

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

23 JUNE 2022, 10.30AM, COUNCIL CHAMBER, 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 (Teams)	Mr B Lobban
Mr M Cameron	Mrs I MacKenzie
Mr D Fraser	Mr A MacKintosh
Mr L Fraser	Mr T MacLennan (in the Chair)
Mr K Gowans (except item 9.7 to end)	Mr P Oldham
Mr A Graham	Ms M Reid
Mr R Jones	

Non-Committee Members Present:

Mr J Bruce, Mr D Gregg, Mr D Macpherson, Mrs T Robertson

Substitutes:

Ms S Fanet (for Mr A MacDonald)

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)
Mr M Fitzpatrick, Planner (MF)
Mr W Langdon, Planner (WL)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr I Meredith, Acting Principal Solicitor
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1.	Appointment of Chair - Suidheachadh de Chathraiche	n/a

	The Committee AGREED to appoint Mr Thomas MacLennan as Chair.	
2.	Appointment of Vice Chair - Cur Iar-Chathraiche an Dreuchd The Committee AGREED to appoint Mr Paul Oldham as Vice Chair.	n/a
	The Committee adjourned between Items 2 and 3 for 15 minutes to allow the new Chair and Vice Chair to familiarise themselves with the meeting procedures and protocols.	
3.	Apologies for Absence - Leisgeulan Mr A MacDonald (substituted by Ms S Fanet)	
		n/a
4.	Declarations of Interest Foillseachaidhean Com-pàirt	
	None.	n/a
5.	Appointment of Members to the Planning Review Body Cur Bhall an Dreuchd chun na Buidhne Ath-bhreithneachaidh Dealbhaidh The Planning Review Body (PRB) comprised six Members, which included the respective Chairs of the North and South Planning Applications Committees, who would act as Chair/Vice Chair of the PRB, and two further Members from each Planning Applications Committee, noting that no Council Ward could have more than one Member on the PRB, and no first-time elected Members could be considered. The Committee AGREED to appoint Mr B Lobban and Mr D Fraser to the PRB.	n/a
6.	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 28 April 2022 which was APPROVED .	n/a
7.	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/41/22 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 additional updates: <ul style="list-style-type: none"> • 22/02306/PIP – housing development of up to 165 residential units at Inshes, Inverness, with a likely determination in October / November 2022 (Ward 19) • 22/01760/S36 - Bunnloin Wind Farm – Erection and Operation of a Wind Farm comprising 10 turbines with a maximum blade tip height of 230m 	SH

	<p>(Ward 12); and</p> <ul style="list-style-type: none"> New Appeal, 21/04582/PIP – Residential development and associated infrastructure, Drumossie, Inverness – the Applicant has appealed against non-determination of the application and the Council is considering its response (Ward 19). <p>The Committee NOTED the current position with the applications.</p>	
8.	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
8.1	<p>Description: Construction of events pavilion and refurbishment of changing facilities at rear of existing stand (22/01368/PAN) (PLS/42/22) Ward: 13 Applicant: The Highland Council Site Address: Land at Bught Park, Bught Drive, Inverness.</p>	
	NOTED the application.	SH/DM
8.2	<p>Description: Erection of up to 80 residential units with associated access, landscaping and infrastructure (22/02215/PAN) (PLS/43/22) Ward: 19 Applicant: Kirkwood Homes Limited Site Address: Land 255M South of Drumossie Hotel, Inshes, Inverness. Matters raised by Members included</p>	
	NOTED the application.	SH/DM
8.3	<p>Description: 15 new build homes, the demolition of the existing cottage, woodland improvements, landscape, access, paths and all associated, services, surface and foul drainage (22/02240/PAN) (PLS/44/22) Ward: 18 Applicant: Mr W MacLeod Site Address: Fort Reay, Sandown Farm Lane, Nairn, IV12 5NE.</p> <p>Matters raised by Members included the need for consideration to be given to widening the nearby road network and / or the addition of passing places, and the need for adequate consideration to be given to the capacity of the sewerage system for this area of Nairn.</p>	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	SH/DM
9.	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
9.1	<p>Applicant: Bricks Capital (21/05238/FUL) (PLS/45/22) Location: 122B Academy Street, Inverness. (Ward 14) Nature of Development: Demolition of building and erection of hotel; formation of Class 11 commercial unit. Recommendation: Grant.</p> <p>Two late representations had been received and added to the file but no new matters had arisen from them.</p> <p>Motion: Mr M Cameron, seconded by Mr P Oldham, to defer consideration of</p>	

