

## The Highland Council

### South Planning Applications Committee

Council Chamber, HQ, 23 August 2023, 10.30am

#### Minute / Action Note

Listed below are the decisions taken by Committee at their recent 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 (remote)	Mr A MacDonald (remote) (except 6.7 to end)
Mr C Ballance	Mrs I MacKenzie (except 6.7 to end)
Mr M Cameron (except 6.7 to end)	Mr A MacKintosh
Mr D Fraser	Mr T MacLennan
Mr L Fraser (remote) (except 6.2 to 6.3)	Mr P Oldham
Mr A Graham (remote)	Ms M Reid (except 6.7 to end)
Mr R Jones	Ms L Saggars
Mr B Lobban	

#### Non-Committee Members Present:

Mr D Macpherson, Mrs T Robertson

#### Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)  
Mr P Wheelan, Strategic Projects Team Leader (PW)  
Mr B Robertson, Team Leader (BR)  
Mr J Kelly, Principal Planner (JK)  
Mr R Dowell, Planner (RD)  
Mr N Brockie, Planner (NB)  
Ms L Neil, Planner (LN)  
Mr M Clough, Senior Engineer, Transport Planning (MC)  
Ms K Lyons, Principal Solicitor  
Ms F MacBain, Senior Committee Officer

ITEM NO	DECISION	ACTION
1	<b>Apologies for Absence Leisgeulan</b>  Mr K Gowans	
		n/a
2	<b>Declarations of Interest</b>	

	<b>Foillseachaidhean Com-pàirt</b>	
	None.	<b>n/a</b>
<b>3</b>	<b>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</b>	
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 27 June 2023 which was <b>APPROVED</b> .	<b>n/a</b>
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	There had been circulated Report No PLS/043/23 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 <b>NOTED</b> the current position with the applications.	<b>DM</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	<b>DM</b>
5.1	<b>Description:</b> Construction of a pumped storage hydroelectric scheme of up to 1500 megawatts generation capacity and 40 gigawatt hours storage capacity (23/03118/PAN) (PLS/044/23) <b>Wards:</b> 20 & 11 (access) <b>Applicant:</b> Earba Ltd <b>Site Address:</b> Land 4200m SE of Moy Lodge, Tulloch, Roy Bridge.	
	<b>NOTED</b> the application.	
5.2	<b>Description:</b> Residential development, associated infrastructure and open space (23/03163/PAN) (PLS/045/23) <b>Ward:</b> 15 <b>Applicant:</b> Ness Valley Leisure Ltd <b>Site Address:</b> Land at Ness-Side Fields, Dores Road, Inverness.	
	<b>NOTED</b> the application.	
<b>6</b>	<b>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</b>	
6.1	<b>Applicant:</b> Fred Olsen Renewables (21/05946/S36) (PLS/046/23) <b>Location:</b> Land 4700M NW Of Gamekeepers Cottage, Nairn. (Ward 18) <b>Nature of Development:</b> Lethen Wind Farm - Erection and Operation of a Wind Farm for a period of 35 years, comprising of 17 Wind Turbines with a maximum blade tip height 185m, access tracks, borrow pits, substation, energy storage facility, control building, meteorological mast and ancillary infrastructure.  An error in the report was corrected, as follows, in italics: 'It is considered that the proposal <i>does not</i> accord with the principles and policies contained within the Development Plan and is <i>not</i> acceptable in terms of all other applicable material considerations.'	

