

## **The Highland Council**

### **North Planning Applications Committee**

Minute of the meeting of the North Planning Applications Committee held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 31 July 2019 at 10.30 am.

#### **Committee Members Present:**

Mr R Bremner (by video conference from Wick) (excluding item 6.1), Mrs I Campbell, Ms K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale (by video conference from Golspie), Mr D MacKay (excluding item 5.1), Mrs A MacLean, Mrs M Paterson, Mr K Rosie (excluding items 1 – 6.2) and Ms M Smith (excluding item 6.1).

#### **Officials in attendance:**

Mr D Jones, Acting Head of Development Management - Highland  
 Ms J Bridge, Senior Engineer (Development Management)  
 Mr M Harvey, Team Leader  
 Mrs D Stott, Principal Planner  
 Mrs G Pearson, Acting Principal Planner  
 Mrs K Lyons, Principal Solicitor – Planning and Clerk  
 Mr I Meredith, Solicitor, Regulatory Services  
 Mrs A MacArthur, Administrative Assistant

### **Business**

#### **Ms Maxine Smith in the Chair**

The Chair confirmed that the meeting would be filmed and broadcast over the Internet on the Highland Council website and would be archived and available for viewing for 12 months.

Mr Iain Meredith, Solicitor, was welcomed to his first meeting of the North Planning Applications Committee.

#### **1. Apologies Leisgeulan**

Apologies for absence were received from Mr C MacLeod, Mr D MacLeod and Mr A Sinclair.

Apologies had also been received from Mr K Rosie who would be late to the meeting due to an accident at Dornoch.

#### **2. Declarations of Interest Foillseachaidhean Com-pàirt**

Item 5.1: Mr D MacKay (non-financial)

Item 6.1: Ms M Smith (financial).

Item 6.1: Mr R Bremner (non-financial).

**3. Confirmation of Minutes  
Dearbhadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the minutes of the meeting of the Committee held on 4 June 2019 which was **APPROVED**.

**4. Major Development Update  
Iarrtasan Mòra**

There had been circulated Report No PLN/056/19 by the Acting Head of Development Management - Highland providing an update on progress of all cases within the "Major" development category currently with the Planning and Development Service for determination.

Mr C Fraser was pleased to see that progress was being made to secure a legal agreement related to the housing development at Culbokie.

The Acting Head of Development Management advised Members that there were two national applications, the Dounreay application and the application at Dalchork for a sub-station. As these were national developments these would be brought to a future meeting of the Highland Council and not this Committee.

The Committee **NOTED** the current position with these applications.

**5. Major Developments – Pre-application consultations  
Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais**

**Mr D MacKay had declared a non-financial interest in wind farms in Caithness and left the Chamber for the duration of this item.**

**5.1 Description:** Bad Fearn Wind Farm – comprising of up to 10 turbines and associated infrastructure, with tip heights of up to 200 m, and an installed capacity of up to 49.9 mW, including associated electrical infrastructure (19/02649/PAN) (PLN/057/19)

**Ward: 3**

**Applicant:** EnergieKontor UK Ltd

**Site Address:** Land at Braemore Road, Dunbeath.

There had been circulated Report No PLN/057/19 by the Acting Head of Development Management - Highland on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

The Committee **NOTED** the submission of the PAN and highlighted no material planning considerations they wished brought to the applicant's attention other than those identified in the report.

## 6. Planning Applications to be Determined Iarrtasán Dealbhaidh rin Dearbhadh

**Declarations of Interest - Ms M Smith declared a financial interest as a Joint Chair of the Albyn Housing Society and left the Chamber for the duration of this item.**

**Mr R Bremner declared a non-financial interest as a member of the Albyn Housing Board and also left the Chamber for the duration of this item.**

**6.1 Applicant:** Albyn Housing Society (18/01883/MSA) (PLN/058/19)

**Location:** Land 200 m, SE of Alness Academy, Alness (Ward 6).

**Nature of Development:** Erection of housing development, road network and associated infrastructure to provide 115 houses (45 houses, Phases 5A and 5B and 70 serviced plots).

**Recommendation:** Approve matters specified.

There had been circulated Report No PLN/058/19 by the Acting Head of Development Management - Highland recommending that the Committee approve matters specified subject to the conditions detailed in the report.

The Planning Officer and Senior Engineer responded to Members' questions as follows:

- at the time the application for planning permission in principle had been granted there had been no requirement for developer contributions for education purposes, this application was for approval of matters specified in conditions attached to the planning permission in principle and development contributions could not now be asked for;
- signs had not proven the most effective way of reducing traffic speed, the road layout had been specifically designed to be self-enforcing at reducing the traffic speed;
- Albyn would be responsible for the maintenance of the grassed areas; and
- a Tree Preservation Order was not required as there was no direct risk to trees in this development.

During discussion, Members' comments included the following:-

- pleased to see the solar panels at properties although the installation of charging points at all houses being built should also be the way forward for future developments;
- the Scottish Government and The Highland Council had declared a climate emergency and it would be useful if at least one of the roads in this development could utilise the new recycled plastic road system as an alternative to tarmac to explore and trial the possibility of plastic on Highland roads; and
- it would be helpful to include applicable comments at the Climate Change section of the report.

The Committee **AGREED** to **APPROVE** this application for approval of matters specified in conditions subject to amendment of condition 10 and an additional footnote as follows:

10. All landscaping works and associated footpath links shall be carried out in accordance with the scheme and plans approved as part of this permission (Drawings Ref. 1019-DM-GA-01 REV C; 1019-DM-LP-01 REV B; 1019-DM-LP-02 REV C; 1019-DM-LP-03 REV C; 1019-DM-LP-04 REV B; 1019-DM-LP-05 REV B; and DM-LP-02). All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the relevant phase 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. For the avoidance of doubt, in respect of Phase 5A, the landscaping to be carried out as part of this phase shall comprise all landscaped areas shown on the Site Layout Plan for this phase (Drawing Ref. 4393-01-002 Ref F); together with all landscaping shown within the associated SuDS drainage area (Drawings Ref. 920-01 and 920-02); together with the proposed perimeter native woodland edge, including continuation of the footpath to the north, as far as its connection with the Core Path RC03.10. For the avoidance of doubt, in respect of Phase 5B, the landscaping to be carried out as part of this phase shall comprise all landscaped areas shown on the Site Layout Plan for this phase (Drawing Ref. 4393-01-003 REV E); together with all landscaping shown within the associated SuDS drainage area (Drawings Ref. 1020-1 and 1020-02); together with all outstanding landscaping required to the east and south of the assisted living units as detailed on Drawing Ref. 1009-DM-LP-02.)

