

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

16 JUNE 2020

MINUTES & ACTION NOTE

Listed below are the decisions taken by Committee at their virtual Microsoft Teams 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 A Baxter, Mr B Boyd, Mr J Bruce, Mrs C Caddick, Mrs M Davidson, Mr L Fraser, Mr J Gray, Mr T Heggie, Mr A Jarvie, Mr R MacWilliam, Mr N McLean, Ms E Roddick, Mr B Thompson

Non-Committee Members Present:

Mrs T Robertson

Substitutes:

None

Apologies:

Mr R Balfour and Mr B Lobban

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mr J Kelly, Principal Planner (JK)
Ms L Prins, Principal Planner (LP)
Mr K Gibson, Principal Planner (KG)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr I Meredith, Solicitor, Regulatory Services (IM)

ITEM NO	<u>DECISION</u>	<u>ACTION</u>

1	Apologies for Absence Leisgeulan	
	Apologies for absence were received from Mr R Balfour and Mr B Thompson	n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	No declarations of interest were raised.	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 26 May 2020 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/032/20 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 these applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Skye Reinforcement – Erection of replacement high voltage (132kv) transmission line (PLS/033/20) Ward: 11 and 12 Applicant: Scottish Hydro Electric Transmission PLC – Skye Reinforcement Site Address: Between Ardmòr, Skye and Fort Augustus	
	Agreed: to note the submission and ask that the following material issues be brought to the applicant's attention in addition to the material considerations referred to in the report: <ul style="list-style-type: none"> • Clarity in advance from the applicant as to what is required for road improvements • Details provided in advance as to when HGV transport will be coming in, the number of vehicles and for what duration • Local members to be consulted on the formation of the Traffic Management Plan • A clear directive for working times for the benefit of local residents • The possibility of wire scape rationalisation be explored • Further clarification on the possibility of using this upgraded route 	SH

	<p>as an alternative link to the Western Isles.</p> <ul style="list-style-type: none"> • Clarity on what work will be done to protect the line from landslips and the impact this will have on the road. • The potential of community benefit in the form of sub-stations to provide a domestic electricity supply to the upper Glen Garry area be explored. 	
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Mr Paul Nicoll (20/00083/FUL) (PLS/034/20) Location: Balnagowan Island, Duror (Ward 21) Nature of Development: Erection of extension Recommendation: Grant</p>	
	<p>Mr A Baxter questioned whether current national policy supported development in remote areas and whether this application would help sustain the fragile community of Duror. The case officer confirmed that national policy doesn't say anything specific about development in remote areas, that there is nothing in the policy that would lead them to recommend refusal and that the applicant was trying to improve the ecology of the island.</p> <p>Mr N McLean asked what controls could be put in place to control future development of the island. The case officer confirmed that future development that required planning permission would have to go through the planning process. However, the Committee could, if it wishes, remove permitted development rights. Both Mr A Baxter and Mr N McLean expressed concerns about future overdevelopment of the site and preserving the amenity of the area.</p> <p>Agreed: Members unanimously agreed to GRANT planning permission subject to (1) the conditions recommended in the report and (2) the restriction of permitted development rights. This scope of the restriction of permitted development rights to be in consultation with Local Members.</p>	LP
6.2	<p>Applicant: James MacQueen Building (19/05612/FUL) (PLS/035/20) Location: 33 Island Bank Road, Inverness (Ward 15) Nature of Development: Erect 4no flats with associated roads and services Recommendation: Grant</p>	
	<p>Mr R MacWilliam raised concerns regarding pedestrian and road safety and the design of the property. The case officer confirmed that initial concerns from the Council's Transport Planning Team had been alleviated but asked that the Committee amend condition 5 to include that the visibility splay be maintained in perpetuity. He also stated that while he had stated that the design of the property was uninspiring, it did comply with policy.</p> <p>Mr A Jarvie queried whether the parking policy referred to was a policy of The Highland Council or a national policy. The case officer confirmed that the policy was part of a wider Council policy to reduce reliance on cars and promote active travel.</p>	

	<p>Motion: Mr J Gray, seconded by Mrs C Caddick, to GRANT planning permission for the reasons set out in the report.</p> <p>Amendment: Mr R MacWilliam, seconded by Mr B Boyd, to refuse planning permission on the grounds that it does not meet policies 28 and 29 of the Highland-wide Local Development Plan as the design of the building does not enhance the wellbeing of the conservation area and does not meet policy 57 of the Highland-wide Local Development Plan as it does not enhance the historic environment of the area.</p> <p>For the motion: Mr J Bruce, Mrs C Caddick, Mr L Fraser, Mr J Gray, Mr T Heggie, Mr A Jarvie, Ms E Roddick, Mr B Thompson</p> <p>For the amendment: Mr B Boyd, Mr R MacWilliam, Mr N Maclean</p> <p>Agreed: to GRANT planning permission subject to the conditions recommended in the report (subject to the proviso below)</p> <ul style="list-style-type: none"> • Condition 5 to be amended to require the applicant to maintain the visibility splays in perpetuity. 	
5.3	<p>Applicant: Norbord Europe Ltd (20/00637/S42) (PLS/036/20)</p> <p>Location: Dalcross, Inverness (Ward 17)</p> <p>Nature of Development: Non-compliance with Condition 1 of planning permission 14/03000/FUL to increase the operational capacity from 750,000 m3/yr to 840,000 m3/yr; increase height of Abort Stack for Dryer 5 and Transfer Tower.</p> <p>Recommendation: Grant</p>	
	<p>Mrs C Caddick queried the use of the local roads and whether the applicant had any control over that. Mr R MacWilliam queried how the £20,000 financial contribution figure being sought by Transport Planning was arrived at and whether that could be amended. Mr MacWilliam was advised that the sum could not be amended by the Committee without sufficient evidence or data to calculate an alternative. Mr N MacLean put forward the view that Norbord would have control over what routes were used by the hauliers it contracted with. It was confirmed to the Committee by Mr Mudie that the planning service was not of the view that the developer contribution sought by Transport Planning would meet the 5 tests of Circular 3/12, but that the committee could insist on a contribution if they were satisfied that it did meet these tests. Mrs T Robertson spoke as a Local Member and queried whether extra lighting was required and whether the biomass plant feeds into the mill. It was confirmed the biomass plant was not an issue for this application, and that lighting would be conditioned. Transport Planning confirmed that the chair of the Timber Transportation Group had approached the applicant to ascertain whether a contribution from them could be recovered via the group, but no response was forthcoming.</p> <p>Motion: Mrs C Caddick, seconded by Mr R MacWilliam, to grant the section 42 application subject to (1) the conditions recommended in the report and (2) the prior conclusion of a s75 agreement to secure developer obligations to mitigate against the impact of the development on the local road network, particularly the B9090.</p> <p>Amendment: None</p>	KG

	Agreed: to GRANT the section 42 application subject to (1) the conditions recommended in the report and (2) the prior conclusion of a s.75 agreement to secure developer obligations to mitigate against the impact of the development on the local road network, particularly the B9090.	
	The meeting concluded at 2:04 PM	