	<b>Recommendation:</b> Raise an Objection.	
	<b>Agreed:</b> to <b>RAISE AN OBJECTION</b> as recommended in the report.	<b>PW</b>
6.2	<p><b>Applicant:</b> The Sweeney Group (22/05497/FUL) (PLS/047/23)  <b>Location:</b> Dunroamin Guest House, Craig Na Gower Avenue, Aviemore, PH22 1RW (Ward 20)  <b>Nature of Development:</b> Change of use from Guest House to form 10 serviced apartments.  <b>Recommendation:</b> Grant.</p> <p><b>Motion:</b> Mr T MacLennan moved to grant planning permission as recommended in the report.</p> <p>Mr MacLennan's motion failed to find a seconder and fell.</p> <p><b>Motion:</b> Mr B Lobban, seconded by Mr R Jones, moved to refuse the application for the following reasons:</p> <ul style="list-style-type: none"> <li>• whilst it is recognised that this is an existing tourism facility, the cumulative impact of this development on the residential street is not considered acceptable;</li> <li>• the development is not located in an area identified for commercial development in the local development plan and is not considered to be compatible with the residential nature of the street. In terms of the nature and scale of the development the proposal is considered to be contrary to NPF4 Policy 30 b) ii; and</li> <li>• the external alterations, the intensification of commercial use, loss of garden to car park and lack of on-site management will all change the character of the area and will have adverse impacts on residential amenity. Therefore it is considered to be contrary to CNPA LDP Policy 2.2A</li> </ul>	
	<b>Agreed:</b> to <b>REFUSE</b> planning permission for the reasons provided by Mr B Lobban.	<b>RD</b>
6.3	<p><b>Applicant:</b> James McQueen Building (23/01219/FUL) (PLS/048/23)  <b>Location:</b> Land NW of 33 Island Bank Road, Inverness. (Ward 15)  <b>Nature of Development:</b> Erection of 2 semi-detached houses.  <b>Recommendation:</b> Grant.</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>JK</b>
	<p><b>Preamble for Items 6.4, 6.5 and 6.5</b></p> <p>Network Rail was required to provide step-free access to platforms and has submitted three related applications for Listed Building Consent, as detailed.</p>	
6.4	<p><b>Applicant:</b> Network Rail (23/01606/LBC) (PLS/049/23)  <b>Location:</b> Railway Station, Cawdor Street, Nairn IV12 4QS. (Ward 18)  <b>Nature of Development:</b> Installation of footbridge with associated lifts and removal of existing footbridge.  <b>Recommendation:</b> Grant.</p>	

	An error in the report was clarified as follows: the distance from the proposed new bridge to the housing was approximately 32m on one side and 37m on the other side.	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report - condition 2 to be amended to require the existing footbridge to remain available for pedestrian use and appropriately maintained in recognition of its listed status.	<b>NB</b>
6.5	<b>Applicant:</b> Network Rail (23/01607/LBC) (PLS/050/23) <b>Location:</b> Kingussie Railway Station, Ruthven Road, Kingussie PH21 1EN. (Ward 20) <b>Nature of Development:</b> Installation of footbridge with associated lifts and removal of existing footbridge. <b>Recommendation:</b> Refuse.	
	<b>Agreed:</b> to <b>REFUSE</b> planning permission as recommended in the report and to contact Network Rail, either directly or via Historic Environment Scotland, to encourage appropriate maintenance of their heritage/listed footbridges.	<b>NB</b>
6.6	<b>Applicant:</b> Network Rail (23/03010/LBC) (PLS/051/23) <b>Location:</b> Kingussie Railway Station, Ruthven Road, Kingussie PH21 1EN. (Ward 20) <b>Nature of Development:</b> Erection of accessible footbridge, with associated lifts, and removal of existing footbridge. <b>Recommendation:</b> Grant.	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report – condition 2 to be amended to require the existing footbridge to remain available for pedestrian use and appropriately maintained in recognition of its listed status.	<b>NB</b>
6.7	<b>Applicant:</b> Montagu Evans (23/02918/S42) (PLS/052/23) <b>Location:</b> Unit 6 Aviemore Retail Park, Santa Claus Drive, Aviemore, PH22 1AF. (Ward 20) Nature of Development: s42 application Variation of Condition 1 (17/00659/FUL) for Unit 6 as Class 3 (Restaurant / Cafe), with ancillary hot food takeaway use. <b>Recommendation:</b> Grant.	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>LN</b>
<b>7</b>	<b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b> <b>Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b>	
7.1	<b>Applicant:</b> Timothy Palmer (LBA-270-2014) (22/02462/LBC) <b>Location:</b> The Cart Barn and Smiddy, Glenuig, Lochailort, PH38 4NB (Ward 21) <b>Nature of Development:</b> Extensions to Cart Barn and Smiddy.	
	<b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and refuse listed building consent.	

7.2	<p><b>Applicant:</b> Mr R MacGregor (PPA-270-2286) (22/02939/FUL)  <b>Location:</b> Land 230 metres North-West of Sealladh Na Coille, Achnabobane, Spean Bridge, PH34 4EX (Ward 11)  <b>Nature of Development:</b> Erect new dwelling and garage.</p> <p>The Area Planning Manager (South) highlighted the significance of this outcome for future decisions about rural housing.</p>	
	<p><b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and refuse planning permission.</p>	
	<p><b>The meeting ended at 1.40pm.</b></p>	