

**The Highland Council
Planning Review Body**

**Microsoft Teams, 12 March 2024, 10.30am
Minutes**

Listed below are the decisions taken by the Planning Review Body at their meeting on 12 March 2024. 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>

Present:

Mrs I Campbell
Mr D Fraser
Mr R Gale
Mr T Maclennan (Chair)
Mr D Millar
Mr P Oldham
Mrs M Paterson.

In Attendance:

Mr B Strachan, Independent Planning Adviser to the Planning Review Body
Ms R Banfro, Acting Principal Solicitor/Clerk
Ms A Macrae, Senior Committee Officer

Preliminaries

The Chair confirmed that the meeting would be webcast and gave a short briefing on the Council's webcasting procedure and protocol.

ITEM NO	DECISION
1	Apologies for Absence Mr B Lobban
2	Declarations of Interest There were no declarations of interest.
3	Minutes of Previous Meeting There had been circulated and APPROVED the Minutes of the Meeting held on 6 February 2024.
4	Criteria for Determination of Notices of Review The Clerk confirmed that, for all subsequent items on the agenda, Members had contained in their SharePoint all of the information supplied by all parties to the Notice of Review – namely everything submitted at the planning application stage and the Notice of Review stage from the applicant and interested parties together with the case officer's report on handling and the decision notice that had been issued. When new information had been identified and responded to by the case officer, that information had also been included in SharePoint.

	<p>Members were reminded that when determining each planning application subject to a Notice of Review, they were to give full consideration of the planning application afresh (also known as the “de novo” approach) in accordance with the advice contained in the letter from the Chief Planner dated 29 July 2011. The Clerk confirmed that this meant that, in each Notice of Review case, the Review Body needed to assess the planning application against the development plan – including the recently adopted National Planning Framework 4 – and decide whether it accorded with or was contrary to the development plan. Following this assessment, the Review Body then required to consider all material considerations relevant to the application and decide whether these added to or outweighed their assessment of the application against the development plan. In carrying out this assessment, all documents lodged by the applicant and interested parties needed to be considered by the Review Body – all material planning considerations required to be taken into account; considerations that were not material planning considerations must not be taken into account.</p> <p>The Clerk also confirmed that Google Earth and Street view could be used during the meeting in order to inform Members of the site location. Members were reminded of the potential limitations of using these systems in that images may have been captured a number of years ago and may not reflect the current position on the ground. All the Notices of Review were competent.</p>
<p>5</p>	<p>New Notices of Review to be Determined</p>
<p>5.1</p>	<p>Ward: 09 Black Isle Applicant: Ms Lorna MacKinnon 23/00050/RBREF Location: 12 Duke Street, Cromarty, IV11 8YH, Nature of Development: Erection of porch, 23/01795/FUL Reason for Notice of Review: Refusal by Appointed Officer</p> <p>Decision:</p> <p>The Review Body AGREED to DISMISS the Notice of Review and refuse planning permission for the reason contained in the report of handling as follows:</p> <p>1. The proposed addition of a new timber clad and slate roof porch to the front elevation of a Category B listed building within Cromarty Conservation Area, will have a significantly adverse impact on the application building's historic character and appearance. The proposal will also adversely affect the setting of adjacent/nearby listed buildings, as well as failing to preserve or enhance the character or appearance of the conservation area. The proposal therefore does not comply with Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; Policy 7d of National Planning Framework 4; as well as Policies 28, 29 and 57 of the Highland-wide Local Development Plan 2012</p>
	<p>The meeting ended at 10.55am.</p>