

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

28 January 2020

MINUTES & ACTION NOTE

Listed below are the decisions taken by Committee at their 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 A Baxter, Ms C Caddick, Mrs M Davidson (excluding item 1 – 6.3), Mr L Fraser (excluding items 7.1 - 8.3), Mr J Gray, Mr B Lobban, Ms E Roddick, Mr B Thompson

Non-Committee Members Present:

Mrs I Mackenzie (Item 6.1 and 6.2)
Mrs T Robertson (Item 7.3)

Substitutes:

Mr D Macpherson

Officers Present:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mrs S Macmillan, Team Leader (SM)
Mr J Kelly, Principal Planner (JK)
Mrs C Farmer, Planner (CF)
Ms L Stewart, Planner (LS)
Mr P Wheelan, Planner (PW)
Ms L Neil, Graduate Planner
Mr M Clough, Senior Engineer, Transport Planning
Ms C McArthur, Principal Solicitor, Regulatory Services
Mrs A MacArthur, Administrative Assistant

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

1	Apologies for Absence Leisgeulan	
	Apologies for absence were received from Mr G Cruickshank, Mr T Heggie Ms P Hadley, Mr A Jarvie, Mr N McLean and Mr R MacWilliam.	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 minutes of the meeting of the Committee held on 4 December 2019 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/001/20 by the Area Planning Manager - providing an update on progress of all cases within the "Major" development category currently with the Planning and Development 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: Proposed conversion of a former and listed department store to mixed use, including 57 residential units, involving alteration, partial demolition and extension of the existing property (19/05188/PAN) (PLS/002/20) Ward: 14 Applicant: Forthpoint Ltd Site Address: 7-17 Union Street, Inverness	
	Agreed: to note the submission.	JK
6	Planning Applications to be Determined – Continued Items Cuspairean a' Leantainn	
6.1	Applicant: Mr R Matheson (19/00990/PIP) (PLS/003/20) (PLS/096/19) Location: Drakies House, Culcabock Avenue, Inverness. (Ward 16) Nature of Development: Development of 24 residential units comprising	

	<p>six detached villas, four town houses, six semi-detached houses and eight flats</p> <p>Recommendation: Grant</p>	
	<p>Only the following members were permitted to participate in this deferred item after attending the site visit: Ms C Caddick, Mr L Fraser, Mr J Gray, Mr B Lobban, Mr D Macpherson, Ms E Roddick</p> <p>Motion: by Mr J Gray seconded by Ms C Caddick to REFUSE planning permission in principle for the following reasons:</p> <p>The proposed development is incompatible with IN55 of the Inner Moray Firth Local Development Plan as it would lead to an intensification of the access from Old Perth Road.</p> <p>The proposed development is also contrary to Policy 28 of the Highland wide Local Development Plan as it would be incompatible with public service provision, in particular the road network.</p> <p>Amendment: No amendment was put forward</p> <p>Members unanimously agreed with Mr J Gray's motion</p> <p>Agreed: to REFUSE planning permission in principle as the proposed development is incompatible with IN55 of the Inner Moray Firth Local Development Plan as it would lead to an intensification of the access from Old Perth Road. The proposed development is also contrary to Policy 28 of the Highland wide Local Development Plan as it would be incompatible with public service provision, in particular the road network.</p>	SH
6.2	<p>Applicant: Mr R Matheson (19/00982/FUL) (PLS/004/20) (PLS/097/19)</p> <p>Location: Land 35 m East of 38 Old Perth Road, Inverness. (Ward 16)</p> <p>Nature of Development: Formation of access road to serve residential development comprising 24 dwellings.</p> <p>Recommendation: Grant</p>	
	<p>Only the following members were permitted to participate in this deferred item after attending the site visit: Ms C Caddick, Mr L Fraser, Mr J Gray, Mr B Lobban, Mr D Macpherson, Ms E Roddick</p> <p>Motion: by Mr J Gray seconded by Ms C Caddick to REFUSE planning permission for the following reasons:</p> <p>The proposed development is incompatible with IN55 of the Inner Moray Firth Local Development Plan as it would lead to an intensification of the access from Old Perth Road.</p> <p>The proposed development is also contrary to Policy 28 of the Highland wide Local Development Plan as it would be incompatible with public service provision, in particular the road network.</p> <p>Amendment: No amendment was put forward</p> <p>Members unanimously agreed with Mr J Gray's motion</p> <p>Agreed: to REFUSE planning permission as the proposed development is incompatible with IN55 of the Inner Moray Firth Local Development Plan as</p>	SH