Reason: In order to ensure that the approved landscaping works and footpath links are properly and timeously undertaken on site, to secure high-quality open spaces and footpath/cycle links in compliance with Council Policy and Supplementary Guidelines.

Additional footnote: to encourage consideration of elements within the future development to help address climate change concerns such as the use of recycled plastics in road construction and electric charging points.

**6.2 Applicant:** Scottish Salmon Company (18/04819/FUL) (PLN/059/19)

**Location:** West Strome, Lochcarron (Ward 5).

**Nature of Development:** Marine fish farm – installation and operation of an Atlantic salmon fish farm adjacent to the existing Strome farm – consisting of 16 circular pens each 100 m circumference and an accompanying feed-barge.

**Recommendation:** Grant.

There had been circulated Report No PLN/059/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Planning Officer responded to Members' questions as follows:

- the fish pens were mostly seen from a distance within a large expanse of water and as such were not invisible but neither were they dominant. It was accepted that the fish pens would be very prominent to receptors in the water (in a kayak for instance), but this was not the way most people viewed the fish pens;
- the findings from the consultees had been that the tidal flow exported little material away from the site, most of the waste product from the existing farm, which was relatively low, remained contained within the site;
- climate change was a challenge for the fish farming industry, algae in the water and gill disease was something the industry was having to deal with and find solutions to, it will be an ongoing challenge;
- this application hadn't raised an issue in terms of a protected species affected by acoustic developments;
- the Environmental Management Plan was at an early stage and would be adapted as necessary. It was considered that the critical meetings were those at the end of the production run, the opportunity for change would be during the fallow period between production cycles;
- the fish farm was a significant employer in the area, other bodies also have responsibility for the sea farms, the sea lice would be monitored by Marine Science Scotland, SEPA and Scottish National Heritage; and
- applications had to be considered under the current regulatory framework until new policies were agreed.

During discussion, Members' comments included the following:-

- under Scottish Government planning policy guidelines, planning authorities should not be impeding development without justification and there was no justification to refuse this application; and
- the visual impact of this development from the existing road was minimal, the development was important to the local economy.

Ms I Campbell, stated that although she had concerns about sea lice management, the people in the area depended on the fish farm for employment and therefore she did not intend to put forward a motion against the recommendation to grant permission.

The Committee **AGREED** to **GRANT** the application subject to the conditions listed in the report.

The Committee **AGREED** to **NOTE** a request from members to visit a fish farm in the future.

**6.3 Applicant:** Pat Munro (Alness) Ltd (19/00168/S42) (PLN/060/19)

**Location:** Tor Leathan Quarry, Ardrross, Alness (Ward 6).

**Nature of Development:** Application under Section 42 to amend condition 3 of planning permission 02/00941/FULRC to increase maximum output in calendar year 2019.

**Recommendation:** Grant.

There had been circulated Report No PLN/060/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Planning Officer responded to Members' questions as follows:

- due to the length of time from the grant of the original development, some conditions were no longer relevant and the permission would be tidied up to reflect these changes.

The Committee **AGREED** to **GRANT** the application subject to the amendment of the existing section 69 agreement and the conditions listed in the report.

**6.4 Applicant:** SSE Generation Limited (19/00775/S36) (PLN/061/19)

**Location:** Land 3610 m NE of Ascoile, Gordonbush, Brora (Ward 4).

**Nature of Development:** Section 36C application – amendment to consented Gordonbush extension (reduction in number of turbines from 15 to a maximum of 11 and increase in tip height to a maximum of 149.9 m.

**Recommendation:** Raise no objection.

There had been circulated Report No PLN/061/19 by the Acting Head of Development Management - Highland recommending that the Committee raise no objection subject to the conditions detailed in the report.

The Senior Engineer responded to Members' questions as follows:

- Upgrading of the road would be required and would be conditioned.

The Committee **AGREED** to **RAISE NO OBJECTION** to the grant of consent subject to the conditions listed within the report.

**6.5 Applicant:** The Scottish Salmon Company (19/01413/FUL) (PLN/062/19)

**Location:** North Aird, Ardheslaig, Loch Shieldaig (Ward 5).

**Nature of Development:** Marine fish farm – Atlantic salmon: new site consisting of 4 x 100 m circumference circular cages.

**Recommendation:** Grant.

There had been circulated Report No PLN/062/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Planning Officer responded to Members' questions as follows:

- biomass was a term used to describe the weight of the fish in the fish farm;
- the food barge referred to by objectors, had a condition stating that the colour should be green, as the food barge was due to come out of the water the opportunity would be taken to change the colour to a less visible blue;
- the applicant's had indicated that one combined site would be easier to manage;
- the majority of the construction activity for the fish farm would be via the sea and as such there had been no transport assessment;

- although there were very few prohibitions in the planning policy the North and East coasts had both been prohibited from fish farm development due to the negative impact it would have on salmon and trout;
- as this meeting did not include a hearing, members of the public present were not able to address the committee; and
- Marine Science Scotland did not frame their response as an objection, however their points all represented reasons for objection. The Committee requested that Marine Science Scotland be asked to indicate in future responses whether they “object” or “do not object”.

During discussion, Members’ comments included the following:-

- request that future reports have a page with the acronyms, at the start of the report, for ease of reference whilst reading the report.

Mrs K Currie, seconded by Mrs I Campbell, **MOVED** refusal of the application for the following reasons:

The application fails to meet the expectations of policies 49, 50, 57 and 58 of the Highland Wide Local Development Plan. The proposed benefits of the development (including the removal of the Kenmore site) do not outweigh the environmental considerations and impacts on wild fish. External statutory consultees have highlighted that the development is likely to have "significant" impact on the marine ecology of the local area, which includes a potential negative impact on protected and rare species of animal life incorporating both migratory species, wild salmonids and sea trout.

There being no amendment the Committee **AGREED** to **REFUSE** the application for the following reasons:

**NOTE 1:** when reports referred to acronyms, definitions be included on front page of report for ease of reference.

**NOTE 2:** member request that Marine Science Scotland make clear whether they are objecting or not

## 7. **Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division** **Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir**

**7.1 Applicant:** Limekiln Wind Limited (16/02752/S36) (WIN-270-8)

**Location:** Limekilns Estate, Reay

**Nature of Development:** Proposed erection of 24 wind turbines (9 turbines at 126 m to blade tip and 15 turbines at 139 m to blade tip) and associated infrastructure at the Limekiln Estate with a generating capacity of up to 72 MW (Limekilns Wind Farm)

The Committee **NOTED** the decision of Scottish Ministers to grant consent under section 36 of the Electricity Act 1989 and deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 subject to the conditions contained in the decision letter.

