

**THE HIGHLAND COUNCIL**  
**SOUTH PLANNING APPLICATIONS**  
**COMMITTEE**

**15 JUNE 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	Mr J Gray ( <b>in the Chair</b> )
Mr A Baxter (items 7.1 – 7.5 only)	Mr T Heggie (item 7.2 onwards)
Mr B Boyd (except items 7.3 – 7.6)	Mr A Jarvie (item 7.2 onwards)
Mr J Bruce	Mr B Lobban
Mrs C Caddick (Item 7.1 onwards)	Mr R MacWilliam
Mrs M Davidson	Mr B Thompson (except items 7.6 – 7.8)
Mr L Fraser (except 7.8)	

**Non-Committee Members Present:**

Mrs H Carmichael, Mr K Gowans, Ms L MacDonald, Mr D Macpherson, Mrs T Robertson

**Officers participating:**

Mr D Mudie, Area Planning Manager – South (DM)  
Mr J Kelly, Principal Planner (JK)  
Mr B Robertson, Team Leader (BR)  
Ms L Prins, Principal Planner (LP)  
Mr K Gibson, Principal Planner (KG)  
Ms C MacLeod, Planner (CMcL)  
Mr M Clough, Senior Engineer, Transport Planning  
Mr I Meredith, Solicitor  
Ms F MacBain, Committee Administrator

**In Attendance:**

Mr S Reston, Health and Safety Executive (Item 7.1)

ITEM	DECISION	ACTION
1	<b>Apologies for Absence Leisgeulan</b>	

	Mr N McLean.	
		n/a
2	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>  There were none.	
		n/a
3	<b>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</b>	
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 27 April 2021 which was <b>APPROVED</b> .	n/a
4	<b>Major Development Update Iartasan Mòra</b>	
	There had been circulated Report No PLS/039/21 by the Area Planning Manager - South, which provided a summary of all cases within the "Major" development category currently with the Planning and Development Service for determination.  Issues raised included the following: <ul style="list-style-type: none"> <li>• in relation to a request at the previous meeting for an annex to this report on major applications which had been determined but were still in progress, this was in hand and would be available for the next meeting;</li> <li>• the cumulative impact of several large developments, for example wind farm construction, on local infrastructure must be taken into account and discussed with applicants when appropriate. Issues could possibly be flagged up on the planned annex document for developments in progress;</li> <li>• assurance was sought and provided that the cumulative impact on infrastructure of developments to the east of Inverness was being considered by officers, including with the Education Service in relation to school provision; and</li> <li>• the conditions for the Red John development should be circulated to all Committee Members.</li> </ul> The Committee <b>NOTED</b> the current position with the applications and <b>AGREED</b> the actions raised during discussion.	SH
5	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
5.1	<b>Description:</b> Residential development and associated infrastructure (21/02132/PAN) (PLS/040/21) <b>Ward:</b> 17 <b>Applicant:</b> Springfield Properties PLC & MacDonald Hotel & Resorts <b>Site Address:</b> Land 160M North of Glenericht, Stratton Lodge, Culloden, Inverness.	
	<b>NOTED</b> the application.	
5.2	<b>Description:</b> Energy storage facility consisting of a compound containing up to 50 energy storage containers, electrical control building, transformers,	

