

**The Highland Council
Planning Review Body**

**12 August 2025, 2pm
Minutes**

Listed below are the decisions taken by the Planning Review Body at their virtual meeting on 12 August 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:

Mr D Fraser
Mr R Gale
Mr B Lobban
Mr D Millar
Mr P Oldham
Mrs M Paterson

In Attendance:

Mr B Strachan, Independent Planning Adviser to the Planning Review Body
Ms R Banfro, Solicitor/Clerk
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

Mrs M Paterson declared an interest in items 5.1 and 5.4 due to her personal relationship with the applicants. During consideration of these items Mrs M Paterson was not present.

3. Minutes of Previous Meeting

There had been circulated and **APPROVED** the Minutes of Meetings held on 10 June 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: 08 Dingwall And Seaforth

Review Body Ref: 25/00048/RBREF

Applicant: Mr John Mckenzie

Location: Land 380M NW Of Drynie Farm, Upper Dochcarty, Dingwall,

Nature of Development: Erection of house, 24/02618/PIP

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

Decision:-

The Review Body **AGREED** to **DISMISS** the Notice of Review and refuse planning permission for amended reasons to remove reference to ‘local living’ in condition 1 and original condition 2 in its entirety as follows:

1. The siting of a house and access on an elevated open field in the Hinterland fails to comply with NPF4 Policy 17 (Rural Housing). It does not meet any of the criteria outlined in 17(a) and is situated within a pressurised commuter area, thus is not conducive to supporting or sustaining a fragile rural community as specified in 17(c).
2. The siting of a house in this elevated open field does not accord with the aims of HwLDP Policy 35 as well as the Council’s supplementary guidance on rural housing, as it does not meet the exceptions for housing development in the Hinterland. Instead, the proposal entails:
 - Unnecessary housing on undeveloped farmland
 - Disturbance to the soils and grazing land on the farm
 - An unsympathetic design in a pressurised area.

5.2

Ward: 20 Badenoch And Strathspey

Review Body Ref: 25/00055/RBREF

Applicant: SPC Staycations Ltd

Location: Broom Cottage, Boat Of Garten, PH24 3BX,

Nature of Development: Use of property as short term letting unit, 25/00413/FUL

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

Decision:-

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

1. The proposal is not considered to meet any of the criteria set out in the Council's Non-Statutory Short Term Let Control Area Policy that is required to enable the Planning Authority to support an application for a short-term letting property within the Short Term Let Control Area. The purpose of the Control Area is to ensure that there is an adequate supply of homes for local people and this development is contrary to that aim.

5.3

Ward: 01 North, West And Central Sutherland

Review Body Ref: 25/00056/RBCON

Applicant: Mrs Maureen Fraser

Location: Land 105M SW Of, 152 Oldshoremore, Rhiconich,

Nature of Development: Erection of house, 24/04910/FUL

Reason for Notice of Review: Review Against Conditions Imposed by Appointed Officer

Decision:-

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission subject to removal of original condition 2 of 24/04910/FUL as follows:

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.
Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. No development shall commence until details of a scheme of hard and soft landscaping works (demonstrating biodiversity enhancement) have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
 - i. all earthworks and existing and finished ground levels in relation to an identified fixed datum point;
 - ii. a plan showing existing landscaping features and vegetation to be retained;
 - iii. the location and design, including materials, of any existing or proposed walls, fences and gates;
 - iv. all soft landscaping and planting works to conserve, restore and enhance biodiversity levels, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and

- v. a programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site and in the interests of biodiversity gain.

3. Prior to the first occupation of the dwellinghouse, turning provision and parking spaces for a minimum of 2 cars shall be provided as detailed on the approved plans and shall thereafter be maintained for this use in perpetuity.

Reason: To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

4. All surface water drainage provision within the application site shall be implemented in accordance with the approved plans and shall be completed prior to the first occupation of the development.

Reason: To ensure that surface water drainage is provided timeously; in order to protect the water environment.

The Review Body has considered the requirements of condition 2 against the policy tests of requirements for conditions set out in planning circular 4/1998 and has determined that the condition is not reasonable or necessary in the context of the development proposed. The Review Body considered the conditions of the Road to the east and to the west to demonstrate sufficient visibility ensuring that access arrangements would not compromise road safety.

5.4

Ward: 08 Dingwall And Seaforth

Review Body Ref: 25/00057/RBREF

Applicant: Dingwall Wind Co-operative Ltd

Location: Land 800M NW Of Somerby Farmhouse, Lochussie, Conon Bridge,

Nature of Development: Replacement of wind turbine with turbine of a maximum tip height of 89.5mm, hub height of 59m and rotor diameter of 52m., 24/03379/FUL

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

Decision:-

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 application is contrary to NPF4 Policy 11(e) part ii and xiii, and Policy 67(renewable Energy) of the adopted Highland wide Local Development Plan, by virtue of the scale and location of the development. It is considered that the

significant visual effects have not been outweighed by social, environmental or economic benefits. The development would have a significantly detrimental visual impact when viewed by receptors at Viewpoints 1, 2, 4 and 5 particularly as viewed by travellers, including tourists and recreational users of the outdoors in the wider vicinity of the site, particularly to the south and south east of the proposed development due to the scale and location of the proposed development. Consequently, it is concluded that the type, location, and scale of the development will have an unacceptable visual impact.

5.5

Ward: 21 Fort William And Ardnamurchan

Review Body Ref: 25/00059/RBREF

Applicant: Mr & Mrs Dane & Gaynor Ralston

Location: Land 115M NE Of Aspen Lodge, Glenmore, Acharacle,

Nature of Development: Erection of house and garage, 24/05181/FUL

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

Decision:-

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission subject to conditions to be drafted by the Independent Planning Adviser to the Planning Review Body.

The proposed developments design is considered acceptable. The use of materials and the stepped design allows the proposed development to fit well within the existing landscape settlement character and rural setting which is located within the Outer Loch Sunart and Islands Special Landscape Area. The proposal is considered to comply with policy 4, 14 and 17 of National Planning Framework 4 and policies 28, 29, 36, 57 and 61 of the Highland wide Local Development Plan and adopted Rural Housing Supplementary Guidance.

In coming to this view, Members considered the Conservation (Natural Habitats, &c.) Regulations 1994 as amended which specify that an Appropriate Assessment is required for Natura Sites. In this instance, the Appropriate Assessment which has been undertaken by the Highland Council as competent authority, concluded that the proposed development would not adversely affect the integrity of the site, if the proposal is carried out in strict accordance with mitigation measures relating to biodiversity enhancement. Members considered that the mitigation measures could be appropriately secured by way of condition.

5.6

Ward: 20 Badenoch And Strathspey

Review Body Ref: 25/00062/RBREF

Applicant: Alvie & Dalraddy Estate

Location: Blackmill Farm Cottage, Feshiebridge, Kingussie, PH21 1NG

Nature of Development: Use of property for short term letting, 23/00253/FUL

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

Decision:-

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission subject to conditions to be drafted by the Independent Planning Adviser to the Planning Review Body.

The proposal is considered to fall within criteria 1 of the Highland Council Non-Statutory Short-Term Let Control Area Planning Policy (2023). The reuse of the building for short-term holiday letting is therefore supported, contributing to tourism and economic activity while safeguarding amenity and character.