**7.2 Applicant:** Drum Hollistan Renewables LLP (16/04987/S36) (WIN-270-9)  
**Location:** Land 2215M SW Of Under Keepers Cottage, Sandside, Reay  
**Nature of Development:** Erection of 17 turbine wind farm (Drum Hollistan Wind Farm)

The Committee **NOTED** the decision of Scottish Ministers to refuse consent under section 36 of the Electricity Act 1989 and deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 for the reasons contained in the decision letter.

**7.3 Applicant:** Richard Drummond (19/00243/FUL) (PPA-270-2211)  
**Location:** Quay Street, Ullapool, IV26 2UE.  
**Nature of Development:** Painting of stone boundary wall (part retrospective)

The Committee **NOTED** the decision of the Reporter to allow the appeal and grant planning permission subject to the following condition:

White paintwork shall be applied to the wall as highlighted in red on the 'existing site plan' and shall be maintained as such in perpetuity.

Reason: in order to define the permission and to safeguard the ongoing character and appearance of the Ullapool Conservation Area.

The meeting closed at 3.20 pm.



**The Highland Council  
South Planning Applications Committee**

Minute of Meeting of the South Planning Applications Committee held in the Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 7 August 2019 at 10.30 am.

**Committee Members Present:**

Mr R Balfour, Mr A Baxter (excluding items 6.9 and 6.10), Mr B Boyd, Ms C Caddick, Mr G Cruickshank, Mrs M Davidson (excluding items 6.6 – 6.10), Mr J Gray, Mr T Heggie (excluding item 6.10), Mr A Jarvie (excluding item 6.5), Mr R Laird, Mr B Lobban, Mr N McLean (by video-conferencing).

**Non Committee Member Present:**

Mr D Mackay (items 1 – 6.2 only), Mr D Macpherson (items 6.2 – 6.5 only), Mrs T Robertson (items 3 – 6.1 only)

**Officials in attendance:**

Mr D Mudie, Area Planning Manager – South  
Mr M Clough, Senior Engineer, Transport Planning  
Mrs S Macmillan, Team Leader  
Mr B Robertson, Team Leader  
Mr S Hindson, Team Leader  
Mr R Dowell, Planner  
Ms L Stewart, Planner  
Miss C McArthur, Principal Solicitor (Regulatory Services)  
Mr I Meredith, Solicitor (Regulatory Services)  
Mr S Taylor, Administrative Assistant

**Mr J Gray in the Chair**

**Preliminaries**

The Chairman confirmed that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

**Business**

**1. Apologies for Absence  
Leisgeulan**

Apologies for absence were intimated on behalf of Mr L Fraser, Ms P Hadley and Mr B Thompson.

**2. Declarations of Interest  
Foillseachaidhean Com-pàirt**

Item 6.5 – Mr A Jarvie (non-financial).

### 3. Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais

There had been circulated for confirmation as a correct record the minute of the Committee meeting held on 11 June 2019 which was **APPROVED**.

### 4. Major Development Update Iarrtasan Mòra

There had been circulated Report No PLS/049/19 by the Area Planning Manager – South, which provided a summary of all cases within the “Major” development category currently with the Planning and Development Service for determination.

The Committee **NOTED** the current position.

### 5. Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais

- 5.1 **Description:** Erection of 50no cabins with associated forest retreat, managers accommodation, cycle store, maintenance area, internal roads, paths and utilities and drainage infrastructure. (19/02871/PAN) (PLS/050/19)  
**Ward:** 21 – Fort William and Ardnamurchan  
**Applicant:** Forest Holidays  
**Site Address:** Land 450M SW of Highland Wood Energy, Lochaber Rural Complex, Aonach Mor Access Road, Fort William.

There had been circulated Report No PLS/050/19 by the Area Planning Manager – South on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

The Committee **NOTED** the submission of the PAN and requested that the following material issue be brought to the applicant's attention in addition to the material considerations referred to in the report:-

- Consideration to be given to road and transport infrastructure issues arising from the development, in particular, the impact on the A82 through Fort William given the number of planning consents for housing within the area over the last year.

- 5.2 **Description:** Proposed residential development. (19/02872/PAN) (PLS/051/19)  
**Ward:** 17 – Culloden and Ardersier  
**Applicant:** The Highland Council  
**Site Address:** Land 370M SE of Balloch Farm, Cherry Park, Balloch, Inverness.

There had been circulated Report No PLS/051/19 by the Area Planning Manager – South on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

The Committee **NOTED** the submission of the PAN and highlighted no further material planning considerations they wished brought to the applicant's attention other than those identified in the report.

5.3 **Description:** Residential development (in principle), means of access, and associated infrastructure. (19/02938/PAN) (PLS/052/19)

**Ward:** 19 – Inverness South

**Applicant:** R F More (Properties) Limited

**Site Address:** Inshes Small Holding (north), Wester Inshes, Inverness, IV2 5BG.

There had been circulated Report No PLS/052/19 by the Area Planning Manager – South on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

The Committee **NOTED** the submission of the PAN and highlighted no further material planning considerations they wished brought to the applicant's attention other than those identified in the report.

5.4 **Description:** Demolition of the existing building and erection of 162 bedroom courtyard by Marriott Hotel comprising retail unit on the ground floor. (19/03401/PAN) (PLS/053/19)

**Ward:** 14 – Inverness Central

**Applicant:** Bricks Capital

**Site Address:** 122B Academy Street, Inverness.

There had been circulated Report No PLS/053/19 by the Area Planning Manager – South on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

During discussion, the Chair suggested that specific issues in relation to the principle of development within Inverness City Centre could be raised during development briefings with local Members.

Thereafter, the Committee **NOTED** the submission of the PAN and requested that the following material issues be brought to the applicant's attention in addition to the material considerations referred to in the report:-

- Consideration to be given to parking on the site given the loss of car parking facilities proposed within this development including detailed description of what mode of transport people are expected to arrive at the hotel;
- Consideration given to the proposed vehicular access to the development and any reconfiguration of the signalised junction at Chapel Street, Academy Street and Friars Place and what impact it would have on the Academy Street thoroughfare; and
- Consideration as to how the proposal (both the demolition of the existing building and the proposed building) sits with the Inverness City Centre Development Brief aims as a place to live for permanent residents in addition to short term visitors.

## 6. Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh

- 6.1 **Applicant:** Ossian Developments Ltd (18/05376/FUL) (PLS/054/19)  
**Location:** Land 80M South of Bratach Ban, Lettermore, Ballachulish. (Ward 21)  
**Nature of Development:** Installation of 7 holiday pods and associated services.  
**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report.

Mrs S Macmillan presented the report and recommendation.

