

**THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE**

14 DECEMBER 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 (in the Chair, except item 5.1)
Mr J Bruce	Mr T Heggie (except item 6.6 onwards)
Mrs C Caddick (in the Chair for item 5.1)	Mr A Jarvie
Mrs M Davidson (except item 6.8 onwards)	Mr B Lobban
Mr D Fraser	Mr N McLean (except item 5.1 and items 6.6 onwards)
Mr L Fraser (item 6.1 only)	Mr D Rixson (except item 5.1)

Non-Committee Members Present:

Mr D Macpherson, Mr K Gowans, Mrs H Carmichael, Mr A Henderson

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Mr S Hindson, Team Leader (SH)
Mr J Kelly, Principal Planner (JK)
Mr B Robertson, Team Leader (BR)
Mr K Gibson, Principal Planner (KG)
Ms L Neil, Planner (LN)
Ms A Harvey, Planner (AH)
Ms C Farmer-McEwan, Planner (CF-M)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Mr I Meredith, Iain Meredith, Acting Principal Solicitor
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr B Boyd, Mr R MacWilliam.	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	

	Item 5.1 – Mr J Gray (non-financial)	
		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 2 November 2021 which was APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	<p>There had been circulated Report No PLS/074/21 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>Since completion of the report, the following major applications had been submitted:</p> <ul style="list-style-type: none"> • Proposed hotel on Academy Street, Inverness; • Proposed Reinforcement and Extension to Beauly Substation, Beauly; and • Residential Development at Milton of Culloden, Inverness <p>Two further applications had been submitted which would require determination by Committee if officers recommended approval. These were for the final two phases of development at Westercraigs, Inverness.</p> <p>Two Proposal of Application Notices had been submitted since the agenda had been finalised:</p> <ul style="list-style-type: none"> • Residential Development at Inshes Farm, Inverness; and • Phased Redevelopment of Culloden Academy. <p>The Committee NOTED the current position with the applications.</p>	SH
5	Continued Item Cuspairean a' Leantainn	
5.1	<p>Applicant: The Highland Council (21/03844/FUL) (PLS/075/21) Location: Raigmore Hospital, Old Perth Road, Inverness, IV2 3UJ. (Ward 16) Nature of Development: Construction of Bus and Emergency Service Gate. Recommendation: Grant.</p> <p>Declaration of Interest: Mr J Gray declared a non-financial interest in this item, having previously stated his opinion on the application, and he vacated the Chair and left the meeting. Mrs C Caddick took the Chair for this item.</p> <p>A site visit had taken place for this item at 10.30am on 13 December 2021 and only Members present at the site visit were permitted to participate.</p> <p>Since the application was deferred on 2 November 2021 for a site visit, further late representations had been received as follows:</p> <ul style="list-style-type: none"> • 2 November - a third party local resident from Raigmore Estate had 	

	<p>objected citing loss of trees, impact on wildlife and the need to promote active travel;</p> <ul style="list-style-type: none"> • 7 December - a letter of support from Stagecoach, the details of which were read out; • 9 December – a letter of support from Hitrans and the Chair of the Bus Service Improvement Group, copies of which had been sent directly to Members; and • 13 December – communication of support from NHS Highland, but reiterating their position that they would not support any alternative proposal which would impact in any way on the operation of the helipad. <p>Various communications had been sent from the Residents Campaign Group directly to Members.</p> <p>The Committee was informed there had been a request for a Hearing for this application but, after being given a summary of the Hearing process, the Committee AGREED a Hearing was not required.</p> <p>Members sought and received clarification on various issues including the distances between buildings and the proposed road, the location, route and size of the road, information on other possible routes, the possible impacts of the proposal on the helipad, tree removal and replanting issues, impact on amenity of residents in the vicinity, and the application history and background.</p> <p>Following discussion, Mr A Jarvie, seconded by Mr B Lobban, moved that the application be refused on the grounds that the proposed route has an unacceptable impact on amenity of Woodside Terrace residents due to the close proximity to residential buildings, which cannot be mitigated, and was therefore contrary to policy 28 of the Highland Wide Local Development Plan.</p> <p>There was no amendment.</p>	
	Agreed: to REFUSE planning permission for the reason provided by Mr Jarvie.	JK
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Lady C Lovelace (20/03773/FUL) (PLS/076/21) Location: Ralia, 8 Aultnaskiach, Inverness IV2 4BB. (Ward 14) Nature of Development: Change of material from obscured glass to clear glass on balustrade to south elevation (Condition 1 of planning permission 18/02831/FUL). Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, with an amendment to Condition 1 (planting and screening) to specifically prohibit the use of leylandii, with wording delegated to the Area Planning Manager.	JK
6.2	<p>Applicant: Renewable Energy Systems Ltd (RES) (21/04243/S36) (PLS/077/21) Location: Land 2.8KM SE Of Little Lyne, Glenferness. (Ward 18) Nature of Development: Cairn Duhie Wind Farm- Application under Section 36C of the Electricity Act to vary conditions 1 (Duration of the Consent, from</p>	