	it would lead to an intensification of the access from Old Perth Road. The proposed development is also contrary to Policy 28 of the Highland wide Local Development Plan as it would be incompatible with public service provision, in particular the road network.	
6.3	<p>Applicant: Mrs D MacGregor (19/03731/FUL) (PLS/005/20) (PLS/092/19)</p> <p>Location: Land 60 m NW of Achnasol House, Achnabobane, Spean Bridge. (Ward 11)</p> <p>Nature of Development: Erection of house (retrospective amendment to planning permission 17/05834/FUL)</p> <p>Recommendation: Grant</p>	
	<p>Only the following members were permitted to participate in this continued item: Mr A Baxter, Ms C Caddick, Mr L Fraser, Mr J Gray, Mr B Lobban and Mr B Thompson</p> <p>Mr A Baxter and Mr B Thompson confirmed that they were now content with the proposed changes.</p> <p>Members unanimously agreed to grant planning permission.</p> <p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	SM
7	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
7.1	<p>Applicant: Mr W MacIntyre (19/03305/FUL) (PLS/006/20)</p> <p>Location: Brackletter Lodge, Spean Bridge, PH34 4EX. (Ward 11)</p> <p>Nature of Development: Siting of four holiday letting pods.</p> <p>Recommendation: Grant</p>	
	<p>Mr L Fraser queried whether the Council had any policies on holiday letting pods. It was confirmed that there was no specific policy on holiday letting pods. Mr B Thompson stated that he agreed with the recommendation and Mr B Lobban commented that the pods would likely only be visible to the users and they would blend into the landscape.</p> <p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	LP
7.2	<p>Applicant: The Highland Council (19/04213/PIP) (PLS/007/20)</p> <p>Location: Land 370 m SE of Balloch Farm, Cherry Park, Balloch, Inverness. (Ward 17)</p> <p>Nature of Development: Erection of 298 dwellings and associated works.</p> <p>Recommendation: Grant</p>	
	<p>Members praised the indicative layout of the proposed development.</p> <p>Mr R Balfour requested that the further correspondence received from Balloch Community Council (read out by the case officer) be considered as part of the recommendation. The case officer confirmed that the majority of the points could be addressed by the conditions recommended in the report with the exception of the request that there is no further development after Phase 1 until a medical facility is delivered. This was on the basis of reasonableness as there is no funding at present for the delivery of the</p>	SH

	<p>health centre. It was confirmed that the Council has, however, secured a site for new healthcare provision at Stratton Farm.</p> <p>Motion: by Mr R Balfour seconded by Mr B Lobban to GRANT planning permission in principle subject to (1) the prior conclusion of a section 75 legal agreement securing the contributions set out at 8.63 of the report and (2) the conditions recommended in the report.</p> <p>Amendment: No amendment was put forward</p> <p>Members unanimously agreed with Mr R Balfour's motion.</p> <p>Agreed: to GRANT planning permission in principle subject to (1) the prior conclusion of a section 75 legal agreement securing the contributions set out at 8.63 of the report and (2) the conditions recommended in the report.</p>	
7.3	<p>Applicant: Rural Projects and Developments Ltd (19/00415/MSC) (PLS/008/20)</p> <p>Location: Carn Glas, Lewiston, Drumnadrochit. (Ward 12)</p> <p>Nature of Development: Submission of matters specified in conditions 1, 3, 4, 15, 17, 20, 22, 23, 24, 25, 27, 28, 29, 33, 37, 38 and 39 of planning permission 13/03694/PIP – erection of 13 detached houses, 12 semi-detached houses, 8 terraced houses, 8 flats, 2 mid terrace houses and associated infrastructure works and landscaping.</p> <p>Recommendation: Approve</p>	
	<p>Mrs M Davidson questioned whether the amenity area could be moved to allow an extension to the burial grounds from the neighbouring cemetery. The case officer confirmed that this was not possible on the basis it was not a use identified in the original planning permission in principle.</p> <p>Members unanimously agreed to approve the matters specified in conditions.</p> <p>Agreed: to APPROVE matters specified in conditions as set out in section 11 of the report.</p>	SH
7.4	<p>Applicant: RPD L (19/04117/S42) (PLS/009/20)</p> <p>Location: Land 145m North of Smiddy Bar, Lewiston, Drumnadrochit. (Ward 12)</p> <p>Nature of Development: Section 42 application for non-compliance with condition 1 of planning permission 17/05848/MSC – erection of 24 houses and associated infrastructure.</p> <p>Recommendation: Grant</p>	
	<p>Mrs M Davidson requested that the developer is reminded to use the Community Liaison Group to discuss the details of the application.</p> <p>Members unanimously agreed to grant the section 42 application.</p> <p>Agreed: to GRANT the section 42 application for non-compliance with condition 1 of planning permission 17/05848/MSC.</p>	SH