In response to questions, the following was confirmed:-

- The ePlanning system currently did not require the inclusion of the correspondent's home address within an e-mailed representation; however, in light of Member concern regarding this, the Council would look into the issue and highlight it as part of the Scottish Government's review of the ePlanning system;
- The applicant had not provided details as to why consideration of an alternative access through the golf course to the site had not been made; however, it was suggested that this could have been due to potential logistical issues in creating vehicular access through the existing path network within the golf course;
- The "treasured open space" was not located within the local development plan designation and would not be impacted by the proposed development as the application site was located away from this space on lower lying ground;
- In relation to the proximity of the application site boundary to Bratach Ban, it was confirmed that the orientation of some of the pods has been adjusted to focus their principal elevations towards the loch and that the property was approximately located 17 metres from the nearest edge of the stone boundary wall with a mix of the trunk road and vegetation between this distance;
- The applicant had expressed a willingness to address any concerns raised regarding road safety; and
- Additional conditions could be drafted, in discussion with Transport Planning, to address the following:-
  - potential white lining of the pedestrian route on the Glenachulish Road to the bus shelter;
  - signage to manage access through the site which would encourage visitors to avoid the public road could; and
  - a passing place on the private internal track in addition to the allocated parking spaces.

During discussion, Members' comments included the following:-

- The importance of mitigating road safety issues on Glenachulish Road and the need for a clearly marked pedestrian route to the bus shelter for school children was emphasised;

- The site was located within an area which the Local Plan supported for further tourism development and would have a relatively low impact;
- The approach suggested by the Forestry Officer in relation to tree protection within the site was welcomed; and
- The proposed development would have a significantly lower impact in terms of siting and design in comparison with the previous planning application for four holiday cottages within the site which had been granted and had subsequently lapsed.

The Committee agreed to **GRANT** planning permission subject to the conditions recommended in the report together with additional conditions, to be drafted in consultation with Local Members, to address the following:

- Exploring the white lining for a pedestrian route on the Glenachulish Road to the bus shelter;
- Signage to manage the access through the site for visitors to encourage them to stay away from the public road; and
- Inclusion of a passing place on the private internal track in addition to the allocated parking spaces.

6.2 **Applicant:** ILI (Highlands PSH) Ltd (18/05427/S36) (PLS/055/19)

**Location:** Land 630m east of Park Cottage, Dores. (Ward 12)

**Nature of Development:** To construct and operate a pumped storage hydro scheme approximately 14km SW of Inverness.

**Recommendation:** Raise no Objection.

There had been circulated Report No PLS/055/19 by the Area Planning Manager – South recommending that the Council raise no objection to the Section 36 application and submit this to the Scottish Government’s Energy Consent and Development Unit, subject to the conditions recommended in the report.

Ms L Stewart presented the report and recommendation, during which she made reference the following:-

- Paragraph 5.11 to be amended to read “Forestry Officer has no objections subject to conditions.”;
- Paragraph 8.89 stated that “the plans identify two areas within the head pond which shows the direction water would flow away from Dores village”. It was confirmed that was in relation to the breach location and did not imply that Dores would not flood in the event of a breach in the reservoir; and
- It was requested that, should Members raise no objection, the Committee agree to delegate authority to the Area Planning Manager (South) to enable minor revisions and corrections to be made to the proposed conditions.

In response to questions, the following was confirmed:-

- It was estimated that the total construction period of the Upper Reservoir/Headpond and the associated embankments would take 6 years to complete;
- The visualisations provided during the presentation showed how the area would look after the first year of operation following commencement of development;

- The applicant was of the view that it would not be possible to provide visualisations of the total construction period due to uncertainty as to how each phase of the proposed development would be constructed;
- Transport Planning had originally objected due to concerns regarding the validity of the estimated traffic figure assumptions submitted by the applicant; however, documentation was subsequently submitted by the applicant to verify the figures;
- Transport Planning recognised that the proposed development would have a significant and protracted impact on traffic for the duration of the 6-year construction period;
- The applicant had not put forward mitigation measures to address the likely impact on road traffic as they did not have the detail as to how this aspect would be constructed; therefore, a condition had been included within the recommendation requiring the submission of a Construction Traffic Management Plan (CTMP);
- The breach analysis of the reservoir structure had been regarded as confidential under the Reservoirs (Scotland) Act 2011 due to the potential risk to national security as it was an active dam;
- Whilst there would be no direct spillway into Dores village, the spillways to the side and around the village could eventually inundate Dores in the event of a serious failure;
- The differences between the hydro scheme within this location and the dam at Whaley Bridge were outlined, during which it was confirmed that the proposed development had no natural catchment and therefore rainfall and flood events on the water fill levels within the reservoir would be minimal;
- The proposed development would be actively managed and continually monitored through water level sensors linked to the permanently staff control room;
- Dams associated with the reservoir come under the jurisdiction of the Reservoirs (Scotland) Act 2011, which employed strict standards and was regulated by SEPA;
- The proposed Upper Reservoir/Headpond measured 39 metres in height at its extent;
- Electricity would not be constantly supplied to the national grid and would only be used to provide extra electricity when demand was required;
- Traffic surveys had been undertaken by the applicant on a number of potential routes for construction traffic;
- Information was provided on the worse case scenario traffic impacts and the number of heavy goods vehicles (HGV) trips likely to be generated during construction;
- In relation to a shortfall of 12.1 hectares of compensatory planting which had been identified within the Environmental Impact Assessment report, this could be mitigated by condition and the submission of further detail regarding the location of the compensatory planting could be secured by condition;
- A concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 was proposed within the CTMP requiring pre-start and post-construction road condition surveys to be undertaken and, given the protracted period of construction, intermediate surveys would also be sought during construction to ensure mitigation measures were in place should any issues be identified;
- The CTMP would require any damage from construction traffic on already upgraded roads to be repaired and for sections of road which were not currently suitable for carrying HGVs to be upgraded during all periods of construction and decommissioning;

- It was anticipated that work undertaken in relation to the Construction Environmental Management Plan (CEMP) would be done in phases as required; and
- Condition 5 could be strengthened to ensure that the CEMP would be submitted at the earliest possible time.

