Listed below are the decisions taken by the Planning Review Body at their meeting on 16 December 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 (excluding item 5.2)
Mr R Gale
Mr B Lobban
Mr A MacKintosh
Mr D Millar
Mr P Oldham
Mrs M Paterson

**In Attendance:**
Mr B Strachan, Independent Planning Adviser to the Planning Review Body
Mr I Meredith, Solicitor
Ms B Alexander, 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 Clerk advised that, following consultation with the Standards Commission on Mr B Lobban's previous declaration of interest, the procedure was confirmed as correct. The Standards Commission also confirmed that there was nothing to prevent Mr B Lobban from participating in similar items in future.

The Review Body also **NOTED** the following Declaration of Interest:-

Item 5.2 - Mr D Fraser

**3. Minutes of Previous Meeting**

There had been circulated and **APPROVED** the Minute of the Meeting held on 4 November 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 had 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:** 20 Badenoch And Strathspey
**Review Body Ref:** 25/00073/RBREF
**Applicant:** Mr Matthew Sinclair
**Location:** 24 Munro Place, Aviemore, PH22 1TE,
**Nature of Development:** Change of use of house to short term let, 22/03970/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 B Lobban seconded by Mr P Oldham **MOVED** to dismiss the Notice of Review and refuse planning permission for the following reasons:

1. primarily, that the proposal is contrary to NPF4 Policy 30 Tourism (e) part (i) as it would have an unacceptable impact on the character of the neighbourhood and on the local amenity of the area, and secondarily; and
2. that the proposal is not considered to meet any of the criteria in the Highland Council Non-Statutory Short-Term Let Control Area Planning Policy (2023) that are required for the Planning Authority to support an application for a short term letting property within the Short Term Let Control Area. The purpose of the Short Term Let Control Area is to ensure that there is an adequate supply of homes for local people and this development is contrary to that aim.

As an Amendment, Mr R Gale seconded by Mr A MacKintosh **MOVED** to uphold the Notice of Review and grant planning permission. Reasons given in support of upholding the Notice of Review:

That the property has been operated as a short term let for a number of years without any complaints in a street which already contains a number of short term let properties and so cannot be said to have a detrimental impact on the amenity and character of the area. Also, the Highland Council Non-Statutory Short-Term Let Control Area Planning Policy (2023) was not in place at the time that the application was made and so should not be applied to this application.

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 D Millar, Mr P Oldham, Mrs M Paterson

**For the Amendment:**
Mr R Gale, Mr A Mackintosh.

**Decision:-**

The Review Body **AGREED** to **DISMISS** the Notice of Review and refuse planning permission subject to the reasons contained within the report of handling being reorganised as:

1. The proposal is contrary to NPF4 Policy 30 Tourism (e) part (i) as it would have an unacceptable impact on the character of the neighbourhood and on the local amenity of the area.

2. The proposal is not considered to meet any of the criteria in the Highland Council Non-Statutory Short-Term Let Control Area Planning Policy (2023) that are required for the Planning Authority to support an application for a short term letting property within the Short Term Let Control Area. The purpose of the Short Term Let Control Area is to ensure that there is an adequate supply of homes for local people, and this development is contrary to that aim.

**5.2**

**Declarations of Interest – Mr D Fraser declared an interest as he is personally acquainted with the applicant in relation to this application. In accordance with paragraph 5.6 of the revised Code of Conduct, he withdrew from consideration of this item and left the meeting for its duration.**

**Ward:** 12 Aird And Loch Ness
**Review Body Ref:** 25/00075/RBREF
**Applicant:** Mr Andy Lewis
**Location:** Land 60M NE Of Grian, Balnain, Drumnadrochit,
**Nature of Development:** Erection of 3 dwellinghouses, 24/01715/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. Conditions shall consider the upgrade of the access road, provision of a bin store and a suitable drainage condition for disposal of foul and surface water. Reasons given in support of upholding the Notice of Review:

The application site is part of Balnain and seeks to infill an undeveloped site within the natural pattern of development of the village and so complies with policy 12 of the Highland-wide Local Development Plan. The siting of the site does not have an unacceptable impact on the local character and amenity of the area.