	<p>switchgear and ancillary infrastructure (21/02329/PAN) (PLS/041/21)  <b>Ward:</b> 20  <b>Applicant:</b> Whirlwind Energy Storage Limited  <b>Site Address:</b> Land 380m West of East Croftmore, Boat of Garten.</p> <p>Members expressed concern in relation to noise, screening and access, with particular reference to access not being via East Croftmore. It was noted the application was likely to be dealt with by the Cairngorm National Park Authority.</p>	
	<b>NOTED</b> the application and <b>AGREED</b> Members' comments would be provided to the applicant.	<b>DM</b>
6	<b>Continued Item - Cuspairean a' Leantainn</b>	
6.1	<p><b>Applicant:</b> Mr &amp; Mrs A and V Groom (20/04751/PIP) (PLS/042/21)  <b>Location:</b> Smithy Croft, Station Road, Carr-Bridge (Ward 20).  <b>Nature of Development:</b> Provision of house plot.  <b>Recommendation:</b> Grant.</p> <p><b>Motion:</b> Mr J Gray, to approve the application as recommended in the report.</p> <p><b>Amendment:</b> Mr B Lobban, seconded by Mr B Thompson, to refuse the application on the grounds that:</p> <ul style="list-style-type: none"> <li>i. it was contrary to the Cairngorms National Park Local Development Plan 2021 policy 3.3(i) as it failed to protect the amenity enjoyed by the new construction given the tourist accommodation use of the neighbouring property which shares an access; and</li> <li>ii. it was contrary to policy 3.3(j) of the Cairngorms National Park Local Development Plan 2021 due to failure to provide sufficient off-street parking given the existing use of the site and the shared access.</li> </ul> <p>As Mr Gray's motion failed to find a seconder, the amendment was passed.</p>	
	<b>Agreed:</b> to <b>REFUSE</b> the application for the reasons provided by Mr Lobban.	<b>JK</b>
7	<b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b>	
7.1	<p><b>Applicant:</b> Scotlog Sales Limited (21/01364/PIP) (PLS/043/21)  <b>Location:</b> 12 Lotland Street, Inverness, IV1 1PA. (Ward 16)  <b>Nature of Development:</b> Change of use to climbing gym with associated facilities.  <b>Recommendation:</b> Refuse.</p> <p>Following debate, and having received clarification from Mr Reston, Health and Safety Executive, Members voiced support for the project in principle but felt that, with regret, it could not be supported in the proposed location for the reasons outlined in the report and during the meeting.</p>	
	<b>Agreed:</b> to <b>REFUSE</b> planning permission for the reasons provided in the report.	<b>BR</b>
7.2	<p><b>Applicant:</b> GF Job Ltd (20/04784/S42) (PLS/044/21)  <b>Location:</b> Alvie Moor Quarry, Dalraddy Estate, Alvie, Kincaig. (Ward 20)</p>	

	<p><b>Nature of Development:</b> Application under Section 42 of the Act in relation to non-compliance with conditions 1 and 4 of planning permission 11/04428/FUL to extend the period of time of extraction.</p> <p><b>Recommendation: Grant.</b></p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report and to securing a restoration and aftercare bond for the site.</p>	<b>JK</b>
7.3	<p><b>Applicant:</b> Mrs Nina Murray-Kiestra (20/04105/FUL) (PLS/045/21)  <b>Location:</b> Awelfryn, Viewhill, Inverness IV2 5EA. (Ward 19)  <b>Nature of Development:</b> Change of use of land and erection of agricultural building.  <b>Recommendation: Grant.</b></p>	
	<p><b>Agreed: To notify Scottish Ministers of the Council's intention to GRANT</b> planning permission subject to the conditions recommended in the report and the following additional condition:</p> <p>Within six weeks following the erection of the agricultural building the existing rear garden boundary fence shall be repositioned and set back approximately 9 metres in a northwest direction, in order to clearly delineate the reduced rear curtilage boundary. (Reason: To ensure that there is a clear demarcation between the reduced garden boundary and the adjoining agricultural land and to ensure that the agricultural building is located wholly on agricultural land and outwith the curtilage of the existing dwellinghouse.)</p>	<b>JK</b>
7.4	<p><b>Applicant:</b> Kingussie Community Development Company (21/00994/FUL) (PLS/046/21)  <b>Location:</b> Gynack Gardens, Gynack Street, Kingussie. (Ward 20)  <b>Nature of Development:</b> Installation of public art work.  <b>Recommendation: Grant.</b></p> <p><b>Motion:</b> Mr B Lobban, seconded by Mr A Jarvie, to refuse the application for the following reasons:</p> <ol style="list-style-type: none"> <li>i. the proposed development would result in the loss of community open space and would therefore have an adverse impact on the use of the site as open space or recreation facility and is therefore contrary to Section 8.3 of Policy 8 of the CNPA LDP 2021 (page 62) and as detailed under Non-statutory Guidance Open Space, Sport and Recreation (page 3); and</li> <li>ii. that it fails to conserve and enhance the cultural and historic significance of the existing Kingussie Memorial Gardens by way of its imposing visual impact and is therefore contrary to Section 9.4(a) of Policy 9 of the CNPA LDP 2021 (Page 67)</li> </ol> <p>As there was no amendment, the motion was carried.</p>	
	<p><b>Agreed:</b> to <b>REFUSE</b> for the reasons provided by Mr Lobban.</p>	<b>BR</b>
7.5	<p><b>Applicant:</b> The Green Hut (21/01323/FUL) (PLS/047/21)  <b>Location:</b> Braveheart Car Park, Glen Nevis, Fort William. (Ward 21)  <b>Nature of Development:</b> Siting of catering trailer.  <b>Recommendation: Grant.</b></p>	