During discussion, Members' comments included the following:-

- The application had failed to provide commitment and clarity regarding the construction of the proposed development;
- The applicant had shown a lack of awareness of the area's various Sites of Special Scientific Interest (SSSI);
- The proposed development would significantly impact on the visual amenity of the surrounding natural landscape;
- A request was made that that additional conditions be included within the recommendation should the Committee raise no objection to the application:- which could be circulated to the Planning Authority to merge with the current conditions. These included further aspects on safety, roads, landscape, tracks, layout and size of the work camp, building finishes, noise, lighting and materials.
- It was further suggested that any internal development tracks which had the biggest visual impact be removed if they couldn't be restored to a satisfactory standard. The cost of the proposed development was disproportionate to the amount of electricity it was likely to generate for the National Grid as it would only be required to supply electricity during times of increased demand;
- The Highlands had played a major role in the drive towards self-sufficiency and carbon neutral electrical power, and, in light of the huge demands currently faced in terms of infrastructure, it was considered that the application had failed to demonstrate how the community of the wider Highlands would benefit from its construction;
- Applicants should have the needs and desires of the Highlands firmly in mind when submitting applications of this type;
- The significant number of HGV trips required during the construction period would have a negative impact on the surrounding road network, in particular the B862 single track road which had already been damaged by HGVs serving other construction sites in the area;
- Given the significant increase in construction traffic arising from the proposed development, concern was expressed that the applicant had failed to submit a Construction Traffic Management Plan and had not provided information on how workers would be transported to and from the construction site;
- The impact of construction traffic would not just be confined to the B862 single track road;
- The proposed redesign of the A9(T) junction at Daviot could lead to further traffic problems due to the road works which would be required to be undertaken for that project;
- Until the outcome of inquiries into the Whaley Bridge dam failure were identified and new standards recognised, there should be a suspension of applications for hydro storage developments;
- Concern was expressed as to whether the issues raised by Members would be recognised during a Public Local Enquiry should an objection be raised;
- It was important to approve mitigation measures with the applicant as soon as possible to prevent any long-lasting visual impact on the amenity of the landscape during and following construction;

- A two-way traffic system was required on the road network upon leaving the A9(T) junction at Daviot to the construction site to mitigate the negative impact an increase of HGVs would have as it had already been subject to damage from construction traffic serving other developments;
- The use of the Caledonian Canal to transport materials to the construction site could impact on the road infrastructure in Inverness as swing bridges on the canal route would be required to open more frequently and a request was made that utilisation of the canal be held over until completion of phase 2 of the Westlink road development;
- More information was required within the Environmental Impact Assessment with regard to the impact the proposed development could have on areas of Inverness which were not currently protected by the River Ness flood alleviation schemes;
- Given the number of unanswered material concerns and questions raised both by Members and the local community, the view was expressed that an objection should be raised to the application and that a Public Local Inquiry could enable the outstanding issues raised to be addressed;
- Whether the use of any material taken out of the site, could be used onsite to lessen the impact and
- Serious questions had not been addressed in relation to issues of security and the safety of the proposed development.

No consensus having been reached between the members, Mrs M Davidson, seconded by Mr A Jarvie, moved a motion that the Council raise an objection to the Section 36 application and submit this to the Scottish Government's Energy Consent and Development Unit for the following reason:-

- The proposal was contrary to Policies 56 and 67 of the Highland wide Local Development Plan on the basis of the lack of a traffic management plan and the unacceptable increase in proposed traffic which would have a significantly detrimental impact on the road infrastructure and had not been appropriately mitigated; and
- The proposal was contrary to Policies 57, 61 and 67 of the Highland wide Local Development Plan based on the proposed visual impact on the landscape character of the surrounding area, in particular the north side of Loch Ness and the A82, but also the wider impact on the Loch Ness and Duntelchaig Special Landscape Area, particularly in relation to the construction and remediation stages.

Ms C Caddick then moved as an amendment that the Council raise no objection to the Section 36 application, subject to the conditions recommended in the report and the additional suggested conditions, but, having failed to find a seconder, the amendment fell.

### **Decision**

The Committee agreed to **Raise an Objection** to the Section 36 application and submit this to the Scottish Government's Energy Consent and Development Unit.

It was noted that at any scheduled Public Local Inquiry that the additional conditions suggested by Councillor Davidson would be merged with the current conditions. A further draft of the proposed conditions could be in consultation with Local Members.



- 6.3 **Applicant:** Millers of Speyside Ltd (19/01264/FUL) (PLS/056/19)  
**Location:** 9 Castle Road East, Grantown-On-Spey, PH26 3HS. (Ward 20)  
**Nature of Development:** Change of use from residential to HMO (Class 7).  
**Recommendation:** Grant.

There had been circulated Report No PLS/056/19 by the Area Planning Manager – South recommending the grant of the application, subject to the condition detailed in the report.

Mr B Robertson presented the report and recommendation.

In response to questions, the following was confirmed:-

- The purpose of the change of use was to provide accommodation for workers who had key roles within the applicant's business;
- As a House of Multiple Occupation (HMO), the accommodation would be run as a business and therefore generate revenue for the applicant;
- The Council's Road and Transport Guidelines for New Developments stated that, for car parking in residential developments, HMOs would be assessed on merit;
- Residential car parking standards for a new build accommodation within the curtilage of a property were 2 parking spaces for a three-bedroom house and 1.5 spaces per unit for a development with shared car parking; and
- In relation to Policy 2 of Cairngorms National Park Local Development Plan (Supporting Economic Growth), the application had been assessed on the basis that it was seeking to deal with a new use for a local business and the economic impact it could have.

During discussion, Members' comments included the following:-

- The proposed development would have a detrimental impact on the residential amenity of local residents;
- Transport Planning had raised an objection on the basis of a lack of car parking provision;
- The proposed development did not have off-street parking and therefore did not comply with Policy 1(7)(c) of the Cairngorm National Park Authority Local Development Plan;
- It was difficult for businesses in the Cairngorms to find accommodation for employees given the number of Airbnbs and self-catering facilities which were being rented out to tourists;
- Whilst the report stated that the Cairngorms National Park Authority had not raised an objection to the proposed development, this was due to its procedure of not commenting on applications unless they were required to be called-in; and
- The application supported economic growth, as per Policy 2 of Cairngorms National Park Local Development Plan (Supporting Economic Growth).

No consensus having been reached between the members, Mr J Gray, seconded by Ms C Caddick, moved a motion that the application be granted, subject to the condition recommended in the report.

Mr B Lobban, seconded by Mr A Baxter, moved as an amendment that the application be refused on the grounds that the proposed use would have a detrimental impact on residential amenity due to the lack of parking facilities and was therefore contrary to Policy 1(7)(c) of the Cairngorm National Park Authority Local Development Plan.

On a vote being taken, four votes were cast in favour of the motion and seven votes in favour of the amendment, with one abstention as follows:-

### **Motion**

Ms C Caddick  
Mr G Cruickshank  
Mr J Gray  
Mr T Heggie

### **Amendment**

Mr R Balfour  
Mr A Baxter  
Mr B Boyd  
Mrs M Davidson  
Mr A Jarvie  
Mr R Laird  
Mr B Lobban

### **Abstain**

Mr N McLean

### **Decision**

The Committee agreed to **REFUSE** planning permission.

