

**The Highland Council
Planning Review Body**

**21 April 2026, 2:00pm
Minutes**

Listed below are the decisions taken by the Planning Review Body at their virtual meeting on 21 April 2026. 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 R Gale
Mr B Lobban
Mr A Mackintosh
Mr P Oldham

Non-Members also present:

Mr M Baird (Remote)
Mrs T Roberston (Remote)

In Attendance:

Ms B Alexander, Solicitor
Mr B Strachan, Independent Planning Adviser to the Planning Review Body
Mrs O Bayon, Committee Officer

Mr P Oldham in the Chair

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

Apologies for absence were intimated on behalf of Mr D Fraser and Mrs M Paterson.

2. Declarations of Interest/Transparency Statement

There were no Declarations of Interest or Transparency Statements.

3. Minutes of Previous Meeting

There had been circulated and **APPROVED** the Minutes of Meetings held on 17 March 2026.

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: 13 Inverness West

Review Body Ref: 25/00098/RBREF

Applicant: Mr James Ellistone

Location: Land 160M SW Of Rohan, Blackpark, Inverness,

Nature of Development: Erection of house and garage, 25/02812/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 reasons contained in the report of handling as follows:

1. The site was located within the Accessible Rural Area as defined by National Planning Framework 4 (NPF4) Policy 17(a) Urban Rural Classification. This only allows for housing in limited circumstances. It was not considered that the proposal accords with the siting and character requirements of NPF4 Policy 17(a); additionally, the submission had not provided any supporting evidence to demonstrate that it meets any of the 8 exceptions to NPF4 Policy 17(a).
2. The site did not meet the definition of a housing group nor does it meet the criteria for expansion of a housing group as set out in the Council's Rural Housing Supplementary Guidance (2021).

5.2

Ward: 18 Nairn And Cawdor

Review Body Ref: 26/00001/RBREF

Applicant: Mr Fraser Fotheringham

Location: Altonhill, Tradespark Road, Nairn, IV12 5NG

Nature of Development: Erection of extension and garage, 25/02031/FUL

Reason for Notice of Review: Review Against Refusal

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. Reasons given in support of upholding the Notice of Review:

1. The proposal was in accordance with NPF4 Policies 14 and 16 and Policies 28 and 29 of the HwLDP and the Council's Guidance on House Extensions and Other Residential Alterations for the following reasons:-

The overall scale, massing and visual impacts of the proposal were acceptable. It was appropriately sited and its design was consistent with the house as previously extended. As such the proposal would not detrimentally impact upon the amenity of the neighbouring properties or the character of the surrounding area.

5.3

Ward: 08 Dingwall And Seaforth

Review Body Ref: 26/00005/RBREF

Applicant: Mr Stuart Davis

Location: Land 165M South Of Foxlea House, Highfield Park, Conon Bridge,

Nature of Development: Erection of house, 25/02514/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 reasons contained in the report of handling as follows:

1. The proposal was contrary to the Highland Council's adopted Rural Housing Supplementary Guidance for the acceptable expansion of a housing group, in that it:
 - Fails to have a positive relationship with any of the existing groups in the vicinity of the site;
 - Fails to enhance the cohesiveness and relationship of the existing buildings within the existing housing groups;
 - Fails to reflect the character, spacing and amenity of the buildings in the group;
 - Would result in the coalescence of two existing housing groups.
2. The proposal was located within a pressurised area, where there was a demand for commuter based housing. This was contrary to the aims of rural housing policies, since it would add to the suburbanisation of the countryside and was not linked to service provision. An additional house would further erode the rural nature of the area. Instead, development should be directed to existing settlement development areas, since these had the best existing access to community facilities,

infrastructure, employment and other commercial opportunities, and environmental capacity to support that growth, and where infrastructure capacity exists at least cost to the public and private sector.

3. The proposal fails to comply with NPF4 Policy 17 (rural housing), in that it does not comply with any of the list of acceptable development types in 17a), does not meet the 'housing group' requirements or 'local living' as per 17b) and was not in a remote rural area so does not comply with the requirements of 17c).
4. The distances from local facilities and the nature of the roads, along with the absence of local public transport connections would result in car based living, since the majority of daily needs cannot be met within a reasonable distance of the site by means of walking, wheeling or cycling or using sustainable transport options. This was contrary to the requirements of NPF4 Policies 13b) and 15, and Highland-wide Local development Policies 28 and 56.
5. The proposal was contrary to the provisions of Highland-wide Local Development Plan Policies 28 and 29, and NPF4 Policy 17a, since the coalescence of two distinct housing patterns would lead to the suburbanisation of the rural area, overwhelm the landscape setting, and fails to integrate into the character of the area in an acceptable manner. Instead, the proposal:
 - fails to demonstrate sensitive siting in keeping with the local character;
 - fails to demonstrate respect towards the local distinctiveness of the landscape; and
 - fails to integrate into the existing pattern of development in the area in an acceptable manner.
6. The proposal was contrary to NPF4 Policy 1, in that it would result in reliance on the private car for transport needs, thus failing to demonstrate sufficient regard to the global climate and nature crises.

5.4

Ward: 10 Eilean A' Cheò

Review Body Ref: 26/00007/RBCON

Applicant: Deli Gasta Ltd

Location: Deli Gasta, Harrapool, Broadford, Isle Of Skye

Nature of Development: Section 42 Application to vary condition 2 of 19/02987/FUL (Retrospective change of use to cafe), 25/03789/S42

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 subject to an amended condition 2 to control operating hours for the outdoor area as follows:

The outdoor space within the planning unit shall not be used by customers after 22:00hrs other than for the parking of vehicles.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.
Reason given in support of upholding the Notice of Review:

To preserve and protect the amenity of nearby residential properties.

5.5

Ward: 20 Badenoch And Strathspey

Review Body Ref: 26/00009/RBREF

Applicant: Mrs Paula Duthie

Location: Rosarden, Dulnain Bridge, Grantown-On-Spey, PH26 3LY

Nature of Development: Use of property as short term let and house, 25/03683/FUL

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 development was contrary to NPF4 Policy 30 Tourism (e) part (i) as it was considered to had an unacceptable impact on the character of the neighbourhood and on the local amenity of the area.

5.6

Ward: 20 Badenoch And Strathspey

Review Body Ref: 26/00011/RBREF

Applicant: Mr Malcolm Sharp

Location: Birch Cottage, Balgowan, Newtonmore, PH20 1BS

Nature of Development: Use of property as short term letting unit, 25/01214/FUL

Reason for Notice of Review: Review Against Refusal

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 reason contained in the report of handling.

As an Amendment, Mr R Gale seconded by Mr A MacKintosh **MOVED** 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 to include a temporary permission for use as a short-term let to run in conjunction with the short-term let licence, with a cessation date of 2 April 2028. Reason given in support of upholding the Notice of Review:

The proposal constitutes an acceptable departure from the Council's Non-Statutory Short Term Let Control Area Planning Policy due to the temporary nature of the planning permission and because it would revert to residential use thereafter.

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

The **MOTION** received 2 votes, and the **AMENDMENT** received 3 votes, with no abstentions, and the **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:

For the Motion:

Mr B Lobban, Mr P Oldham

For the Amendment:

Mrs I Campbell, Mr R Gale, Mr A Mackintosh.

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 to include a temporary permission for use as a short-term let to run in conjunction with the short-term let license, with a cessation date of 2 April 2028.

The meeting ended at 3.50pm