

# The Highland Council

## South Planning Applications Committee

**Council Chamber, HQ, 22 November 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 Ballance (except 6.2, 6.3, 6.4)  
(remote for 6.6 and 6.1)

Mr M Cameron

Mr D Fraser

Mr L Fraser (except 6.2, 6.3, 6.4, 6.6 and  
6.1)

Mr A Graham (except 6.8, 6.2, 6.3, 6.4, 6.6  
and 6.1)

Mr R Jones

Mr B Lobban (except 6.2, 6.3, 6.4, 6.6 and  
6.1)

Mr A MacDonald (remote) (except 6.2 and  
6.1)

Mrs I MacKenzie (except 6.2, 6.3, 6.4, 6.6  
and 6.1)

Mr A MacKintosh

Mr T MacLennan (remote)

Mr P Oldham (**in the Chair**)

Ms M Reid (except 6.8)

### Non-Committee Members Present:

Mrs T Robertson

### Substitutes:

Mr D Macpherson (for Mr K Gowans) (except 6.2, 6.3, 6.4, 6.6 and 6.1)

### 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 W Langdon, Planner (WL)

Mr M Fitzpatrick, Planner (MF)

Mr M Kordas, Planner (KK)

Ms C MacLeod, Planner (CMacL)

Mr R Dowell, Planner (RD)

Mr I Meredith, Acting Principal Solicitor (IM)

Ms F MacBain, Senior Committee Officer

ITEM NO	DECISION	ACTION
	<b>Preliminaries</b>  The Committee <b>AGREED</b> to consider the applications for Item 6 in a different order, as detailed.	
<b>1</b>	<b>Apologies for Absence</b>	

	<b>Leisgeulan</b> Ms L Saggars, Mr K Gowans, Mr C Aitken	
		<b>n/a</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>  Item 6.1 – Mr A MacDonald – as the applicant is involved in Mr MacDonald’s political campaign he will declare an interest and leave the meeting for that item.  Item 6.8 - Mrs M Reid – Mrs Reid is heavily involved in the Inverness Caledonian Thistle Women’s team and as the club would directly benefit from the development she will declare an interest and leave the meeting for that item.  Item 6.8 - Mr A Graham – Mr Graham is a season ticket holder at Inverness Caledonian Thistle and involved in the supporters club, so will declare an interest and leave the meeting for this item.	
		<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 4 October 2023, and of the continued joint North and South Planning Applications Committee held on 8 November 2023, with the latter also being submitted to the North Planning Applications Committee - <b>APPROVED</b> .	<b>n/a</b>
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	There had been circulated Report PLS/59/23 by the Area Planning Manager - South which provided a summary of all cases within the “Major” development category currently with the Planning and Development Service for determination. The report also detailed progress on proposals submitted under S36 or S37 of the Electricity Act 1989 on which the Council is consulted  The Committee <b>NOTED</b> the current position with the applications.	<b>PW</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
5.1	<b>Description:</b> Provision of circa 380 houses with associated infrastructure (23/04170/PAN) (PLS/60/23) <b>Ward:</b> 13 <b>Applicant:</b> Robertson Homes Ltd <b>Site Address:</b> Land 150M SE Of 22 Bowmore View, Inverness.	
	<b>NOTED</b> the application.	
<b>6</b>	<b>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</b>  Due to planning officer availability, and to allow Members to attend the funeral	

	of previous Member, Mr G Ross, the Committee <b>AGREED</b> to consider items in the following order: 6.5, 6.7, 6.8, 6.2, 6.3, 6.4, 6.6, 6.1.	
6.5	<p><b>Applicant:</b> Blackpark Energy Storage Limited (23/04254/S42) (PLS/65/23)</p> <p><b>Location:</b> Blackpark Farm, Nairn, IV12 5HY (Ward 18).</p> <p><b>Nature of Development:</b> Application under s42 to vary condition 12 (decommissioning) (20/02589/FUL) for battery energy storage system comprising steel containers, GRP substation and fencing (output of up to 49.9MW).</p> <p><b>Recommendation: Grant</b></p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>RD</b>
6.7	<p><b>Applicant:</b> Hazledene (Inverness) Ltd And HHA (22/03219/PIP) (PLS/67/23)</p> <p><b>Location:</b> Land South of the A9 Interchange, West of the A9 Including Field on South of Macaskill Drive, Inverness (Ward 19).</p> <p><b>Nature of Development:</b> Mixed use development comprising up to 400 residential units, business / commercial and community uses and supporting infrastructure.</p> <p><b>Recommendation: Grant</b></p> <p>Amendments to the report were highlighted to Members as follows:</p> <ul style="list-style-type: none"> <li>• Transport Scotland had removed their objection on drainage grounds;</li> <li>• Conditions would be reviewed as follows: <ul style="list-style-type: none"> <li>- Condition 1 - Implementation of permission, would be reviewed and amended where necessary to better reflect that the application is for a phased development; and,</li> <li>- Conditions 2., 3., 8., and 23 - to ensure that Transport Scotland's interests in the lighting scheme, landscaping and boundary treatments are covered, and to clarify that no drainage connections are made to the trunk road network.</li> </ul> </li> </ul>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report, as amended under delegated authority to the case officer for the conditions listed above, and the conclusion of a Section 75 legal agreement.	<b>MF</b>
6.8	<p><b>Applicant:</b> Intelligent Land Investments Group Plc (23/00497/FUL) (PLS/68/23)</p> <p><b>Location:</b> Land 75M SE Of Camas House, Fairways Business Park, Inverness (Ward 19).</p> <p><b>Nature of Development:</b> Battery energy storage facility comprising access track, compound of battery and electrical equipment, meter building, stores, fencing, security cameras, and associated landscaping.</p> <p><b>Recommendation: Refuse</b></p> <p><b>Declarations of Interest:</b></p> <p><b>Mrs M Reid, as a member of the Inverness Caledonian Thistle Women's Football Club Academy Committee, and Mr A Graham, due to his longstanding connections to ICT (as season ticket holder and member of the supporters' club), declared an interest in Item 6.8 and left the chamber for the duration of the item.</b></p>	