- 6.4 **Applicant:** Millers of Speyside Ltd (19/01265/FUL) (PLS/057/19)  
**Location:** 14 Castle Road East, Grantown-On-Spey, PH26 3HS. (Ward 20)  
**Nature of Development:** Change of use from residential to HMO (Class 7).  
**Recommendation:** Grant.

There had been circulated Report No PLS/057/19 by the Area Planning Manager – South recommending the grant of the application, subject to the condition detailed in the report.

Mr B Robertson presented the report and recommendation.

No consensus having been reached between the members, Mr J Gray, seconded by Ms C Caddick, moved a motion that the application be granted, subject to the condition recommended in the report.

Mr B Lobban, seconded by Mr A Baxter, moved as an amendment that the application be refused on the grounds that the proposed use would have a detrimental impact on residential amenity due to the lack of parking facilities and was therefore contrary to Policy 1(7)(c) of the Cairngorm National Park Authority Local Development Plan

On a vote being taken, three votes were cast in favour of the motion and seven votes in favour of the amendment, with two abstentions as follows:-

### **Motion**

Ms C Caddick  
Mr J Gray  
Mr T Heggie

### **Amendment**

Mr R Balfour  
Mr A Baxter  
Mr B Boyd  
Mrs M Davidson  
Mr A Jarvie  
Mr R Laird  
Mr B Lobban

### **Abstain**

Mr G Cruickshank  
Mr N McLean

### **Decision**

The Committee agreed to **REFUSE** planning permission.

- 6.5 **Applicant:** B & L Properties Ltd (19/02069/FUL) (PLS/058/19)  
**Location:** Ross House, 14 Ardross Street, Inverness, IV3 5NS. (Ward 13)  
**Nature of Development:** Construction of 8 new mews style serviced apartments to the rear of Ross House.  
**Recommendation:** Grant.

**Declaration of Interest – Mr A Jarvie declared a non-financial interest in this item as an office bearer for the Conservative Party who were the former tenant of the property currently located within the application site and left the Chamber for the duration of the item.**

There had been circulated Report No PLS/058/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report and the prior conclusion of a Section 75 agreement.

Mr B Robertson presented the report and recommendation.

In response to questions, the following was confirmed:-

- The four units located on the first floor of the proposed development had windows to the rear which were perpendicular to the rear wall onto Ardross Place and looked in opposite directions, enabling daylight into the kitchen/lounge area;
- A storage facility for the provision of waste bins and bicycles was located to the right of the proposed building;

- The Council promoted active travel including the use of trains and buses and whilst it was recognised that there was a shortfall in parking within the site, this could be addressed through the conclusion of a section 75 legal agreement to provide a developer contribution towards active travel provision.
- It was estimated that the distance between the back of Ross House and the front wall of the proposed development was around 2 metres in length;
- Whilst there was an expectation that higher density buildings could be built within the city centre, the proposed development was comparable to a domestic scale house and was smaller in height than the existing Ross House building and the houses in Ardross Place;
- Information was provided on parking permits for businesses and residents within Inverness city centre, during which it was confirmed that businesses were allowed to apply for up to two parking spaces for the business and one parking space for visitors;
- Serviced apartments were defined as self-catering facilities that were serviced and cleaned by a management group and were marketed at the holiday and tourist market;
- The gap of between 6 to 7 metres between the back end of the car parking spaces and Ross House was earmarked for vehicle manoeuvring/reversing space and was based on Council guidelines;
- Cars parked against Ross House and the opposite wall would interfere with the 6-metre clear buffer and reduce manoeuvrability in and out of the parking spaces;
- Daylight was hemi-spherical and came in from different angles and was not affected by sunlight;
- There were existing buildings within the site that already took in a lot of natural daylight;
- An overview was provided of the assessment undertaken in relation to the proposed car parking arrangements for the whole site, during which, it was confirmed that, taking into account the proposed development and Ross House, the required number of car parking spaces for the whole of the site was estimated at 18 spaces including staff parking; however, whilst the proposal represented a shortfall of 9 spaces, the Council's Roads and Transport Guidelines for New Developments allowed for parking requirements within town and centres to be assessed on merit and following assessment of Tourism Scotland data on hotel occupancy numbers and a modal split of people travelling to the Highlands by car, it was estimated that a total of 11 car parking spaces would be required, and therefore, a developer contribution towards the outstanding two spaces would be sought; and
- It was considered that the impact of the proposed development in terms of overshadowing would be marginal in terms of the Building Research Establishment (BRE) guidelines and would not affect the amenity of neighbouring properties.

During discussion, Members' comments included the following:-

- Whilst there was a need for new housing and apartments in Inverness, concern was expressed that the proposed development would have a negative impact on the residential amenity of the properties on Ardross Place due to overshadowing;
- The importance of ensuring that precise calculations had been made in relation to the daylight and sunlight impact on Ardross Place was emphasised;

- In the context of its location within a conservation area and proximity to a listed building (Ross House), the proposed building would have a negative visual impact on the existing buildings in the surrounding area and represented a backyard residential development in a conservation area where no other similar developments existed;
- The proposed development would significantly change the nature of the streetscape in Ardross Place and represented over-development;
- The proposed apartments located behind Ross House would be dark and claustrophobic due to their proximity to the existing building;
- The proposed development was not in keeping with the Inverness Riverside Conservation Area and would impact on the visual amenity of at least two houses on Ardross Place due to the loss of sunlight; and
- There was already considerable pressure on car parking availability for residents in Ardross Street and the lack of suitable car parking arrangements for the proposed development would add to this problem.

No consensus having been reached between the members, Mr R Laird, seconded by Mr B Boyd, moved a motion that the application be refused on the grounds that the proposed development was contrary to Policies 28, 29 and 57 of the Highland wide Local Development Plan as it was not considered to make a positive contribution to the architectural and visual quality of the area, in particular on the character of Ardross Street and Ardross Place, due to the overdevelopment of the site creating a design that would not be sympathetic to the historic pattern and quality of this part of the Riverside Conservation Area. Neither would it respect the setting of the B listed Ross House. In addition, the siting and design of the proposed development was considered to have a significant adverse impact on the residential amenity of residents on the adjacent properties in Ardross Place.

Mr J Gray, seconded by Mr R Balfour, moved as an amendment that the application be granted, subject to the conditions recommended in the report.

