

**The Highland Council  
Planning Review Body**

**11 March 2025, 2pm  
Minutes**

Listed below are the decisions taken by the Planning Review Body at their meeting on 11 March 2025. 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>

**Present:**

Mrs I Campbell (Remote)  
Mr D Fraser  
Mr R Gale (Remote)  
Mr B Lobban  
Mr A Mackintosh  
Mr D Millar (Remote)  
Mr P Oldham  
Mrs M Paterson

**Non-Members also present:**

Mr M Baird (Remote)  
Mr J Bruce (Remote)  
Mr K Gowans  
Ms K MacLean (Remote)

**In Attendance:**

Mr B Strachan, Independent Planning Adviser to the Planning Review Body  
Ms A Gibbs, Principal Solicitor  
Mrs O Marsh, Committee Officer

**Preliminaries**

The Chair confirmed that the meeting would be webcast and gave a short briefing on the Council's webcasting procedure and protocol.

**Business**

**1. Calling of the Roll and Apologies for Absence**

There were no apologies for absence.

**2. Declarations of Interest/Transparency Statement**

The Council **NOTED** the following declarations of interest:-

Item 5.2 – Mr D Fraser

**3. Minutes of Previous Meeting**

There had been circulated and **APPROVED** the Minutes of Meetings held on 28 January 2025.

#### 4. Criteria for Determination of Notices of Review

The Clerk confirmed that, for all subsequent items on the agenda, Members had contained in their SharePoint all of the information supplied by all parties to the Notice of Review – namely everything submitted at the planning application stage and the Notice of Review stage from the applicant and interested parties together with the case officer's report on handling and the decision notice that had been issued. When new information had been identified and responded to by the case officer, that information had also been included in SharePoint.

Members were reminded that when determining each planning application subject to a Notice of Review, they were to give full consideration of the planning application afresh (also known as the “de novo” approach) in accordance with the advice contained in the letter from the Chief Planner dated 29 July 2011. The Clerk confirmed that this meant that, in each Notice of Review case, the Review Body needed to assess the planning application against the development plan – including the recently adopted National Planning Framework 4 – and decide whether it accorded with or was contrary to the development plan. Following this assessment, the Review Body then required to consider all material considerations relevant to the application and decide whether these added to or outweighed their assessment of the application against the development plan. In carrying out this assessment, all documents lodged by the applicant and interested parties needed to be considered by the Review Body – all material planning considerations required to be taken into account; considerations that were not material planning considerations must not be taken into account.

The Clerk also confirmed that Google Earth and Street view could be used during the meeting in order to inform Members of the site location. Members were reminded of the potential limitations of using these systems in that images may have been captured a number of years ago and may not reflect the current position on the ground. All the Notices of Review were competent.

#### 5. New Notices of Review to be Determined

##### 5.1

**Ward:** 05 Wester Ross, Strathpeffer and Lochalsh

**Review Body Ref:** 25/00003/RBREF

**Applicant:** Summer Isles Enterprises Ltd

**Location:** Land 15M NW Of Farm Tin House, Achnahaird, Achiltibuie

**Nature of Development:** Erection of carport, 24/03600/FUL

**Reason for Notice of Review:** Review Against Refusal by Appointed Officer

A variety of views were discussed before the following motion and amendment was proposed and seconded.

Mr P Oldham seconded by Mr D Millar **MOVED** to **UPHOLD** the Notice of Review and grant planning permission. Reasons given in support of upholding the Notice of Review:

The Planning Review Body considered the scale, form, design, layout, and siting of the proposed development in the context of its rural setting, the landscape character and the objectives of the National Scenic Area. The Planning Review Body did not consider the proposed development to have significant adverse effects or be unacceptable in that regard. The layout, siting and design was considered appropriate and compatible

with its countryside location. As such it accords with Policies 4, 14 and 29 of NPF4 and Policies 28, 29, 36, 57 and 61 of the Highland-wide LDP.