	<p>the application to allow the Committee to properly consider new information that had come to light during questions and debate.</p> <p>First Amendment: Mrs I MacKenzie, seconded by Mr L Fraser, to refuse the application for the following reasons:</p> <ul style="list-style-type: none"> • This development would compromise the heritage and culture that is represented within the riverside conservation area and therefore contrary to policy 57 HWLDP. • The building is an overdevelopment of the site, and the structure, size and appearance of the design and mix of materials is contrary to pols 28, 29 of HWLDP, and has an unacceptable impact on Rose St and Academy St. <p>Second Amendment: Mr T MacLennan, seconded by Mr B Lobban, to approve the application as recommended in the report.</p> <p>On a vote being taken between the First and Second Amendments, votes were cast as follows:</p> <p>First Amendment: Mr C Aitken, Mr L Fraser, Mr K Gowans, Mr A Graham, Mrs I MacKenzie, Mr A MacKintosh</p> <p>Second Amendment: Mr D Fraser, Mr R Jones, Mr B Lobban, Mr T MacLennan, Mr P Oldham, Ms M Reid, Ms S Fanet</p> <p>The Second Amendment was carried by 7 votes to 6 and was voted against the Motion as follows:</p> <p>Motion: Mr C Aitken, Mr M Cameron, Mr D Fraser, Mr L Fraser, Mr K Gowans, Mr A Graham, Mr R Jones, Mrs I MacKenzie, Mr A MacKintosh, Mr P Oldham, Ms S Fanet.</p> <p>Second Amendment: Mr B Lobban, Mr T MacLennan, Ms M Reid.</p> <p>The Motion was carried by 11 votes to 3.</p>	
	Agreed: to DEFER consideration of the application to the next meeting of the Committee for the reasons provided by Mr M Cameron.	JK
9.2	<p>Applicant: Mr P Maclellan (20/03962/FUL) (PLS/46/22)</p> <p>Location: Rosevalley House, Cawdor, Nairn. (Ward 18)</p> <p>Nature of Development: Siting of four camping pods and associated works.</p> <p>Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	BR
9.3	<p>Applicant: The Highland Council (20/01547/FUL) (PLS/47/22)</p> <p>Location: Culcabock Child Guidance Centre, 11 Culcabock Avenue, Inverness, IV2 3RG. (Ward 16)</p> <p>Nature of Development: Conversion of guidance centre into 3 flats and erection of 2 houses.</p> <p>Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	SH
9.4	<p>Applicant: Robertson Homes Ltd (22/01357/MSC) (PLS/48/22)</p> <p>Location: Torvean, Land South of Golf View Terrace, Inverness. (Ward 13)</p>	

	<p>Nature of Development: Submission of Matters specified in Condition 3b (Design and Layout) of Planning Permission in Principle 15/02422/PIP - Erection of 114 residential dwellings, landscaping and associated infrastructure (Redesign of Approval 21/01895/MSC).</p> <p>Recommendation: Approve.</p>	
	<p>Agreed: to APPROVE the application subject to the conditions recommended in the report.</p>	MF
9.5	<p>Applicant: Scottish Water (22/01332/FUL) (PLS/49/22) Location: Land 50M South East of Tomboyach House, Nethy Bridge Road, Boat of Garten. (Ward 20) Nature of Development: Installation of dosing kiosk, 1.8m high screen fencing and reconfiguration of sludge draw-off point. Recommendation: Grant.</p> <p>Members requested a site visit be undertaken during the operational phase of the kiosk.</p>	
	<p>Agreed: to DEFER consideration pending a site visit on a date to be arranged. Members were reminded that only those present at the site visit would be entitled to participate in the discussion and decision.</p>	BR
9.6	<p>Applicant: M&J Design (21/05546/FUL) (PLS/50/22) Location: Land 50M East of Croft 1, Upper Lennie, Drumnadrochit. (Ward 12) Nature of Development: Conversion and extension of bothy to living accommodation, erection of garage/workshop/store, formation of access track, foul and surface water drainage. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report, and to amend Condition 2 to take into account the wider road scheme, with the final wording to be drafted in consultation with local Members.</p>	KG
9.7	<p>Applicant: Mrs Shirley Nield (20/02579/PIP) (PLS/51/22) Location: Land 40M Southwest of Woodside Insh Kingussie. (Ward 20) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>Motion: Mr B Lobban, seconded by Mr L Fraser, to approve the application because while proposal didn't comply with the Cairngorm National Park Local Development Plan, there were significant material considerations that justified departing from policy, in that the proposed site was until very recently within the settlement area of Insh and the proposal would contribute positively to the character of the settlement of Insh. Developer contributions would be delegated to officers and conditions would be delegated to officers in consultation with local Members.</p> <p>There was no amendment.</p>	
	<p>Agreed: to APPROVE planning permission for the reasons provided by Mr Lobban.</p>	BR

9.8	<p>Applicant: Mr S Entwistle (21/02839/FUL) (PLS/52/22) Location: Land 45M East of Na Sealgairean, Glenfinnan. (Ward 11) Nature of Development: Erection of a House. Recommendation: Refuse.</p>	
	<p>Agreed: to DEFER consideration of this application due to the submission by the applicant of further information, after publication of the agenda, which required assessment.</p>	WL
9.9	<p>Applicant: Paul McFatrige (21/02145/FUL) (PLS/53/22) Location: Land To East of Aldersyde, Kentallen. (Ward 21) Nature of Development: Erection of 4 flats (short term lets) and associated works. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	LP
9.10	<p>This application was withdrawn by the applicant.</p>	n/a
10.	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
10.1	<p>Applicant: Michael Cameron (PPA-270-2262) (21/03970/FUL) Location: Land 25M Nw of Rowanlea, Cabrich, Kirkhill, IV5 7PH Nature of Development: Erection of a house.</p> <ul style="list-style-type: none"> • Mr B Lobban voiced concern that Scottish Government Ministers had overturned a decision of the Committee. • Mr M Cameron, who identified himself as the applicant, urged the Committee to learn from these decisions to inform future decisions. 	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and vary the terms of the planning permission by deleting condition 8 (Prior to the commencement of development, two passing places shall be provided by the developer and at their expense, on the U1758 Cabrich Road, to the satisfaction of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, the proposals shall be informed by the requirements set out in Section 5.3.6 of the Council's "Roads and Transport Guidelines for New Developments". (Reason: In order to mitigate the impact of the development on the local road network, and in the interests of road safety.)</p>	
	<p>The meeting ended at 4.15pm.</p>	