

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

3 FEBRUARY 2021, 9.30AM

MINUTE / 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 R Balfour (except item 6.6), Mr A Baxter (except item 6.6 & 6.9), Mr B Boyd (except items 6.6 to end), Mr J Bruce, Mrs C Caddick, Mrs M Davidson (except item 6.10 onwards), Mr L Fraser, Mr J Gray, Mr T Heggie (except 6.10 onwards), Mr A Jarvie (except item 6.8), Mr B Lobban, Mr R MacWilliam (from item 5.2 onwards), Mr M McLean (except item 6.9), Mr B Thompson (except items 6.5 and 6.10 onwards)

Non-Committee Members Present:

Mrs T Robertson, Mr D MacPherson, Mrs H Carmichael, Mr A Henderson, Mr H Morrison, Mr G MacKenzie

Substitutes:

None

Apologies:

Ms E Roddick

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mr B Robertson, Team Leader (BR)
Ms L Prins, Principal Planner (LP)
Mr K Gibson, Principal Planner (KG)
Ms C Millard, Planner (CM)
Mr R Dowell, Planner (RD)
Mr N Brockie, Planner (NB)
Ms L Neil, Planner (LN)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr A Puls, Acting Environment Manager / Conservation Officer
Mr I Meredith, Solicitor

ITEM NO	DECISION	ACTION
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1	Apologies for Absence Leisgeulan	
	Emma Roddick.	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 8 December 2020 which was APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	<p>There had been circulated Report No PLS001/21 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>Members’ attention was drawn to an additional major application: a consultation from the Scottish Government’s Energy Consents Unit on the Corriegarh 2 Windfarm, located to the south east of Loch Ness. A report on this was expected in June 2021.</p> <p>The Committee NOTED the current position with the applications.</p>	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	<p>Description: Construction of aluminium billet production facility with associated hardstanding, infrastructure and landscaping (20/04580/PAN) (PLS/002/21)</p> <p>Ward: 21</p> <p>Applicant: Alvanco Aluminium Group</p> <p>Site Address: Lochaber Smelter, Fort William PH33 6TH.</p> <p>Matters raised by Members included the impact of traffic on the junction with the A82 and that, in their view, Transport Scotland hadn’t adequately dealt with that on the last application and the importance of including wider transport routes, including paths, to and from the site. In addition, for any processing agreement to provide sufficient time to fully consider the impact of the application. Early discussions should be held with the applicant to ensure widest benefit, including possible public art contributions</p>	
	NOTED the application and AGREED Members’ comments would be provided to the applicant.	SM

5.2	<p>Description: Proposed energy storage facility to accommodate up to 50 battery storage units housed within containers along with ancillary structures (20/04849/PAN) (PLS/003/21)</p> <p>Ward: 12</p> <p>Applicant: Whirlwind Developments LLP</p> <p>Site Address: Land 410m SW of Platchaig House, Kilmorack, Beauly.</p> <p>Members sought assurance there would be no stacking of storage units, that the landscaping be substantial, that soil bunding be considered, and that attention was given to the impact of larger vehicles using the surrounding single track roads.</p>	
	<p>NOTED the application and AGREED Members' comments would be provided to the applicant.</p>	SH
6	<p>Planning Applications to be Determined</p> <p>Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Mr T Manda; Fairfield Care Home (Inverness) Ltd (20/02575/FUL) (PLS/004/21)</p> <p>Location: Fairfield Nursing Home, 68-70 Fairfield Road, Inverness. (Ward 14)</p> <p>Nature of Development: Change of use of vacant care home to a house.</p> <p>Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	KG
6.2	<p>Applicant: Mrs Deborah Carmichael (20/03718/FUL) (PLS/005/21)</p> <p>Location: Land 70M SW Of Fordon, Badabrie, Corpach, Fort William. (Ward 11)</p> <p>Nature of Development: Erection of house.</p> <p>Recommendation: Grant.</p> <p>A late public representation for this item had been circulated to the Committee on 2 February 2021.</p> <p>Concern having been raised during debate about issues relating to the use of unadopted roads in small housing groups, Members suggested this area of policy would benefit from further consideration.</p>	
	<p>Agreed: unanimously to GRANT planning permission subject to the conditions recommended in the report.</p>	LP
6.3	<p>Applicant: Mr Kenneth MacFadyen (20/02836/PIP) (PLS/006/21)</p> <p>Location: Land 50M NE of Romalin, Spean Bridge. (Ward 11)</p> <p>Nature of Development: Erection of house.</p> <p>Recommendation: Grant.</p>	
	<p>There had been a printing error in section 3.1 of the report, Property History. The over-written text should have read: "20/04076/FUL – Erection of house at land 65m south of Clevehurst (the neighbouring site to the west of the application site) – Pending Consideration."</p>	
	<p>Agreed: unanimously to GRANT planning permission subject to the conditions recommended in the report.</p>	CM

