

**The Highland Council  
Planning Review Body**

**Microsoft Teams, 13 August 2024, 10.00am  
Minutes**

Listed below are the decisions taken by the Planning Review Body at their Teams meeting on 13 August 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 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 F MacBain, 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.

<b>ITEM NO</b>	<b>DECISION</b>
<b>1</b>	<b>Apologies for Absence</b>  Mr B Lobban, Mr T MacLennan
<b>2</b>	<b>Declarations of Interest</b>  There were no declarations of interest.
<b>3</b>	<b>Recess Powers</b>  The Committee <b>NOTED</b> that the recess powers granted by the Council at its meeting on 27 June 2024 have not been exercised in relation to the business of the Planning Review Body.
<b>4</b>	<b>Minutes of Previous Meeting</b>  There had been circulated and <b>APPROVED</b> the Minutes of the Meeting held on 11 June 2024.
<b>5</b>	<b>Criteria for Determination of Notices of Review</b>  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

	<p>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> <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><b>6</b></p>	<p><b>New Notices of Review to be Determined</b></p>
<p><b>6.1</b></p>	<p><b>Applicant:</b> Aurora Hotel 24/00014/RBREF  <b>Location:</b> Aurora Hotel, 2 Academy Street, Nairn, IV12 4RJ  <b>Nature of Development:</b> Alterations and erection of extension 23/03823/FUL  <b>Reason for Notice of Review:</b> Refusal by Appointed Officer</p> <p><b>Decision:</b> The Review Body <b>AGREED</b> to <b>DISMISS</b> the Notice of Review and refuse planning permission for the reasons contained in the report of handling as follows:</p> <p>The positioning, scale, massing, design and elevational treatment of the proposed extension and the result of this on the principal elevation of the original building would obscure a significant proportion of the principal elevation of the building, and consequently substantially alter the symmetry of the building to its detriment and that of the established, design character of the street, and townscape. In addition, the proposed development would result in the loss of approximately 41% of the front garden which would result in over-development of the site, and further reduce the available amenity space around the building to its existing building to the boundary with No.3 Academy Street, as well as the boundary with the street, resulting in an almost 4m high boundary treatment approximately 1.5m from the neighbouring house, overshadowing the front windows and garden to their detriment of its established amenity.</p> <p>Consequently, the proposed positioning, design, scaling, massing, fenestration and elevational treatment of the proposed extension is not considered to make a positive, net contribution to the architectural and visual quality of the building, the immediate streetscape, or wider setting of the street within Nairn, and is therefore considered to be contrary to the National Planning Policy 14 (Design</p>

	Quality and Place); and does not demonstrate sensitive siting and high-quality design in keeping with local character, as required by Highland wide Local Development Plan Policy 28 (Sustainable Design); and does not make a positive, net contribution to the architectural and visual quality of the place as required by Highland wide Local Development Plan Policy 29 (Design Quality and Placemaking).
<b>6.2</b>	<p><b>Applicant:</b> Mr A Robertson 24/00017/RBREF  <b>Location:</b> Land SE of 12 Sunnybank Avenue, Inverness  <b>Nature of Development:</b> Erection of House 22/04466/FUL  <b>Reason for Notice of Review:</b> Refusal by Appointed Officer</p> <p><b>Decision:</b> The Committee <b>AGREED</b> to <b>DEFER</b> the application to obtain further information from the Council and the Applicant in respect of the existing flooding issues as well as further information in relation to the gully, in particular whether it's connected to the soakaway or sewage system.</p>
	The meeting ended at 11.55am.