

# The Highland Council

## South Planning Applications Committee

Council Chamber, HQ, 7 February 2024, 10.30am

### Minute / Action Note

Listed below are the decisions taken by Committee at their recent 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 C Ballance (remote) (5.2 only)  
Mr M Cameron (remote) (except 6.1)  
Mr D Fraser  
Mr L Fraser  
Mr K Gowans (from 5.2)  
Mr A Graham (except 5.1 and 6.1)

Mr R Jones  
Mrs I MacKenzie (except 6.2)  
Mr A MacKintosh  
Mr T MacLennan  
Mr P Oldham  
Ms L Saggars (remote)

#### Non-Committee Members Present:

Mr D Macpherson  
Mr G MacKenzie (remote)  
Mr K Rosie (remote)

#### Substitutes:

Ms S Fanet (for Ward 21)  
Mrs T Robertson (for Ms M Reid) (remote)

#### Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)  
Mr P Wheelan, Strategic Projects Team Leader (PW)  
Mr B Robertson, Team Leader (BR)  
Mr K Gibson, Principal Planner (KG)  
Mr M Fitzpatrick, Planner (MF)  
Ms J Mair, Planner, (JM)  
Mr I Meredith, Acting Principal Solicitor  
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	<b>Apologies for Absence Leisgeulan</b>  Ms M Reid, Mr C Aitken, Mr B Lobban	
		n/a
2	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	

	Mr A Graham – Item 5.1 Mrs I MacKenzie – Item 6.2	n/a
<b>3</b>	<b>Confirmation of Minutes</b> <b>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 12 December 2023 which was <b>APPROVED</b> .	n/a
<b>4</b>	<b>Major Development Update</b> <b>Iarrtasan Mòra</b>	
	There had been circulated Report No PLS/01/24 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.  Assurance was sought and provided that the Airport Railway Station was included in error as it was completed and operational.  The Committee <b>NOTED</b> the current position with the applications.	<b>PW</b>
<b>5</b>	<b>Continued Items</b> <b>Cuspairean a' Leantainn</b>	
5.1	This item was subject to a site visit which took place at 9.30am on 7 February 2024. Only Members present on 22 November 2023, and at the site visit, were entitled to participate.  <b>Declaration of Interest: Mr A Graham, due to his longstanding connections to Inverness Caledonian Thistle Football Club (as season ticket holder and member of the supporters' club), declared an interest in this item and left the chamber for the duration of the item.</b>  <b>Applicant:</b> Intelligent Land Investments Group Plc (23/00497/FUL) (PLS/02/24) <b>Location:</b> Land 75M SE Of Camas House, Fairways Business Park, Inverness (Ward 19). <b>Nature of Development:</b> Battery energy storage facility comprising access track, compound of battery and electrical equipment, meter building, stores, fencing, security cameras, and associated landscaping.. <b>Recommendation: Refuse</b>  It was clarified that Inverness Caledonian Thistle Football Club was the applicant, via Intelligent Land Investments Group Plc.  <b>Motion:</b> Mr T MacLennan, seconded by Mr P Oldham, to refuse the application as recommended in the report.  <b>Amendment:</b> Mrs I MacKenzie, seconded by Mr R Jones to approve the application because, while it was acknowledged that the development would result in a loss of open space, the development would encourage, promote, and facilitate renewable energy storage and so would comply with policy 11 of NPF4. It was considered that the benefits gained under policy 11 of NPF4 outweighed the loss of open space and therefore the application should be	