6.4	<p>Applicant: Gary Mackenzie (20/00500/FUL) (PLS/007/21) Location: Land 350M North of Mayfield, Beaulieu. (Ward 12) Nature of Development: Change of use from agricultural shed to Class 4 Business. Recommendation: Refuse.</p> <p>There had been an error on the agenda which had stated the applicant was Logic Alarms.</p> <p>Motion: Mr J Gray, seconded by Mr B Lobban, to refuse planning permission for the reasons set out in the report.</p> <p>Amendment: Mrs M Davidson, seconded by Mr N McLean, to approve the application on the following grounds:</p> <ul style="list-style-type: none"> • The proposal will retain a local business providing local employment and the use of an existing building is acceptable given the absence of any suitable alternative sites on allocated land as acknowledged by the Development Plans Team, and so complies with policy 41 of the Highland-wide Local Development Plan: The proposal will not alter an accepted landscape effect; • Access to the site has been agreed with transport planning; also: • 2 strengthened conditions are to be agreed with the planners; • An increase in landscape planting, to be agreed in consultation with local members; and • All necessary information to be supplied for a drainage impact assessment and agreed plan delivered. <p>For the motion: Balfour, Gray, Lobban</p> <p>For the amendment: Baxter, Boyd, Bruce, Caddick, Davidson, Fraser, Heggie, MacWilliam, McLean, Thompson.</p>	
	<p>Agreed: to GRANT planning permission and delegate authority to officials to draw up appropriate conditions in consultation with local Members.</p>	KG
6.5	<p>Applicant: Ms Christy Marshall (20/02342/PIP) (PLS/008/21) Location: Ladystone Farm, Bunchrew, Inverness. (Ward 12) Nature of Development: Conversion of steading to form short term let holiday accommodation (10 units) and associated facilities. Recommendation: Grant.</p> <p>An updated Transport Planning Response had been circulated to the Committee on 2 February 2021.</p>	
	<p>Agreed: to DEFER the application for:</p> <ul style="list-style-type: none"> • improved visuals, particularly of the condition of the road to be used to access the development; and • updated information from Transport Planning to be published online. 	RD
6.6	<p>Applicant: Mr M. MacLeod (20/02155/FUL) (PLS/009/21) Location: Riverbank, 22 Island Bank Road, Inverness IV2 4QS. (Ward 15) Nature of Development: Alterations to house and formation of additional vehicular access.</p>	

