

The Highland Council
South Planning Applications
Committee

Council Chamber, HQ, 20 August 2024, 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	Mr B Lobban
Mr M Cameron (remote)	Mrs I MacKenzie
Ms S Fanet	Mr A MacKintosh
Mr D Fraser	Mr P Oldham (in the Chair)
Mr L Fraser (remote) (except 6.4 to end)	Ms M Reid
Mr A Graham	Ms L Siggers (except 6.3 to end)
Mr R Jones	

Non-Committee Members Present: Mr D McDonald, Mr J Bruce

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 K Gibson, Principal Planner (KG)
Ms Christine MacLeod, Planner (CM)
Ms Jennifer Mair, Planner (JM)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr I Meredith, Acting Principal Solicitor
Ms F MacBain, Senior Committee Officer

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr K Gowans, Mr T MacLennan	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt None.	
		n/a
3	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 18 June 2024 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/40/24 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 NOTED the current position with the applications and the action being taken by planning officers as outlined in paragraph 4.4 of the report.	PW
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Corran Ferry Crossing - Construct new ferry service infrastructure (24/02116/PAN) (PLS/41/24) Ward: 21 – Fort William and Ardnamurchan Applicant: The Highland Council Site Address: Corran Jetty, Fort William. Members welcomed the publicity that had been undertaken and recommended continued engagement with community councils and the wider community.	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	
5.2	Description: Battery energy storage (up to 100MW) (24/02632/PAN) (PLS/42/24) Ward: 12 – Aird and Loch Ness Applicant: Field Beaully Ltd Site Address: Land 465m SE of Dunballoch, Beaully Members pointed out the importance of adequate screening being provided from the NC500 and the nearby caravan park. They also expressed an interest in receiving training on battery storage issues, and information was sought and provided on the community wealth building information that was provided to applicants.	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	
5.3	Description: Installation of battery energy storage system (BESS) (up to 49.9MW) (24/02747/PAN) (PLS/43/24) Ward: 18 – Nairn and Cawdor Applicant: Jose Manuel Fernandez Site Address: Land 330M East of Grigorhill Cottage, Grigorhill, Nairn Members expressed concern at the location of the development, and pointed out the importance of fire safety. Although fire safety was not a material planning consideration, information was being sought from applicants.	

	NOTED the application and AGREED Members' comments would be provided to the applicant.	
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: BDW Trading Ltd & Cawdor Maintenance Trust (23/05237/MS) (PLS/44/24)</p> <p>Location: Land to north of A96 Extending from Whiteness Access Road to the Common Good Land, Nairn (Ward 18).</p> <p>Nature of Development: Approval of Matters Specified in Conditions 2b-t, 6,7,10,11,12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 26, 27, 29, 30, 31, 33, 35, 36, 38, 39, 40 of Planning Permission in Principle (20/00599/S42).</p> <p>Recommendation: APPROVE</p> <p>Officers noted comments from Cllr Oldham requesting that road markings be provided at Sandown Road junction to demonstrate that cyclists cross the junction at this point, and that consideration be given to setting back the lampposts on the shared use path on the southside of the A96 to avoid conflict with users. This request would be passed on to Transport Scotland for consideration.</p>	
	<p>Agreed: to APPROVE the application subject to the conditions recommended in the report, with Condition 2 being amended as follows:</p> <p>Amendment to Condition 2: "Within three months of the commencement of development, details of measures taken to engage with local bus operator(s) on the provision of bus services to serve the development shall be submitted to the Planning Authority for approval. This shall include full details of measures to ensure that the new bus terminus, or alternative appropriate new facilities provided by the developer sufficiently close to the site, are adequately served by scheduled buses serving Nairn. Following approval in writing by the Planning Authority, the agreed measures shall be implemented in full by no later than occupation of the 50th house on this Phase 1 development. (Reason: To ensure that the new bus terminus, or alternative appropriate new facilities provided by the developer sufficiently close to the site, can be provided timeously.)"</p>	JK
6.2	<p>Applicant: Places for People Scotland Ltd (24/00178/S42) (PLS/45/24)</p> <p>Location: Land at Stratton and East Seafield, Inverness (Ward 16).</p> <p>Nature of Development: Application under section 42 to develop land without compliance with (16/02161/s42) condition 1 (phasing of development) and consequential changes to condition 18 (town centre), condition 22 (safeguarding land), condition 27 (local road infrastructure mitigation), condition 33 (temporary park and ride facility) and condition 52 (transport assessment) for new town comprising town centre, housing and commercial development .</p> <p>Recommendation: GRANT</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	CM
6.3	<p>Applicant: Tulloch Homes Ltd (23/05414/FUL) (PLS/46/24)</p> <p>Location: Land 200M East of 23 Willow Avenue, Slackbuie, Inverness (Ward 19).</p>	