	<p>granted, with powers delegated to officers in consultation with the Chair and members who had participated in the decision to develop the appropriate conditions.</p> <p><b>For the motion:</b> Mr T MacLennan, Mr P Oldham (2)</p> <p><b>For the amendment:</b> Mr D Fraser, Mr R Jones, Mrs I MacKenzie (3)</p>	
Notice of Amendment	<p><b>Agreed:</b></p> <ul style="list-style-type: none"> <li>i. to <b>GRANT</b> planning permission as detailed in Mrs MacKenzie’s amendment; and</li> <li>ii. to make representations to the Scottish Government in relation to the need for planning guidance on battery energy storage facilities.</li> </ul>	<b>MF</b>
5.2	<p>Only Members present for this item on 12 December 2023 were entitled to participate.</p> <p><b>Applicant:</b> Springfield Properties PLC (23/00520/FUL) (PLS/03/24)  <b>Location:</b> Land at Drum Farm South of Fire Station, Drumnadrochit (Ward 12).  <b>Nature of Development:</b> Amended drainage strategy (in retrospect).  <b>Recommendation:</b> Grant.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report, and a further condition to monitor outfall for signs of invasive species, for a period of five years i.e. years 1, 3 and 5, with wording of the condition to be delegated to officers in consultation with local Members.</p>	<b>KG</b>
5.3	<p>Only Members present for this item on 12 December 2023 were entitled to participate.</p> <p><b>Applicant:</b> Springfield Properties PLC (23/00532/FUL and 23/00533/FUL) (PLS/04/24)  <b>Location:</b> Land at Drum Farm South of Fire Station, Drumnadrochit (Ward 12).  <b>Nature of Development:</b> Remix house types (21/03612/FUL).  <b>Recommendation:</b> Grant.</p> <p><b>Motion:</b> Mr D Fraser, seconded by Mr P Oldham, to refuse the application as the applicant had not sufficiently demonstrated the need to amend the phasing and rate of build, despite further evidence being requested by the South Planning Applications Committee, from that set out in the original planning permission (19/02761/FUL), and subsequent decisions, and was therefore contrary to the requirements of Inner Moray Firth Development Plan 2015, site allocation DR5 Drum Farm.</p> <p><b>Amendment:</b> Mr T MacLennan, seconded by Mr K Gowans, to grant the application as recommended.</p> <p><b>For the motion:</b> Mr D Fraser, Mr L Fraser, Mr A Graham, Mr R Jones, Mrs I MacKenzie, Mr A MacKintosh, Mr P Oldham (7)</p> <p><b>For the amendment:</b> Mr K Gowans, Mr T MacLennan (2)</p>	

	<b>Agreed:</b> to <b>REFUSE</b> planning permission for the reasons provided by Mr Fraser.	<b>KG</b>
<b>6</b>	<b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b>	
6.1	<p><b>Applicant:</b> Energiekontor UK Ltd (22/01760/S36) (PLS/05/24)  <b>Location:</b> Land 4035M SW of Bunloyne Farm, Glenmoriston (Ward 12).  <b>Nature of Development:</b> Bunloinn Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising 10 wind turbines with a maximum blade tip height of 230m, access tracks, borrow pits, battery energy storage system, substation, control building, and ancillary infrastructure.  <b>Recommendation: Raise No Objection</b></p> <p>Corrections were made to paragraphs 1.1 and 1.2 of the committee report, which referred to all of the 10 proposed turbines being up to 230m to blade tip. This was incorrect and a range of turbine heights were being proposed at between 200m and 230m. 6 turbines were at up to 230m to blade tip height, with the remaining 4 being up to 200m to blade tip. The central turbine nos. 2,3,4,5,8 and 9 were proposed to be the highest owing to their better containment.</p> <p><b>Motion:</b> Mr A MacKintosh, seconded by Mrs T Robertson, to raise an objection because, taking into account the assessment of visual impacts contained within the report of handling, the proposed development does not respect the current pattern and extent of development within the area and has significant detrimental visual impact on views of users of the A887 and A87 and of recreational users of elevated land to the east, and therefore does not comply with NPF4 polices 4 and 11, and policy 67 of the Highland-wide Local Development Plan and the onshore wind energy supplementary guidance.</p> <p><b>Amendment:</b> Mr T MacLennan, seconded by Mr K Gowans, to raise no objection as recommended in the report.</p> <p><b>For the motion:</b> Mr D Fraser, Mr L Fraser, Mr A MacKintosh, Mr P Oldham, Mrs T Robertson (5)</p> <p><b>For the amendment:</b> Mr K Gowans, Mr R Jones, Ms S Fanet, Mrs I MacKenzie, Mr T MacLennan, Ms L Saggars (6)</p>	
	<b>Agreed:</b> to <b>RAISE NO OBJECTION</b> , as recommended in the report.	<b>PW</b>
6.2	<p><b>Applicant:</b> Black Isle Brewing Co. Ltd (23/04074/FUL) (PLS/06/24)  <b>Location:</b> Land West of Inverness Retail and Business Park, Highlander Way,  <b>Nature of Development:</b> Erection of brewery and distillery, storage and distribution  <b>Recommendation: Grant</b></p> <p><b>Declaration of Interest: Mrs I MacKenzie, as an acquaintance of the applicant, declared an interest in this item and left the chamber for the duration of the item.</b></p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to conclusion of a Section 75 Agreement and the conditions recommended in the report, and with an additional condition seeking to ensure that bar and restaurant gross floor areas are not extended without planning permission being granted.	<b>JM</b>