**5.3**
**Ward:** 11 Caol And Mallaig
**Review Body Ref:** 25/00076/RBREF
**Applicant:** Mr & Mrs R Thomas
**Location:** Land 20M West Of Alveston, Lochyside, Fort William,
**Nature of Development:** Demolition of existing holiday lodge and erection of dwelling house, 24/02950/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 proposed dwelling house would have an unacceptable standard of amenity due to the proximity of three adjacent houses, and the development would have a significant adverse impact on the amenity of the occupiers of Alveston, Ben View, and Aonach Mhor Lodge, contrary to policy 14 (Design Quality and Place) of NPF4 and policy 28 (Sustainable Design) of the Highland wide Local Development Plan, 2012.

2. The placement of the house footprint within the site is severely constrained by the position of an existing public foul sewer and water main, and no alternative house footprint is available within this site. Accordingly, the proposal is considered to be incompatible with public service provision and therefore would not accord with policy 28 (Sustainable Design) of the Highland wide Local Development Plan, 2012.

3. The development does not demonstrate sensitive siting in keeping with the character of the local area, by virtue of its backland situation and further infilling in between three existing houses on this former croft. This additional house would increase the density of development and diminish the quality of the area, and thereby the development would not conserve and enhance the character of this part of Lochyside, contrary to policies 28 (Sustainable Design) and 34 (Settlement Development Areas) of the Highland wide Local Development Plan, 2012 and policy 14 (Design Quality and Place) of NPF4.

**5.4**
**Ward:** 13 Inverness West
**Review Body Ref:** 25/00079/RBCON
**Applicant:** Mr Christopher Faulds
**Location:** Land 15M East Of, Cloudhowe, 67 Glenurquhart Road, Inverness
**Nature of Development:** Conversion of garage to ancillary accommodation (as amended), 25/01438/FUL
**Reason for Notice of Review:** Review Body. Against conditions imposed

**Decision:-**

The Review Body **AGREED** to **UPHOLD** the Notice of Review and grant planning permission removing condition 3 of 25/01438/FUL but retaining other conditions. Reasons given in support of upholding the Notice of Review:

Condition 3 is not considered to be necessary or enforceable and therefore should be removed under the terms of Planning Circular 4/1998.

**5.5**
**Ward:** 05 Wester Ross, Strathpeffer And Lochalsh
**Review Body Ref:** 25/00080/RBREF
**Applicant:** FBM Architects
**Location:** Land 95M South Of Skylark, Ardmair, Ullapool,
**Nature of Development:** Erection of house, 25/00555/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, including a drainage condition for disposal of surface water. Reasons given in support of upholding the Notice of Review:

The extent of landscaping works required as part of the application is not excessive in order to achieve the final design which is innovative and does not adversely impact the existing landscape. Accordingly, the application complies with Highland-wide Local Development Plan policies 26 and 17c, and supplementary planning guidance.

**5.6**
**Ward:** 18 Nairn And Cawdor
**Review Body Ref:** 25/00081/RBREF
**Applicant:** Mrs M McIntosh
**Location:** Land 15M East Of, 13 Moss-side Road, Nairn,
**Nature of Development:** Erection of house, 24/01162/PIP
**Reason for Notice of Review:** Review Against Refusal

**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 located within land at risk of fluvial flooding during 1 in 200 year plus climate change flood event and it has not been adequately demonstrated that the

proposed house would be free from flood risk and would not increase the risk of flooding for the surrounding properties. Accordingly, it is considered that the proposal is contrary to NPF4 Policy 22 (Flood risk and water management), and Highland-wide Local Development Plan Policy 64 (Flood Risk).

The meeting ended at 15:50pm