

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

22 MARCH 2022, 9.30AM VIA MS TEAMS

MINUTE / ACTION NOTE

Listed below are the decisions taken by Committee at their meeting in the Council Chamber, Inverness, 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 L Fraser (except item 6.6 to end)
Mr A Baxter (except items 6.3 and 6.11 to end)	Mr J Gray (Chair for items 1 to 6.5)
Mr B Boyd (except item 6.10 to end)	Mr A Jarvie (except item 6.6 to end)
Mr J Bruce	Mr B Lobban
Mrs C Caddick (Chair for items 6.6 to end)	Mr R MacWilliam (from item 6.2)
Mrs M Davidson	Mr D Rixson (except item 6.3)
Mr D Fraser	Ms E Roddick (except 6.5 to end)

Non-Committee Members Present:

Mr A Henderson, Mr D Macpherson, Mrs T Robertson

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
 Mr B Robertson, Team Leader (BR)
 Mr K Gibson, Principal Planner (KG)
 Ms A Harvey, Planner (AH)
 Mr P Wheelan, Planner (PW)
 Mr A Fraser, Principal Engineer
 Mr M Clough, Senior Engineer, Transport Planning
 Mr I Meredith, Acting Principal Solicitor
 Ms R Banfro, Solicitor
 Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr N McLean	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	

	Item 6.3 - Mr A Baxter and Mr D Rixson	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 February 2022 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/12/22 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. The Committee NOTED the current position with the applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iartais	
5.1	Description: Construct a pumped storage hydro scheme (PSH) at a small freshwater loch, Loch Monaidh, which is situated between Loch Ericht, Loch Garry1 and Loch Rannoch, approximately 9 km south west of Dalnaspidal and 11 km north of Bridge of Ericht. Corrievarkie PSH will have a storage capacity of approximately 14.5 gigawatt hours (GWh) with approximately 600 MW installed electrical generation capacity (subject to further investigation and feasibility works) (22/00392/PAN) (PLS/013/22) Ward: 20 Applicant: Intelligent Land Investments Group Plc Site Address: Land 10850M SW Of Balsporan Cottage, Dalwhinnie. Members asked for information on the visibility of the access road to be communicated to the Committee outwith the meeting. Information was also sought on whether some of the spoil from the site would be used elsewhere or landscaped into the development over time.	
	NOTED the application and AGREED Members' questions would be responded to outwith the meeting after consultation with the applicant.	DM
5.2	Description: Depositing of spoil, formation of jetty and associated landscaping (22/00536/PAN) (PLS/014/22) Ward: 11 Applicant: SSE Renewables Site Address: Land at Mucomir Farm Sand and Gravel Quarry, Gairloch, Spean Bridge, PH34 4EQ. Matters raised by Members included: <ul style="list-style-type: none"> Detailed information was required on the amount of spoil to be removed from the site and the number and frequency of the barge trips required to facilitate this, noting the noise that could be generated from this activity; Loch Lochy was an area of archaeological interest and an investigation of the land in and around the farm should be undertaken; An archaeological survey beneath the water line was requested, with 	

	<p>reference to the possibility of historically important crannogs, prior to any dredging activity being undertaken;</p> <ul style="list-style-type: none"> • In relation to community consultation, while it was accepted that the developer would bear the cost of a chair for the Corrieglass Liaison Group, attention was drawn to the public perception of the independence of the chair and that this matter should be reflected on by the developer, with consideration being given to a condition being added to any planning permission to tackle this issue; and • Information was sought on the potential to use some of the spoil for coastal rock armouries. 	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	DM
5.3	<p>Description: Mixed use development including residential, commercial/business uses and associated infrastructure (22/00576/PAN) (PLS/015/22) Ward: 19 Applicant: Hazledene (Inverness) Ltd Site Address: Land South of The A9 Interchange, West of the A9 Including Field to the South of Macaskill Drive, Inverness.</p> <p>It was explained that paragraph 2.5 of the report, which contained reference to an Environmental Impact Assessment (EIA) Scoping Opinion, had been included in error.</p> <p>Concern was expressed by Members on the following issues:</p> <ul style="list-style-type: none"> • the continued encroachment of the suburbs into the hinterland. It was important to avoid, for example, high block of flats near the A9, but to have the development blend appropriately into the surroundings; and • the development would be built on relatively high ground and exposed to wind and snow. It was important the Council was adequately equipped with winter maintenance vehicles to service the development. 	
	NOTED the application and AGREED Members' comments would be provided to the applicant.	DM
6.1	<p>Applicant: Aberdeen Standard Investments (21/04857/PIP) (PLS/16/22) Location: Land Adjacent To Inshes Retail Park, Dell of Inshes, Inverness (Ward 19) Nature of Development: Mixed use development to include up to 4,700 sqm of class 1, 2 and 3 uses; public house / restaurant incorporating manager's residential accommodation; community allotments; all with associated engineering works, car parking, servicing, new access roads and landscaping (Renewal of Planning Permission in Principle 13/04334/PIP). Recommendation: Refuse.</p> <p>Motion: Mr J Gray, seconded by Mrs M Davidson, to refuse the application as recommended in the report.</p> <p>Amendment: Mr A Jarvie, seconded by Mr B Lobban, to approve the application on the grounds the proposed development accords with the existing development plan and has extant planning permission in force, with additional conditions as follows:</p>	