	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>LP</b>
7.6	<p><b>Applicant:</b> Mr Gary Reid (20/03123/PIP) (PLS/048/21)  <b>Location:</b> Land 50m SE of Lismore, Belivat, Nairn. (Ward 18)  <b>Nature of Development:</b> Erection of house.  <b>Recommendation: Grant.</b></p> <p>During discussion, it was suggested that a robust condition in relation to forestry issues was required.</p> <p><b>Motion:</b> Mr L Fraser, seconded by Mr T Heggie, to approve the application as recommended.</p> <p><b>Amendment:</b> Mr A Jarvie, seconded by Mr J Bruce, to refuse the application on the basis that the proposed development does not demonstrate sympathy with existing patterns of development in the area, due to the significantly more set back nature of the proposed development in comparison to the other properties on the same track and is therefore contrary to Policy 36 of the HWLDP. Furthermore, it does not comply with Control of Trees, Woodland and Development Removal Supplementary Guidance nor Policy 52 of HWPLDP due to the scale additional of woodland removal.</p> <p><b>For the motion:</b> Balfour, Boyd, Caddick, Davidson, Fraser, Gray, Heggie, Lobban  <b>For the amendment:</b> Bruce, Jarvie  <b>Abstentions:</b> MacWilliam</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>CMcL</b>
7.7	<p><b>Applicant:</b> The Highland Council (21/01350/FUL) (PLS/049/21)  <b>Location:</b> Milton Of Leys Primary School, Leys Square, Inverness, IV2 6HF. (Ward 19)  <b>Nature of Development:</b> Erection of nursery and associated parking and play areas.  <b>Recommendation: Grant.</b></p> <p>Issues raised included:</p> <ul style="list-style-type: none"> <li>• in response to comments that Condition 2 did not provide adequate cycling parking provision, it was explained that this had been based on advance from Transport Planning and met minimum requirements. A joint Travel Plan would be worked on for the school and nursery in future. Mr Jarvie requested the cycling provision be increased from 10 to 20;</li> <li>• there could be scope within Condition 7 to seek the provision of a 'marked up' area of land for cycling and road safety education. It was explained the land from stopped up road would be transferred to the control of the Education Service to decide on use;</li> <li>• more up to date maps should be used in future;</li> <li>• a bus shelter on the distributor road would be beneficial due to the exposed nature of the site and this could be discussed with the Public Transport team;</li> <li>• information was sought on the types of commercial activity that might not be permissible on the site adjacent to the school, and this would be dealt with at pre-application stage for any requests for that site. It was likely that</li> </ul>	

	<p>the commercial site would be a key link path to access the school and this should be addressed with the applicant;</p> <ul style="list-style-type: none"> <li>• drainage in the area was a significant issue and a SUDS condition addressing this was required; and</li> <li>• there were concerns about parents dropping off children in laybys and bus stops and the plans to deal with this were summarised.</li> </ul>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report and the following additional conditions:</p> <p>Extra conditions on SUDS: No development shall commence until full details of all surface water drainage provision within the application site (which shall accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.</p> <p>Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.</p> <p>AND in condition 7, extra part (vi): Surfacing and delineation of road markings for pedestrian and active travel road safety instruction for children on the new pedestrian/active travel access route from Inshes Road to the nursery and school, or other suitable hard surface area within the nursery and school campus. For the avoidance of doubt the details shall be agreed in consultation with the school and nursery.</p> <p>It was also <b>AGREED</b> discussions take place with the applicant in relation to safe access to the school via the adjacent commercial site.</p>	<b>BR</b>
7.8	<p><b>Applicant:</b> Mr Brian Smith (2000055PIP) (PLS/050/21) <b>Location:</b> Land NW of 11 - 12 Mansefield Park, Kirkhil. (Ward 12) <b>Nature of Development:</b> Formation of 4 housing plots. <b>Recommendation: Grant.</b></p> <p>During debate, assurance was provided that affordable housing options would be discussed with the Housing service and the applicant.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report and for the condition relating to forestry to be finalised in consultation with local Members.</p>	<b>KG</b>
	<p><b>The meeting ended at 2pm.</b></p>	