	30 to 32 years) and 2 (Commencement of Development, from a period of 3 years to 6 years from consent). Recommendation: Raise no objection.	
	Agreed: to RAISE NO OBJECTION	AH
6.3	Applicant: The Highland Council (21/03000/FUL) (PLS/078/21) Location: Land 370M SE Of Balloch Farm, Cherry Park, Balloch, Inverness. (Ward 17) Nature of Development: Construction of upgraded junction to serve Culloden Academy and Housing Development. Recommendation: Grant.	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report, with the following amendments and additions:</p> <p>Condition 3 (amended)</p> <p>Within 12 months of the date of this decision notice full details of directional road signage for accessing the new school site has been submitted to, and approved in writing by, the Planning Authority.</p> <p>Thereafter, the approved signage shall be installed prior to first use of the junction to provide access to phase 1 of the re-development of Culloden Academy.</p> <p>Condition 4 (amended)</p> <p>Within 12 months of the date of this decision notice a report on the compatibility of the existing and proposed signalised crossings on Barn Church Road in the vicinity of Culloden Academy, that will include within it any mitigation measures required in relation to the existing lights controlled crossings to avoid impacts on the free flow and safety of the local road network, shall be submitted to, and approved in writing by, the Planning Authority.</p> <p>Thereafter, the mitigation measures identified shall be implemented prior to first use of the junction that is designed to provide access to Phase 1 of the Culloden Academy re-development and the operation of the toucan crossings hereby approved .</p> <p>Condition 5 (amended)</p> <p>Within 12 months of the date of this decision notice, the applicant shall undertake a review of the speed limits on the section of Barn Church Road between its junctions with Culloden Road and Blackwell Road and submit a report on the outputs and recommendations for speed reduction measures, including timescales for their introduction, for the approval, in writing, of the Planning Authority.</p> <p>Thereafter, the approved recommendations shall be implemented in accordance with the timescales approved by the Planning Authority which, for the avoidance of doubt, shall be no later than first use of the junction to the north west of Barn Church Road hereby approved for access to Culloden Academy for educational purposes.</p>	CF-M

	<p>Additional Condition</p> <p>The access on the west side of Barn Church Road hereby granted shall be used for the construction and operation of Culloden Academy only.</p> <p>Reason: In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in an adverse impact on the safety and free flow of the local road network and amenity of the area.</p>	
6.4	<p>Applicant: Tulloch Homes Ltd (21/04716/FUL) (PLS/079/21) Location: Land 110M SE of 1 Earls Gate, Inverness. (Ward 19) Nature of Development: Erection of 49 residential units and associated landscaping, roads and ancillary infrastructure. Recommendation: Grant.</p>	
	<p>Agreed:</p> <p>i. to GRANT planning permission subject to the conditions recommended in the report; ii. to discuss the development including active travel issues with local Members at a ward business meeting; and iii. to check with the developer when the final tarred road surface would be complete and report back to Mr A Jarvie.</p>	CF-M
6.5	<p>Applicant: Solarsanctuary Ltd (21/00915/FUL) (PLS/080/21) Location: Easter Bunloit, Bunloit, Drumnadrochit, Inverness. (Ward 12) Nature of Development: Conversion and alteration of farm buildings to form maintenance, visitor and educational facilities. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and the following additions / amendments:</p> <p>Amendment to Condition 2</p> <p>No development shall commence until a plan, and specification for, improvement works to the Bunloit Road, has been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, the improvement works shall include:</p> <ol style="list-style-type: none"> a. localised carriageway widening at 2 locations; OR b. the installation of 2No. passing places <p>The approved works shall be implemented in full by the developer prior to the commencement of any other part of the development hereby approved.</p> <p>Additional Condition</p> <p>No development shall commence until an Operational Management Plan for the development has been submitted to, and approved in writing by, the Planning Authority, in consultation with the Roads Authority. The OMP shall include the:</p> <ul style="list-style-type: none"> • Operational hours of the development hereby approved • Maximum numbers of staff at the site • Maximum numbers of vehicles at the site • Measures to limit the usage of vehicles, such as car share, or crewbus 	KG

