had been agreed.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CMcL
6.12	<p>Applicant: Mr K Macmillan (22/01086/FUL) (PLS/71/22) Location: Iona, 11 Glebe Road, Nairn, IV12 4ED (Ward 18) Nature of Development: Alterations/raising roof, installation of dormer, garage extension Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CMcL
6.13	<p>Applicant: (Mr and Mrs Jason and Lisa Lugton) (22/00609/FUL) (PLS/72/22) Location: Greenhill, 19 Drummond Crescent, Inverness (Ward 15) Nature of Development: Alterations and erection of extension to house and erection of two holiday letting units with Air Source Heat Pumps Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CMcL
6.14	<p>Applicant: Mr Simon Kennedy (22/00164/FUL) (PLS/73/22) Location: Land 150M SW Of Loch Ness Cottage, Fort Augustus. (Ward 12) Nature of Development: Siting of two pods Recommendation: Refuse.</p> <p>Motion: Mr D Fraser, seconded by Mr A Graham, to grant planning permission as the development can be made to comply with policy by condition and sensitive landscaping, namely:</p> <ol style="list-style-type: none"> 1. Landscaping on shoreside of pods; 2. Evidence private water supply sufficient to service pods prior to development; and 3. Compensatory tree planting <p>Drafting of the conditions to be delegated to officers in consultation with local Members.</p> <p>Amendment: Mr M Cameron, seconded by Mr P Oldham, to refuse the application for the reasons provided in the report.</p>	

	<p>For the motion: Ms L Saggars, Mrs I MacKenzie, Mr R Jones, Mr D Fraser, Mr T MacLennan, Mr A Graham, Mr A MacKintosh</p> <p>For the amendment: Mr B Lobban, Mr L Fraser, Mr P Oldham, Mr C Aitken, Mr M Cameron</p> <p>The motion was carried by 7 votes to 5.</p>	
	<p>Agreed: to GRANT planning permission as detailed by Mr D Fraser.</p>	KG
	<p>The meeting ended at 6.10pm.</p>	