	<p>Nature of Development: Erection of 105 dwellings including associated roads, infrastructure, open space and landscaping.</p> <p>Recommendation: GRANT</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	KG
	<p>Prior to consideration of items 6.4 and 6.5, a reminder presentation on the planning policies around short term lets was provided to the Committee.</p>	
6.4	<p>Applicant: Mrs Diana Saunders (24/01309/FUL) (PLS/47/24) Location: 9 Creag A Ghreusaiche, Aviemore, PH22 1LD (Ward 20). Nature of Development: Use of property as short term holiday letting unit. Recommendation: GRANT</p>	
	<p>Agreed: to REFUSE planning permission for the following reasons:</p> <p>The application does not meet any of the criteria in non-statutory guidance that are required for planning authority to support a short term let application within the Highland Council's short term let planning control area. The purpose of the planning control area is to ensure that there is adequate supply of homes for local people and this development is contrary to that aim.</p> <p>The application is also contrary to NF4 policy 30 (e) (ii) as it does not demonstrate local economic benefit and the applicant has not provided evidence that the development would provide local economic benefit to outweigh the loss of residential accommodation.</p>	JM
6.5	<p>Applicant: Ms Lynn Sutherland (23/05049/FUL) (PLS/48/24) Location: Ivy House, 91 High Street, Kingussie, PH21 1HX (Ward 20). Nature of Development: Use of property as short-term letting unit. Recommendation: GRANT</p>	
	<p>Agreed: to REFUSE planning permission for the following reasons:</p> <p>Notwithstanding that the application does meet one of the criteria in the Highland Council non-statutory guidance for short term lets within a control area, the application is contrary to NPF4 policy 30 (e)ii as the applicant has not demonstrated that the development will result in sufficient local economic benefit to outweigh the loss of residential accommodation.</p>	JM
6.6	<p>Applicant: Mrs Thelma Jennie Elizabeth Slessor (24/01295/FUL) (PLS/49/24) Location: Taigh Abhainn, Station Road, Carrbridge, PH23 3AL (Ward 20). Nature of Development: Use of property as short-term letting unit and house. Recommendation: GRANT</p>	
	<p>Agreed: to DEFER the application to the next meeting.</p>	
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: Dipper Developments Ltd PPA-270-2296 (21/03060/FUL) Location: land 35 metres north of Birdston, Kirkhill, IV5 7PG</p>	

	<p>Nature of Development: 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</p> <p>NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission subject to the seven conditions listed at the end of the decision notice. Attention was drawn to the two advisory notes at the end of the notice.</p>	
7.2	<p>Applicant: Stuart Murray PPA-270-2297 (23/02786/FUL) Location: Plot 3, Rear of Former Filling Station, Onich PH33 6RY Nature of Development: Erection of a house</p> <p>NOTED the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and refuse to vary the terms of the planning permission</p>	
7.3	<p>Applicant: Springfield Properties PLC (PPA-270-2298) (23/00532/FUL) Location: land at Drum Farm, South of Fire Station, Drumnadrochit IV63 6AH Nature of Development: remix house types on land at Drum Farm.</p> <p>NOTED the decision of the Reporter appointed by the Scottish Ministers that planning permission would be granted provided an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 was reached between the planning authority and the appellant. The planning permission would not be issued until that agreement was reached and registered.</p>	
7.4	<p>Applicant: Springfield Properties PLC (PPA-270-2299) (23/00533/FUL) Location: Land at Drum Farm South of Fire Station, Drumnadrochit, IV63 6AH Nature of Development: remix house types on land at Drum Farm.</p> <p>NOTED the decision of the Reporter appointed by the Scottish Ministers that planning permission would be granted provided an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 was reached between the planning authority and the appellant. The planning permission would not be issued until that agreement was reached and registered.</p>	
	<p>The meeting ended at 2.20pm.</p>	