	<p>use, from the site to Drumnadrochit along the Bunloit public road.</p> <p>The development shall thereafter be undertaken in accordance with the approved Operational Management Plan.</p>	
6.6	<p>Applicant: Mr M and Mrs K Cameron (21/03970/FUL) (PLS/081/21) Location: Land 25M NW of Rowanlea, Cabrich, Kirkhill. (Ward 12) Nature of Development: Erection of house. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and three amended / additional conditions as follows:</p> <p>The foul water drainage details submitted are hereby not approved. No development shall commence until a revised site plan and statement for foul water drainage has been submitted to, and approved in writing by, the Planning Authority. Thereafter the agreed details shall be implemented and maintained in perpetuity to the satisfaction of the Planning Authority.</p> <p>The surface water drainage details submitted [the Drainage Statement (version 2) by Caintec, and Drainage Layout Plan CTCH-J3707-001 Rev A] are hereby not approved. No development shall commence until a revised site plan and statement for surface water drainage has been submitted to, and approved in writing by, the Planning Authority. Thereafter the agreed details shall be implemented and maintained in perpetuity to the satisfaction of the Planning Authority.</p> <p>Prior to the commencement of development, two passing places shall be provided by the developer and at their expense, on the U1758 Cabrich Road, to the satisfaction of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, the proposals shall be informed by the requirements set out in Section 5.3.6 of the Council's "Roads and Transport Guidelines for New Developments.</p>	KG
6.7	<p>Applicant: Mr N Fraser (21/04342/FUL) (PLS/082/21) Location: Land 70M SW Of Hillview, Tomich, Cannich. (Ward 12) Nature of Development: Erection of three houses. Recommendation: Grant.</p>	
	<p>Agreed:</p> <p>i. to GRANT planning permission subject to the conditions recommended in the report and an additional condition as follows: Prior to the commencement of any development, the developer shall have provided full written and plan details, including a technical specification, of the works for the final surfacing finish and configuration of the access track from the existing access point to 'Hillview' to the turning head at Site 3, for the approval in writing of the Planning Authority. For the avoidance of doubt, the agreed works shall be completed prior to the first occupation of any of the houses; and</p> <p>ii. to provide feedback to the Local Development Plan team on local Members' view that no more than three houses be permitted in this area.</p>	LN
6.8	<p>Applicant: Usman Mustafa (21/04336/FUL) (PLS/083/21) Location: 5 Strothers Lane, Inverness IV1 1LR. (Ward 14)</p>	

	<p>Nature of Development: Change of use from Class 1 (Shop) to Class 3 (Restaurant with Takeaway).</p> <p>Recommendation: Grant</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	BR
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu lartas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: Boyd Brothers (Haulage) Ltd (PPA-270-2254) Location: Annat Pier, Corpach, Fort William, PH33 7NB (Ward 11) Nature of Development: Develop land without compliance with condition 1 previously attached to planning permission reference 99/00458/FULLO of the Use of Pier Without Compliance with Restrictive Conditions Annat pier, Corpach Fort William.</p>	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and vary the terms of the planning permission by deleting condition 7.</p>	
7.2	<p>Applicant: Christy Marshall (PPA-270-2243) Location: Ladystone Steading, Ladystone, Bunchrew, Inverness-shire IV3 8TB (Ward 12) Nature of Development: Claim for expenses by Christy Marshall against The Highland Council</p>	
	<p>NOTED the decision of the Reporter appointed by the Scottish Ministers that the council has not acted in an unreasonable manner resulting in liability for expenses and, in exercise of the powers delegated, declined to make any award.</p>	
7.3	<p>Applicant: A & V Groom (PPA-270-2255) Location: Smithy Croft, Station Road, Carrbridge PH23 3AL (Ward 20) Nature of Development: Proposed development of a house/house plot Claim for expenses by A & V Groom against The Highland Council</p>	
	<p>NOTED the decisions of the Reporter appointed by the Scottish Ministers:</p> <ol style="list-style-type: none"> a. to allow the appeal and grant planning permission in principle subject to the five conditions listed at the end of the decision notice. Attention was drawn to the two advisory notes at the end of the notice; and b. to decline to make any award of expenses in favour of the appellant. 	
	<p>The meeting ended at 2.45pm.</p>	