	<p>Recommendation: Refuse.</p> <p>A late supporting statement had been circulated to the Committee on 29 January 2021.</p>	
	<p>Agreed: unanimously to REFUSE planning permission for the reasons detailed in the report.</p>	NB
6.7	<p>Applicant: Mr Campbell Sinclair (20/03895/FUL) (PLS/010/21) Location: St Clair's House, Croy, Inverness, IV2 5PW. (Ward 17) Nature of Development: Conversion of detached annexe to house. Recommendation: Grant.</p>	
	<p>Agreed: unanimously to GRANT planning permission subject to the conditions recommended in the report.</p>	BR
6.8	<p>Applicant: Scotlog Sales Limited (20/04062/PIP) (PLS/011/21) Location: 12 Lotland Street, Inverness, IV1 1PA. (Ward 16) Nature of Development: Change of use to climbing gym with associated facilities. Recommendation: Refuse.</p> <p>Motion: Mr J Gray, seconded by Mr B Lobban, to refuse planning permission as recommended in the report.</p> <p>First Amendment: Mrs C Caddick, seconded by Mr A Jarvie, to approve the application because the proposal would meet a demand for all year round and all-weather indoor climbing facility to Inverness, making the sport more easily accessible to the urban population base within both the city and wider Inner Moray Firth. In addition, it would also provide a further attraction for visitors to the Highlands. It reuses and underutilised building well located and easily accessible to the city centre and would therefore comply with Policy 28 of the Highland wide Local Development Plan. While located adjacent to a major hazard site, the applicant has provided information to indicate all reasonable steps can be taken to mitigate risks to users and therefore the proposal is not incompatible with Policy 30 of the Highland wide Local Development Plan.</p> <p>Second Amendment: Mr MacWilliam, seconded by Mr N McLean, that the application is deferred to allow both applicant and HSE to provide further information relating risk.</p> <p>For the first amendment: Balfour, Baxter, Bruce, Caddick, Fraser, Jarvie For the second amendment: Davidson, Gray, Heggie, MacWilliam, McLean Abstentions: Lobban, Thompson</p> <p>The first amendment was carried by 6 votes to 5 and was then voted against the motion as follows:</p> <p>For the motion: Balfour, Bruce, Davidson, Gray, Heggie, Lobban, Thompson For the first amendment: Baxter, Caddick, Fraser, Jarvie, MacWilliam Abstentions: McLean</p> <p>The motion was carried by 7 votes to 5.</p>	
	<p>Agreed: to REFUSE planning permission for the reasons detailed in the in the report.</p>	BR

6.9	<p>Applicant: Mr A Hornby (20/02318/FUL) (PLS/012/21) Location: Land 330M NE of Purple Lodge, Gorthleck. (Ward 12) Nature of Development: Erection of house and micro distillery with storage shed. Recommendation: Grant.</p> <p>Motion: Mr J Gray, seconded by Mr R MacWilliam, to grant the application as recommended in the report.</p> <p>Amendment: Mrs M Davidson, to refuse the application as (1) The proposal is against Policy 3 of the IMFLDP, and Policy 36 of the IMFLDP as the development is not in character of this part of the wider Gorthleck settlement that has no development between the Loch and The B862 (2) the development brings unacceptable disturbance to the biodiversity of established woodland and surrounding grassland, and (3), the position of the store building and warehouse are visible from the B862 and therefore contrary to local building patterns</p> <p>Mrs Davidson's amendment failed to find a seconder and fell.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	BR
6.10	<p>Applicant: Mr & Mrs M Hornby (20/04611/FUL) (PLS/013/21) Location: Land 120M SW Of Culchunaig Farmhouse, Westhill, Inverness. (Ward 19) Nature of Development: Change of use and conversion of steading to form house. Recommendation: Grant.</p> <p>Motion: Mrs C Caddick, seconded by Mr J Gray, to approve the application as recommended in the report.</p> <p>Amendment: Mr R MacWilliam, seconded by Mr A Jarvie, to refuse the application on the grounds that the proposed development was contrary to the following:</p> <ul style="list-style-type: none"> • Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in that the application does not preserve or enhance the character or appearance of the conservation area as it relates to the battlefield. • Policy 28 and 29 of the Highland-wide development plan (Sustainable Design) as the development would have an adverse impact on the character of the battlefield inventory and conservation area, as it would neither preserve or enhance the appearance or character. • Policy 57 of the Highland-wide development plan (Natural, Built and Cultural Heritage) as the application represents unacceptable impact on the natural environment, amenity and heritage resource of a site of both local/ regional and national importance. • Scottish Government planning policy (2014) no. 149 as the application fails to protect, conserve or enhance key landscape characteristics and 	