6.3	<p><b>Applicant:</b> Springfield Properties PLC (23/03891/FUL) (PLS/07/24)  <b>Location:</b> Land at Beauly East (Ward 12).  <b>Nature of Development:</b> Erection of houses (amended layout to 20/03444/FUL and 20/03445/FUL reducing from 63 to 52 units).  <b>Recommendation: Grant</b></p> <p>During discussion, Members drew attention to the need to review policies relating to community development contributions, with particular reference to schools.</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>BR</b>
6.4	<p><b>This application had been withdrawn by the applicant.</b></p> <p><b>Applicant:</b> Ms Glynis Sinclair (23/01228/PIP) (PLS/08/24)  <b>Location:</b> Land 40M South of Oakview Cottage, Cantray, Croy (Ward 17).  <b>Nature of Development:</b> Erection of house.  <b>Recommendation: Refuse</b></p>	
		<b>n/a</b>
<b>7</b>	<p><b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b>  <b>Co-dhùnadh mu lartas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b></p>	
7.1	<p><b>Applicant:</b> Scottish Hydro Electric Transmission plc (21/04728/FUL)  <b>Location:</b> Land 1185M West Of Knotty Wood Cottage, Farr (Ward 12)  <b>Nature of Development:</b> Construction of the tracks to access the Knocknagael-Tomatin 275kw Over Head Line (in retrospect)</p>	
	<b>NOTED</b> the Reporter's decision to allow the appeal and grant planning permission subject to the conditions listed in the decision notice.	
7.2	<p><b>Applicant:</b> Springfield Properties PLC (21/04582/PIP)  <b>Location:</b> Land 80 metres East of Balvonie Cottage, Inshes, Inverness, IV2 5JZ (Ward 19)  <b>Nature of Development:</b> Residential development (up to 130 houses) with associated infrastructure.</p>	
	<b>NOTED</b> the Reporter's decision, following conclusion of a s75 planning obligation securing both affordable housing and developer contributions, to allow the appeal and grant planning permission subject to the conditions listed in the decision notice.	
7.3	<p><b>Applicant:</b> Corriegarth 2 Windfarm Ltd Land (21/00101/S36)  <b>Location:</b> Land at Carn Na Saobhaidhe, Gorthleck, Inverness (Ward 12)  <b>Nature of Development:</b> Corriegarth 2 Wind Farm - Erection and Operation of a Wind Farm for a period of 30 years, comprising of 16 Wind Turbines with a maximum blade tip height of 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure.</p>	
	<b>NOTED</b> the decision of the Scottish Ministers to grant consent and deemed planning permission, subject to the satisfactory completion of an appropriate assessment and subject to conditions for the reasons indicated in the enclosed decision letter.	

	<b>The meeting ended at 4pm.</b>	
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