	<p>The Council's Flood Risk Management Team has removed its objection following receipt of satisfactory information in support of the indicatively proposed surface water drainage arrangements, and was removed as one of the reasons in support of the recommendation to refuse the application.</p> <p>The officer advised that conditions should not be applied to secure enhancement or mitigation measures where it has not been demonstrated that such measures are achievable.</p> <p>An error at section 8.38 of the report was corrected to read as follows: the noise assessment has <b>not</b> "<i>demonstrated that mitigation measures would reduce noise impacts "to within acceptable levels."</i></p>	
	<b>Agreed:</b> to <b>DEFER</b> the application pending a site visit to enable the Committee to assess the impact of the proposal on the green space at the application site.	<b>MF</b>
6.2	<p><b>Applicant:</b> Ardersier Port Ltd (23/00499/MSC) (PLS/62/23)  <b>Location:</b> Ardersier Port Approach, Ardersier, Inverness, IV2 7QX (Ward 17).  <b>Nature of Development:</b> Approval of Matters Specified in Condition 4 of planning permission 18/04552/PIP for Phase 1a, new entrance gateway, security office, heritage centre and cafe (Use Class 3), access and associated infrastructure.  <b>Recommendation: Approve</b></p>	
	<b>Agreed:</b> to <b>APPROVE</b> the application subject to the conditions recommended in the report.	<b>PW</b>
6.3	<p><b>Applicant:</b> Tulloch Homes Ltd (22/03833/FUL) (PLS/63/23)  <b>Location:</b> Land 160M SW of 1 Parks of Inshes, Old Edinburgh Road South, Inverness (Ward 19).  <b>Nature of Development:</b> Change of house types and plot layouts for erection of 43 residential properties and associated infrastructure (previously consented under reference 19/05179/FUL).  <b>Recommendation: Grant</b></p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report and the conclusion of a minute of variation to the existing Section 75 legal agreement covering the site.	<b>MK</b>
6.4	<p><b>Applicant:</b> Dipper Development Ltd (21/03060/FUL) (PLS/64/23)  <b>Location:</b> Land 35m North of Birdston, Kirkhill (Ward 12).  <b>Nature of Development:</b> Change of use of site from storage and distribution (Landscaping and construction operations (class 6)) and office (class 4) to include storage and distribution for leisure equipment including caravans, campervans, boats and kayaks.  <b>Recommendation: Grant</b></p>	
	<b>Agreed:</b> to <b>REFUSE</b> planning permission because the applicant had not provided information to demonstrate that there would not be a significant impact on road safety to satisfy the extant objection from Transport Planning. Accordingly, the Committee were not satisfied that the application complied with Highland-wide Local Development Plan Policy 28 as the applicant had not shown that the nature and number of vehicle movements could be safely accommodated without the recommended visibility splays to the site entrance.	<b>RD</b>

6.6	<p><b>Applicant:</b> WD Stephen and Company (23/03361/FUL ) (PLS/66/23)  <b>Location:</b> Land 635m NE of End Cottage, Upper Balfreish, Cawdor (Ward 18).  <b>Nature of Development:</b> Erection of house.  <b>Recommendation: Grant</b></p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.</p>	<b>CMacL</b>
6.1	<p><b>Applicant:</b> Patterdale Property Ltd (23/02786/FUL) (PLS/61/23)  <b>Location:</b> Plot 3 to Rear of Former Filling Station, Onich, Fort William, PH33 6RY (Ward 21).  <b>Nature of Development:</b> Erection of house (amended proposal ref 21/05525/FUL - relocated footprint of house).  <b>Recommendation: Grant</b></p> <p><b>Declaration of Interest: Mr A MacDonald declared an interest in this item as the applicant was involved in his political campaign, and he left the meeting for the duration of the item.</b></p> <p>A minor issue in Condition 2 would be rectified to the following:</p> <p>No development shall commence on the construction of the house hereby approved until the access and parking layout (including signage and lining) as shown on plan 479-100-105 Rev B approved under planning ref. 21/05525/FUL and in accordance with plan 100 Rev F approved under planning ref. 16/03023/FUL, has been fully formed in accordance with the approved details. For the avoidance of doubt, the "no exit" sign at the western access shall comprise a red circular sign with white horizontal bar to indicate no entry. Thereafter the access and car parking arrangement shall be maintained in accordance with the approved details for this use in perpetuity.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.</p>	<b>WL</b>
7	<p><b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b>  <b>Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b></p>	
7.1	<p><b>Applicant:</b> Perle Hotels (LBA-270-2015) (23/01594/LBC)  <b>Location:</b> Glencoe House Hotel, Glencoe, Ballachulish PH49 4HT (Ward 21)  <b>Nature of Development:</b> Internal alterations to ground-floor accommodation to form restaurant and spa facilities and erection of additional hotel accommodation wing.</p>	
	<ul style="list-style-type: none"> <li>• <b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to allow the appeal in part and grant listed building consent for proposed alterations to the original hotel building. He did not grant consent for the hotel extension, the proposed changes to the listed retaining wall and the works attaching to it, including the stairs to the garden and platform. The consent is subject to the 6 conditions listed at the end of the decision notice. Attention is also drawn to the advisory note at the end of the notice; and</li> <li>• <b>AGREED</b> this decision also be reported for noting to the Planning Review</li> </ul>	<b>IM</b>

	Body.	
	<b>The meeting ended at 2.15pm.</b>	