	<p>special qualities of a site in the Inventory of Historic Battlefields.</p> <ul style="list-style-type: none"> • Policy 1 of the planning policies of the Culloden Muir Conservation Area as the application does not overcome the presumption against all development within the designated battlefield and would not “result in a development commensurate with the principal designation of the site as a Battlefield.” • Policy 8 of the Culloden Muir Conservation Area as it fails to overcome the presumption against any development which is likely to have adverse impact on the setting of important historic environment assets. <p>For the motion: Bruce, Caddick, Fraser, Gray For the Amendment: Balfour, Baxter, Jarvie, Lobban, MacWilliam, McLean</p>	
	Agreed: to REFUSE planning permission for the reasons provided by Mr MacWilliam.	BR
6.11	<p>Applicant: Paul Wood (20/03595/FUL) (PLS/014/21) Location: Land 30M East of Mill of Garlyne, Nethy Bridge. (Ward 20) Nature of Development: Change of use and conversion of garage to form two holiday letting units. Recommendation: Grant.</p>	
	Agreed: unanimously to GRANT planning permission subject to the conditions recommended in the report.	LN
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: Springfield Properties PLC (19/02761/FUL) (PPA-270-2222) Location: Land at Drum Farm, South of Fire Station, Drumnadrochit, IV63 6TG (Ward 12) Nature of Development: Erection of 93 (including 24 affordable) homes including associated infrastructure</p>	
	NOTED the Notice of Intention from the Reporter appointed by the Scottish Ministers to be minded to allow the appeal and grant planning permission subject to the conditions detailed, following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, or some suitable alternative arrangement, covering the matters listed in paragraph 64.	SH
7.2	<p>Applicant: Springfield Properties PLC (19/02762/FUL) (PPA-270-2223) Location: Land at Drum Farm, South of Fire Station, Drumnadrochit, IV63 6TG Nature of Development: Formation of Mixed Use Village Core of Nursery, Office Space and Retail (food and non-food).</p>	
	NOTED the Notice of Intention from the Reporter appointed by the Scottish Ministers to be minded to allow the appeal and grant planning permission subject to the conditions listed in the report, following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, or some suitable alternative arrangement, covering the matters listed in paragraph 48.	SH

7.3	<p>Applicant: Albyn Housing Society Ltd (20/00493/FUL) (PPA-270-2230)</p> <p>Location: Land 50 metres north of The Hermitage, St Olaf Manor, Cawdor Road, Nairn, IV12 5EE (Ward 18)</p> <p>Nature of Development: erect new development of 10. no amenity 'FIT' homes comprising 6 bungalows and 4 private entry flats in communal garden area with 5 metre acoustic barrier and associated parking and services.</p>	
	<p>NOTED the Notice of Intention from the Reporter appointed by the Scottish Ministers to be minded to allow the appeal and grant planning permission subject to the conditions listed in the report, following the completion of a further bat survey carried out by an appropriately qualified professional in line with the recommendations of the original survey (ALB017) and to at least the same standard as ALB015, and the receipt of comments on its findings from the planning authority and NatureScot, as discussed in paragraph 14, and subject also to the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, or some suitable alternative arrangement, covering the matters listed in paragraph 5.</p>	SH
7.4	<p>Applicant: Wren Kitchens Ltd (20/00880/ADV) (ADA-270-2000)</p> <p>Location: 7 Eastfield Way, Inverness, IV2 7GD (Ward 16)</p> <p>Nature of Development: Erection of a sign</p>	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant advertisement consent, subject to the standard conditions for the display of advertisements that are specified in Part 1 of Schedule 1 to The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and to the additional conditions set out at the end of the notice.</p>	SH
	<p>The meeting ended at 5pm.</p>	