As an Amendment, Mrs M Patterson seconded by Mr R Gale **MOVED** to **DISMISSED** the Notice of Review for the reasons stated in the decision notice issued by the planning service on 21 October 2024.

There being no further amendments, the matter was put to the vote with votes being cast as follows:

The **MOTION** received 6 votes, and the **AMENDMENT** received 2 votes, with no abstentions, and the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:

**For the Motion:**

Mrs I Campbell, Mr D Fraser, Mr B Lobban, Mr A Mackintosh, Mr D Millar, Mr P Oldham

**For the Amendment:**

Mr R Gale, Mrs M Paterson

**Decision:-**

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission for the reason stated, subject to receipt of amended drawings showing proposed materials and conditions to be drafted by the Independent Planning Adviser to the Planning Review Body.

**5.2**

**Declaration of Interest – Mr D Fraser made a Declaration of Interest on the grounds that he supported the application to acquire the site from forestry. Consequently, he was not permitted to participate in the determination of the Notice of Review, and having applied the test outlined in Paragraphs 5.6 and 5.7 of the Councillors’ Code of Conduct, he left the Chamber for the duration of this item.**

**Ward:** 12 Aird and Loch Ness

**Review Body Ref:** 25/00004/RBCON

**Applicant:** Glen Urquhart Men's Shed

**Location:** Forestry Commission Office, Balnain, Drumnadrochit, Inverness

**Nature of Development:** Siting of container style workshop, containers, installation of heat pump and alterations to existing cabin buildings., 24/03842/FUL

**Reason for Notice of Review:** Review Against Conditions Imposed

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission subject to an amended temporary time period of 10 years until 31 March 2035 and other conditions as previously detailed on the decision notice for 24/03842/FUL dated 18 November 2024.

Reasons given in support of upholding the Notice of Review:

The condition as worded was not considered reasonable in the context of the development proposed and that the date for the cessation and removal of the development should instead be 31 March 2035 to allow the applicant sufficient time to progress with its plans for the site. The wording of the condition would otherwise remain the same.

### 5.3

**Ward:** 01 North, West and Central Sutherland

**Review Body Ref:** 25/00006/RBCON

**Applicant:** Mr Stephen Graham

**Location:** 64 Clashaidy, Skerray, Tongue, Thurso

**Nature of Development:** Change of use of land to caravan site, erection of building (retail and gallery), formation of access, parking and waste disposal point, 24/02180/FUL

**Reason for Notice of Review:** Review Against Conditions Imposed

The Review Body **AGREED** to **DISMISS** the Notice of Review and retain condition 6 and all other conditions as previously detailed on the decision notice for 24/02180/FUL dated 26 November 2024 by the Appointed Officer.

### 5.4

**Ward:** 21 Fort William and Ardnamurchan

**Review Body Ref:** 25/00007/RBREF

**Applicant:** Mr Mohammed Hussain

**Location:** Lochiel Villa, Achintore Road, Fort William, PH33 6RQ

**Nature of Development:** Formation of feature window, 24/03281/FUL

**Reason for Notice of Review:** Review Against Refusal by Appointed Officer

The Review Body **AGREED** to **DISMISS** the Notice of Review and refuse planning permission for the reasons contained in the report of handling as follows:

1. The proposed rectangular, flat-roofed design of the feature window proposal and its size is not considered to be sympathetic to the proportions or character of Lochiel Villa nor similar buildings in the immediate area. The proposed works would significantly disturb the symmetry of Lochiel Villa and the top-heavy and incongruous addition to the building's sea-facing composition is out of character with the building and the wider street scene. The proposal is considered to constitute a conspicuous and unacceptable intrusion into the streetscape and will also adversely affect the setting of the adjacent Category B Listed Building; all contrary to Policy 7 and 14 of National Planning Framework 4 and Policies 29, 34 and 57 of the Highland wide Local Development Plan.

The meeting concluded at 15:10