

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

18 AUGUST 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 R Balfour Mr J Bruce, Mrs C Caddick, Mrs M Davidson (excluding Items 5.6, 5.7, and 6.1), Mr L Fraser, Mr J Gray, Mr T Heggie, Mr A Jarvie (excluding Items 5.5-6.1), Mr B Lobban, Ms E Roddick, Mr B Thompson (excluding Items 1-5.1, and 5.5-6.1)

Non-Committee Members Present:

Mr D Macpherson

Substitutes:

None

Apologies:

Mr N McLean, Mr R McWilliam

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SHi)
Mr J Kelly, Principal Planner (JK)
Mr Tim Scott, Principal Planner (TS)
Ms S Macmillan, Team Leader (SM)
Ms Susan Hadfield, Planning Officer (SHa)
Ms Christine Millard, Planning Officer (CM)
Mr Peter Wheelan, Planning Officer (PW)
Mr Bob Robertson, Team Leader (BR)
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 N McLean and Mr R McWilliam.	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 16 June 2020 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	<p>There had been circulated Report No PLS/037/20 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.</p> <p>The Committee NOTED the current position with these applications.</p> <p>Mr T Heggie highlighted a proposed local development in Nairn which may come before Members at the next meeting of SPAC regarding which the local Community Council have requested a site visit. Mr T Heggie asked that the committee request visualisations of the site to negate the need for a site visit.</p> <p>The committee agreed that visualisations should be provided but that members could not rule out a site visit until they have seen the report and heard the presentation.</p>	SHi
5	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	
5.1	<p>Applicant: Dickens Hydro Resources Ltd (20/01347/S42) (PLS/038/20)</p> <p>Location: Land 1000M SW Of Altachaorin, Glenetive (Ward 21)</p> <p>Nature of Development: Application for non-compliance with Condition 4</p>	SM

	<p>of Planning Permission 18/02742/FUL to allow an alternative arrangement for construction traffic from that currently approved.</p> <p>Recommendation: Grant</p>	
	<p>Mr A Baxter stated that he had reservations regarding the project when planning permission was originally sought but as it has been granted it would be unreasonable to deny this application without good cause. Mr A Baxter asked that the conditions be amended to restrict traffic movement related to construction to weekdays between Easter weekend and 31st October to prevent undue congestion when the area is busiest with tourists. He also asked that the final Traffic Management Plan be approved by local members.</p> <p>Mr B Lobban suggested that the maximum vehicle weight be reduced to 26 tonnes and that any vehicle over that limit be approved by local Roads Officers prior to using the road. This was agreed by Mr A Baxter.</p> <p>Agreed: Members unanimously agreed to GRANT the application for non-compliance with condition 4 of planning permission 18/02743/FUL subject to the conditions recommended in the report as amended to take into account of the following:</p> <ul style="list-style-type: none"> • Traffic movements relating to construction only take place on weekdays between Easter weekend and 31st October each year for the duration of construction • The weight limit for lorries be restricted to 26 tonnes. Should any vehicle over 26 tonnes be required to use the road, prior approval must be sought from the local Roads Officers • The final Traffic Management Plan be approved in consultation with local members 	
5.2	<p>Applicant: Fort William Marina & Shoreline Company Ltd (20/01095/FUL (PLS/039/20))</p> <p>Location: Site 160m SW of The Pier, Fort William. (Ward 21)</p> <p>Nature of Development: Extension to existing pontoons.</p> <p>Recommendation: Grant</p>	CM
	<p>Mr A Baxter queried whether the application was exactly the same as the previously approved application, although now expired. This was confirmed by the Case Officer. Mr A Baxter was of the view that there was no good reason to refuse the application and considering the detrimental impact a temporary application could have on the development, a 10 year time limit on the planning permission was neither necessary nor desirable.</p> <p>Motion: Mr A Baxter, seconded by Mr B Lobban, to GRANT planning permission for the reasons given in the report, subject to removal of the 10 year time limit on the planning permission.</p> <p>Amendment: none</p> <p>Agreed: Members unanimously agreed to GRANT planning permission subject only to condition 1 recommended in the report.</p>	
5.3	<p>Applicant: NHS Highland (20/02469/FUL) (PLS/040/20)</p> <p>Location: Land 330M NW Of Inverness College UHI, 1 Inverness Campus, Inverness. (Ward 19)</p>	JK