	<p>a. Detailed flood risk and drainage impact assessment to be provided prior to the commencement of development;</p> <p>b. Phase 2 contributions to be secured by means of legal agreement; and</p> <p>c. All other conditions to be agreed by local members.</p> <p>For the motion: Balfour, Boyd, Bruce, Caddick, Davidson, D Fraser, L Fraser, Gray, Rixson, Roddick</p> <p>For the amendment: Baxter, Jarvie, Lobban</p>	
	Agreed: to REFUSE planning permission as recommended in the report.	PW
6.2	<p>Applicant: Springfield Properties PLC (21/03612/FUL) (PLS/17/22)</p> <p>Location: Land at Drum Farm South of Fire Station Drumnadrochit. (Ward 12)</p> <p>Nature of Development: Erection of 91 residential units and associated roads,</p> <p>Recommendation: Grant.</p> <p>Key issues discussed by Members included the following:</p> <ul style="list-style-type: none"> • all the roofs should be the same colour; • it was important that surface water issues were appropriately dealt with; • the landscape plan should include an extensive tree buffer at the rear of the development and that screening should be undertaken as soon as possible and in consultation with the Community Liaison Group, which should convene as early as possible; and • it was of concern that the developer contributions for the school and / community facilities did not reflect that although the total number of houses had decreased by two, the total number of bedrooms had increased from 175 to 196. 	
	<p>Agreed:</p> <p>i. to GRANT planning permission subject to the conditions recommended in the report, and to an update to condition 4 to include that any working hours beyond normal working hours shall be agreed in advance of work progressing and subject to consultation through the community liaison group as established under condition 18; and</p> <p>ii. that an additional developer contribution of £1019 per unit, index linked, to enhance recreation provision within the locality, is secured via Section 75.</p>	AH
6.3	<p>Applicant: Edge Hospitality (21/03755/FUL) (PLS/18/22)</p> <p>Location: Onich Hotel, Onich, Fort William, PH33 6RY. (Ward 21)</p> <p>Nature of Development: Siting of 5 Accommodation Pods in grounds on Onich Hotel.</p> <p>Recommendation: Grant.</p> <p>Declarations of Interest: Mr D Rixson, as he had a connection to one of the objectors, and Mr A Baxter, as one of the objectors had given him free use of a holiday unit, declared an interest in item 6.3 and left the meeting during its consideration.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and additional detail added to Condition 6 to include reference to native planting, with advice to be sought on this from Mrs M Davidson, if possible.	WL

6.4	<p>Applicant: Esther Botha (21/05206/FUL) (PLS/19/22) Location: The Viewmount, East Terrace, Kingussie, PH21 1JS. (Ward 20) Nature of Development: Landscape engineering works to form garden terraces and erection of retaining wall structures (retrospective). Recommendation: Grant.</p> <p>Motion: Mr B Lobban, seconded by Mrs M Davidson, to refuse the application as it is contrary to Policy 3.3(b) of the CNPA LDP 2021 in that it is not designed to be sympathetic to the traditional pattern and character of the surrounding area and contrary to 3.3(c) of the Local Development Plan as the use of materials fails to complement the setting of the property by way of the scale, massing and material of the already constructed wall.</p> <p>There was no amendment.</p>	
	Agreed: to REFUSE planning permission for the reasons provided by Mr Lobban.	BR
6.5	<p>Applicant: Mrs Maryjane Mackay (21/05313/FUL) (PLS/20/22) Location: 46 Kenneth Street Inverness IV3 5DH. (Ward 13) Nature of Development: Erect extension Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	BR
6.6	<p>Applicant: Mrs Catherine Hood (21/00514/FUL) (PLS/21/22) Location: Land 25M SE Of Crimond, Cannich. (Ward 12) Nature of Development: Erection of house. Recommendation: Refuse.</p> <p>Motion: Mrs M Davidson, seconded by Mr D Fraser, to approve the application as information submitted by applicant supports view that attenuation by upstream dams significantly reduced flood risk to level that a Flood Risk Assessment would not be required so the application accords with policy 64.</p> <p>There was no amendment.</p>	
	Agreed: to GRANT planning permission for the reasons provided by Mrs Davidson, with conditions to be drawn up by planning officers in consultation with Local Members.	DM
6.7	<p>Applicant: Springfield Properties PLC (20/03444/FUL) (PLS/22/22) Location: Land Adjacent to Fire Station, East End, Beauly. (Ward 12) Nature of Development: Erection of 40 residential units (24 houses, 16 flats) and associated works. Recommendation: Grant.</p> <p>A presentation was provided jointly for Items 6.7 and 6.8, although they were determined separately.</p> <p>A correction was provided for the conditions in the report for Item 6.7 as follows: Condition 17 should be replaced by Condition 22, and the wording of</p>	