7.5	<p>Applicant: Scottish Hydro Electric Transmission PLC (19/05091/S37) (PLS/010/20)</p> <p>Location: Land 2290 m North West of Keepers House, Dalarossie, Tomatin. (Ward 19)</p> <p>Nature of Development: Install and keep installed a new 1,500 m 132 kV overhead line (OHL) of approximately 1,500 m in length to connect the consented Glen Kyllachy Wind Farm to the national grid.</p> <p>Recommendation: Raise no objection</p>	
	<p>Members unanimously agreed to raise no objection.</p> <p>Agreed: to RAISE NO OBJECTION to the application made under section 37 of the Electricity Act 1989 subject to the conditions recommended in the report.</p>	SH
7.6	<p>Applicant: Breedon Northern Limited (19/003995/S42) (PLS/011/20) (IN/1997/613)</p> <p>Location: Daviot Quarry, Daviot, Inverness, IV2 5XL (Ward 19)</p> <p>Nature of Development: Application under section 42 of the Act for non-compliance with condition 1 of planning permission IN/1997/613 to extend the period of time of extraction.</p> <p>Recommendation: Grant</p>	
	<p>Mr B Lobban queried whether the bond or financial provision would be for a fixed amount or whether it would be index linked. The case officer confirmed it would be updated over time to ensure the amount was sufficient. Ms C Caddick confirmed the Strathnairn Community Council was currently in abeyance.</p> <p>Members unanimously agreed to grant the section 42 application.</p> <p>Agreed: to GRANT the section 42 application for non-compliance with condition 1 of planning permission IN/1997/613 to extend the period of time of extraction subject to (1) a legal agreement securing a bond or financial provision to cover all of the decommissioning and site restoration measures of the site as set out at 8.10 of the report, (2) a section 96 wear and tear agreement covering use of the local road network from the quarry to the A9 junction and (3) the conditions recommended in the report.</p>	PW
7.7	<p>Applicant: Mr and Mrs A Stevens (19/01943/FUL) (PLS/012/20)</p> <p>Location: Broadstone Lodge, 1 Broadstone Park, Inverness. (Ward 16)</p> <p>Nature of Development: Erection of 2 storey side extension to house.</p> <p>Recommendation: Grant</p>	
	<p>Noted: the application had been withdrawn at the applicant's request.</p>	JK
7.8	<p>Applicant: Mr Garry Reid (19/01278/PIP) (PLS/013/20)</p> <p>Location: Land 50 m SE of Lisore, Bellivat, Nairn. (Ward 18)</p> <p>Nature of Development: Erection of house, garage and temporary siting of caravan.</p> <p>Recommendation: Grant</p>	

	<p>The case officer clarified that there was an outstanding legal matter in relation to the access to the site but this was a separate civil matter for the applicant to resolve and was not a material planning consideration.</p> <p>Members unanimously agreed to grant planning permission in principle.</p> <p>Agreed: to GRANT planning permission in principle subject to (1) an upfront payment of £1,532 developer contribution towards accommodation pressures in the catchment primary school and (2) the conditions recommended in the report.</p>	CMac
	The meeting concluded at 12:57 pm	