	<p>Nature of Development: Construction of Elective Care Centre (amendment to design & layout of 18/04829/FUL).</p> <p>Recommendation: Grant</p>	
	<p>Mrs C Caddick supported the application and noted there were issues with regards to the bus gate into the Raigmore estate passing the hospital helipad but saw no reason the two could not be accommodated. Mr A Jarvie agreed and suggested that traffic may be required to stop when helicopters are landing and taking off, but that should not halt the link altogether. Mr J Gray was also in support of the application.</p> <p>Agreed: Members unanimously agreed to GRANT planning permission subject to the conditions recommended in the report.</p>	
5.4	<p>Applicant: Tulloch Homes Ltd; Mackenzie Parks LLP; D&N Mackenzie LLP (19/05179/FUL) (PLS/041/20)</p> <p>Location: Land 160M SW of 1 Parks Of Inshes, Old Edinburgh Road South, Inverness. (Ward 19)</p> <p>Nature of Development: Erection of 155no houses, roads, landscaping and infrastructure.</p> <p>Recommendation: Grant.</p>	PW
	<p>Prior to the presentation, Mr A Jarvie indicated that he was of the opinion there was insufficient information to make a decision but would reserve judgement until after the presentation.</p> <p>Mrs C Caddick raised a number of points of clarification including emergency access, location of the playpark, flood risk and embankments. Mr A Jarvie also raised further queries regarding flood risk and street lighting. Following those points being addressed by the Case Officer, he was not satisfied that there was sufficient information to determine the item and moved to defer the application. Mr J Gray moved to grant the application.</p> <p>Motion: by Mr A Jarvie, seconded by Mrs C Caddick, to DEFER the application for further information to be provided to the committee regarding flood risk, street lighting and topography</p> <p>Amendment: by Mr J Gray, seconded by Mr B Lobban, to GRANT the application for the reasons set out in the report</p> <p>For the motion: Mr R Balfour, Mr A Baxter, Mr B Boyd, Mr J Bruce, Ms C Caddick, Mr A Jarvie, Ms E Roddick</p> <p>For the amendment: Mr L Fraser, Mr J Gray, Mr T Heggie, Mr B Lobban, Mr B Thompson</p> <p>Agreed: to DEFER consideration of the application until the next SPAC meeting to allow the following information to be brought before the committee:</p> <ul style="list-style-type: none"> • Full details regarding the flood risk management assessment, particularly regarding the water course to the west of the site and the south facing gardens of properties immediately adjacent to a retaining wall • Further detail and visualisation regarding the proposed street lighting on Old Edinburgh Road • Further details and visualisations regarding the proposed topography and embankments on the site 	

5.5	<p>Applicant: Mr Jess Christman (20/01181/FUL) (PLS/042/20) Location: Land 100m SW of Swallowfield Arc, Teandalloch, Beauly. (Ward 12) Nature of Development: Erection of house, formation of access. Recommendation: Refuse</p>	SHa
	<p>Mrs M Davidson queried whether a further passing place was required at the entrance to the site. It was confirmed by the Case Officer that it was not required. Mrs M Davidson was of the view that the site did form part of an existing group of houses, was sufficiently close to Muir of Ord for services and was of a sympathetic design. Mr B Lobban, Mr R Balfour, Mrs C Caddick, and Mr J Gray were all of the view that the site did not form part of an existing group and did not therefore accord with policy 35 of the HwLDP.</p> <p>Motion: Mr J Gray, seconded by Mr B Lobban, to REFUSE the application for the reasons set out in the report</p> <p>Amendment: Mrs M Davison, seconded by Mr B Boyd, to GRANT the application on the grounds that it is an extension of an existing housing group, the sits sensitively within the site and is of a quality design with a low carbon footprint and therefore accords with policies 29 and 35 of the HwLDP.</p> <p>For the motion: Mr R Balfour, Mr A Baxter, Mr J Bruce, Ms C Caddick, Mr L Fraser, Mr J Gray, Mr T Heggie, Mr B Lobban, Ms E Roddick</p> <p>For the amendment: Mr B Boyd, Ms M Davidson</p> <p>Agreed: to REFUSE planning permission for the reasons set out in the report</p>	
5.6	<p>Applicant: Mr Brian Rizza (20/01803/FUL) (PLS/043/20) Location: High View, Lower Muckovie, Inshes, Inverness, IV2 5BB. (Ward 19) Nature of Development: Retrospective application for the erection of garage and supportive gabion wall with associated works. Recommendation: Refuse</p>	BR
	<p>Mr J Gray noted that this development had previously been refused and an Enforcement Notice served and upheld by the DPEA and could see no reason to go against the Officer recommendation on this occasion. Mrs C Caddick noted that the Scretan Burn caused flooding problems further downstream so it was important to maintain access to it if required and also agreed with the Officer recommendations</p> <p>Agreed: Members unanimously agreed to REFUSE planning permission for the reasons set out in the report.</p>	
5.7	<p>Applicant: Mr Colin Souter (20/01731/FUL) (PLS/044/20) Location: 30 Balmakeith Park Nairn IV12 5GP. (Ward 18) Nature of Development: Conversion of garage to self-contained</p>	BR

	<p>accommodation. Recommendation: Grant</p>	
	<p>Mr T Heggie queried whether the Planning Officer was satisfied that the conditions sufficiently addressed the concerns of the neighbours. The planning officer confirmed that the planning service had no control over whether the house was let out, or for how long for, but that the conditions would prevent the adapted garage from being used or occupied in any way that was not ancillary to the main house.</p> <p>Agreed: Members unanimously agreed to GRANT planning permission subject to the condition recommended in the report.</p>	
6	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu Iarrrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
6.1	<p>Applicant: Anne Marie Fraser (ENA-270-2034) Location: Land at Drumblair Stores, 31 Dores Road, Inverness, IV42 4RP (Ward 15) Nature of Development: Siting of catering trailer that is operating as a hot food takeaway without the required planning permission.</p>	
	<p>Agreed: to NOTE the decision of the DPEA to dismiss the appeal and direct that the enforcement notice dated 10 January 2020 be upheld.</p>	
	<p>Meeting concluded at 3:00 PM</p>	