On a vote being taken, nine votes were cast in favour of the motion and two votes in favour of the amendment, with no abstentions as follows:-

### **Motion**

Mr A Baxter  
 Mr B Boyd  
 Ms C Caddick  
 Mr G Cruickshank  
 Mrs M Davidson  
 Mr T Heggie  
 Mr R Laird  
 Mr B Lobban  
 Mr N McLean

### **Amendment**

Mr R Balfour  
 Mr J Gray

## Decision

The Committee agreed to **REFUSE** planning permission.

- 6.6 **Applicant:** Mr S. Dickson (19/01133/FUL) (PLS/059/19)  
**Location:** Land 30m North of Balnastraid, Duthil, Carrbridge. (Ward 20)  
**Nature of Development:** Part change of use of outbuilding to staff welfare accommodation (in retrospect).  
**Recommendation:** Grant.

There had been circulated Report No PLS/059/19 by the Area Planning Manager – South recommending the grant of the application, subject to the condition detailed in the report.

Mr R Dowell presented the report and recommendation.

In response to questions, the following was confirmed:-

- The planning history of the site included previous applications for welfare accommodation and separate planning applications for the siting of caravans in connection with the operational use for the site;
- Complaints had been received that the use of the building as a welfare facility had not been authorised and it had taken time for an application to be submitted in a format that could now be deemed acceptable;
- Whilst the farm was comparatively small in size (9.56 hectares), there were currently no welfare facilities within the site.

During discussion, Members acknowledged the concerns raised by local residents and emphasised the need to ensure that robust planning conditions were in place to ensure the proposed development did not become living accommodation.

The Committee agreed to **GRANT** planning permission subject to the condition recommended in the report.

- 6.7 **Applicant:** Mr S. Dickson (19/01136/FUL) (PLS/060/19)  
**Location:** Land 30m North of Balnastraid, Duthil, Carrbridge. (Ward 20)  
**Nature of Development:** Temporary storage of two static caravans.  
**Recommendation:** Grant.

There had been circulated Report No PLS/060/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report

Mr R Dowell presented the report and recommendation.

During discussion, Members considered the proposal to be acceptable as the proposed caravans would only be used for storage and not for living accommodation.

The Committee agreed to **GRANT** planning permission subject to the conditions recommended in the report.

- 6.8 **Applicant:** Macdonald Ground Works Ltd (19/00347/FUL) (PLS/061/19)  
**Location:** Lairgandour, Daviot, Inverness, IV2 6XN. (Ward 12)  
**Nature of Development:** Internal recycling facility.  
**Recommendation:** Grant.

There had been circulated Report No PLS/061/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report.

Mr R Dowell presented the report and recommendation.

During discussion, Members' comments included the following:-

- Concern was expressed that the site had gradually been allowed to develop from an operating farm into a de facto commercial industrial site;
- The importance of adhering to the recommended working hours was emphasised due to concerns raised regarding increased noise, light and traffic generated by the proposed development.

The Committee agreed to **GRANT** planning permission subject to the conditions recommended in the report.

- 6.9 **Applicant:** Mr Matthew Hamlet (19/01281/FUL) (PLS/062/19)  
**Location:** Little Mockbeggar, Woodside Avenue, Grantown-On-Spey, PH26 3JR. (Ward 20)  
**Nature of Development:** Conversion of existing garage and accommodation over, and erection of single storey extension to form house.  
**Recommendation:** Grant.

There had been circulated Report No PLS/062/19 by the Area Planning Manager – South recommending the grant of the application, subject to the condition detailed in the report

Mr R Dowell presented the report and recommendation.

During discussion, Members' comments included the following:-

- The proposed development was for a relatively small house in an in-fill site and represented an improvement on the previously granted planning permission; and
- Whilst the existing access road was narrow, it was considered that the volume of traffic generated by the proposed development would be small.

The Committee agreed to **GRANT** planning permission subject to the condition recommended in the report.

6.10 **Applicant:** Clash Gour Holdings Limited (18/05996/S36) (PLS/063/19)

**Location:** Clash Gour Wind Farm, South of Forres. (Within Moray Council Area – adjacent to Highland Council Wards 18 and 20)

**Nature of Development:** Construction of Clash Gour Wind Farm - comprised of 48 turbines with a ground to blade tip height of between 136m and 176m, with an installed capacity in excess of 50MW.

**Recommendation:** Raise an Objection.

There had been circulated Report No PLS/063/19 by the Area Planning Manager – South recommending that the Council raise an objection to the application and submit this to the Scottish Government's Energy Consent and Development Unit.

Mr R Dowell presented the report and recommendation.

In response to questions, the following was confirmed:-

- Whilst there was existing surrounding windfarm development in the wider area, this did not necessarily suggest that the landscape was suitable for a further windfarm in the Moray area due to the following:-
  - the cumulative impact the proposed development could have on the Drynachan, Lochindorb, and Dava Moor Special Landscape Area (SLA) and the Cromarty, Rosemarkie and Fort George SLA;
  - the proposed turbines in Scenario A to the eastern array were 176 metres in tip height and would be substantially higher than any other on shore renewable development in the wider area, which generally comprised of turbines ranging from 100 – 120 metres in tip height;
  - whilst Scenario B proposed turbines with tip heights of up to 149.5 metres, this could also be considered significantly high in comparison with existing turbines;
  - the lack of respite when viewed with other turbines as the proposed development would be filling in other existing windfarms that had clear definition and separation from each other.
- Whilst the result of various studies carried out by Visit Scotland and other agencies had shown some ambivalence from contributors as to whether or not they would be put off from visiting areas which contained windfarms, the impact on tourism was not the reason for the recommendation in the report to raise an objection;
- The proposed development could have an impact on the landscape and local people's enjoyment of the SLAs, including for hillwalkers accessing higher viewpoints, as it would fill-in a number of gaps which currently provided a degree of separation between existing windfarm developments;
- Whilst the Environmental Impact Assessment report made recognition of the significant adverse impact arising from the proposed development, it was considered that this had been downplayed and it was suggested that there would be even more of a negative impact than what had been reported.

Following discussion, during which Members expressed support for the recommendation, the Committee agreed to **RAISE AN OBJECTION** to the application and submit this to the Scottish Government's Energy Consent and Development Unit for the reasons set out in Section 11 of the report.

The meeting ended at 3.20 pm



## **The Highland Council**

### **North Planning Applications Committee**

Minute of the meeting of the North Planning Applications Committee held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 10 September 2019 at 10.30 am.

#### **Committee Members Present:**

Mr R Bremner (by video conference from Wick) (excluding items 1 – 6.2 and 6.10 – 6.11), Mrs I Campbell, Ms K Currie, Mr C Fraser, Mr R Gale (by video conference from Golspie), Mr J Gordon (excluding item 6.8), Mr D MacKay, Mrs A MacLean (from item 5.1), Mr D MacLeod, Mrs M Paterson, Mr A Rhind (excluding items 6.2 and 6.3) and Ms M Smith.