	Condition 22 be adjusted by changing the word 'second' to 'fourth.'	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and subject to satisfactory negotiation, delegated to the Area Planning Manager, with the applicant on the long term responsibility for the flood prevention scheme design remaining with the applicant to be secured through condition and/or agreement.	BR
6.8	<p>Applicant: Springfield Properties PLC (20/03445/FUL) (PLS/23/22) Location: Land Adjacent to Fire Station, East End, Beauly. (Ward 12) Nature of Development: Erection of 11 residential units (7 houses and 4 flats) and roads. Recommendation: Grant.</p> <p>A presentation was provided jointly for Items 6.7 and 6.8, although they were determined separately.</p> <p>A correction was provided for the conditions in the report for Item 6.7 as follows: Condition 16 should be replaced by Condition 21, and the wording of Condition 21 be adjusted by changing the word 'second' to 'fourth.'</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report and subject to satisfactory negotiation, delegated to the Area Planning Manager, with the applicant on the long term responsibility for the flood prevention scheme design remaining with the applicant to be secured through condition and/or agreement.	BR
6.9	<p>Applicant: Robertson Homes (20/03555/MS) (PLS/24/22) Location: Land 165M NE of Great Glen House, Leachkin Road, Inverness. (Ward 13) Nature of Development: Application for the Approval of Matters Specified in C from Site 4 to Great Glen Way and Footpath Link from Site 5 to Kilvean Cemetery.. Recommendation: Approve.</p> <p>It was suggested that issues raised during discussion by local Members about the wider infrastructure requirements should be brought up at a ward business meeting in the first instance.</p>	
	Agreed: to APPROVE the application as recommended in the report.	DM
6.10	<p>Applicant: Stratherrick And Foyers Community Trust Ltd (21/02331/PIP) (PLS/25/22) Location: Land 100M NW of Linden, Gray's Park, Foyers. (Ward 12) Nature of Development: Community amenity development (masterplan), MUGA, sports/play areas, car park, community hall, gym. Recommendation: Grant.</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report and subject to the establishment of a community liaison group at least 6 months before any development is started.	KG
6.11	<p>Applicant: RWE Generation UK Ltd (21/00225/FUL) (PLS/26/22) Location: Site 480M South of Garrogie Lodge, Whitebridge, Inverness. (Ward 12) Nature of Development: Construction of adjustable weir, control cabin, kiosk;</p>	

	track works, borrow pit. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report, and subject to negotiations taking place with the developer for a higher level of financial contribution to mitigate any damage to road verges at Loch Garthside, Gorthleck, with an appropriate level to be decided in consultation with Local Members.	KG
7	Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir	
7.1	Applicant: SIMEC Wind One Ltd (18/04733/S36) (WIN-270-11) Location: Land 3730M NW Of 1 Garvamore, Laggan Nature of Development: Glenshero wind farm consisting of 39 turbines with an indicative capacity of 168 MW	
	NOTED the decision of the Scottish Ministers to refuse the application for consent under section 36 of the Electricity Act 1989 and deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 for the construction and operation of Glenshero Wind Farm for the reasons given in the decision letter.	
7.2	Applicant: Mr MacCormick (ENA-270-2039) (21/00137/ENF) Location: 48 River Park, Nairn, IV12 5SR Nature of Development: The alleged breach of planning control: The alleged erection of fencing above 1 metre high that is forward of the principal elevation of a house without planning permission.	
	NOTED the decision of the Reporter appointed by the Scottish Ministers to dismiss the appeal and direct that the enforcement notice dated 4 November 2021 be upheld.	
	The meeting ended at 4.10pm.	