#### **Officials in attendance:**

Mr D Jones, Acting Head of Development Management - Highland  
 Ms J Bridge, Senior Engineer (Development Management)  
 Mr M Harvey, Team Leader  
 Mr S Hindson, Principal Planner  
 Mrs E McArthur, Principal Planner  
 Mrs G Pearson, Acting Principal Planner  
 Mrs S Hadfield, Planner  
 Mrs R Hindson, Planner  
 Mr G Sharp, Planner  
 Mrs K Lyons, Principal Solicitor – Planning and Clerk  
 Mrs A MacArthur, Administrative Assistant

## **Business**

### **Ms Maxine Smith in the Chair**

The Chair confirmed that the meeting would be filmed and broadcast over the Internet on the Highland Council website and would be archived and available for viewing for 12 months.

#### **1. Apologies Leisgeulan**

Apologies for absence were received from Mr M Finlayson and Mr K Rosie.

#### **2. Declarations of Interest Foillseachaidhean Com-pàirt**

Item 5.1: Mr D MacKay (non-financial).

#### **3. Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais**

There had been submitted for confirmation as a correct record the minutes of the meeting of the Committee held on 31 July 2019 which was **APPROVED**.

Following discussion Members **AGREED** that the next meeting of the North Planning Applications Committee would be held on 8 October 2019.

#### 4. Major Development Update Iarrtasán Mòra

There had been circulated Report No PLN/063/19 by the Acting Head of Development Management - Highland providing an update on progress of all cases within the "Major" development category currently with the Planning and Development Service for determination.

The Committee **NOTED** the current position with these applications.

#### 5. Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais

**Mr D MacKay had declared a non-financial interest in wind farms in Caithness and left the Chamber for the duration of this item.**

**5.1 Description:** Slickly Wind Farm – consisting of up to 11 turbines up to 149.9 m to tip height and up to 49.89 mW generation capacity (19/03185/PAN) (PLN/064/19)

**Ward:** 3

**Applicant:** Slickly Wind Farm Limited

**Site Address:** Land 1650M East of Slickly Croft, Lyth, Wick.

There had been circulated Report No PLN/064/19 by the Acting Head of Development Management - Highland on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

The Committee **NOTED** the submission of the PAN and highlighted no material planning considerations they wished brought to the applicant's attention other than those identified in the report.

#### Planning Applications to be Determined Iarrtasán Dealbhaidh rin Dearbhadh

**6.1 Applicant:** Mrs Jan Whyte (18/05091/FUL) (PLN/065/19)

**Location:** Grounds of Ellen Vannin, Ellen Vannin, Balblair, IV7 8LL (Ward 9).

**Nature of Development:** Erection of 5 holiday lodges.

**Recommendation:** Grant.

There had been circulated Report No PLN/065/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report. The Report should state that this application was referred at manager's discretion and not for five or more objections.

The Committee **AGREED** to **GRANT** planning permission subject to the conditions contained in the report.

**6.2 Applicant:** SMTA Ltd (18/05907/FUL) (PLN/066/19)

**Location:** Site 805M NE of Keepers House, Isle of Scalpay, Broadford (Ward 10).

**Nature of Development:** Marine fish farm – new site consisting of 12 x 120 m circumference circular cages plus feed barge.

**Recommendation:** Grant.

There had been circulated Report No PLN/066/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Planning Officer responded to Members' questions as follows:

- the Memo of Understanding related to a previous agreement with the company, this Environmental Management Plan (EMP) went further and focussed on a different direction, the applicants had indicated that they would engage in an additional salmon tracking and monitoring programme to give a clearer idea of migration;
- SEPA had issued the car licence having looked at the tidal flow and use of Enamectin Benzoate;
- Marine Scotland's advice to the planning authority at the moment was that the EMP should be completed prior to the planning application, this application however, had been in for some time and before the provision was put in place by Marine Scotland;
- the EMP for this application also covered the applicant's other three fish farms including Sconser fish farm;
- the language can be confusing, "likely effect" is a trigger point to require further assessment to be undertaken and the conclusion was that the system submitted would not cause any adverse effect on the salmon; and
- the shore base is on the island of Scalpay immediately adjacent to the fish farm.

A site visit to a fish farm by councillors was being investigated and would be organised.

The Committee **AGREED** to **GRANT** planning permission subject to conditions contained in the report.

**6.3 Applicant:** Mr Stuart Reddie (18/01184/FUL) (PLN/067/19)

**Location:** Former Stable Building, Robertson House, Greenhill Street, Dingwall (Ward 8).

**Nature of Development:** Erection of 3 no dwellings.

**Recommendation:** Grant.

There had been circulated Report No PLN/067/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report. A late representation had been received and was circulated to Members.

The Planning Officer and Senior Engineer responded to Members' questions as follows:

- as the road access had been taken from Greenhill Street and not Park Street the traffic would not impact on Greenhill Street;
- the height of the ridge on this building and the Robertson House outbuilding were the same;
- the Flood Risk Management Team had no issues; and
- flash flooding had caused problems recently in Dingwall, but flash flooding could not be avoided and the water soon dissipated.

Ms M Smith, seconded by Mrs M Paterson, **moved** that the application be deferred for:-

- a montage/visualisation of the existing and proposed development from Greenhill Street and Park Street including the parking/turning areas (with vehicles in them);
- improved sectional details showing the relationship between the existing houses and proposed development; and
- to request an updated consultation response from Scottish Water (rather than relying on response to the 2017 application).

The Committee **AGREED** to **DEFER** the application for the above information.

**The following two items were taken together as they related to adjacent application sites.**

**6.4 Applicant:** GEG Capital (North) Ltd (19/00657/FUL and 19/00654/LBC) (PLN/068/19)

**Location:** Ambassador House, Earls Cross Road, Dornoch, Sutherland (Ward 4).

**Nature of Development:** Conversion and alteration to form 9 apartments, erection of 4 semi-detached houses and the formation of new access road.

**Recommendation:** Grant.

There had been circulated Report No PLN/068/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report. In relation to the Community Council comment at section 7 of the report, the statement from Mr Wilson had been retracted. The letter, from the Earls Cross Gardens Association, with comments relating to roads had been referenced in the report.

The Planning Officer and Senior Engineer responded to Members' questions as follows:

- the Earls Cross Gardens road was privately owned and maintained by the residents, the road had not been adopted by the Highland Council although it was built to Highland Council standards;
- the street lighting was the responsibility of Highland Council;
- the Council would not adopt a road where access had to be taken through a private road;

- in Scotland roads are subject to a right of public passage (whether the road is maintained at public expense or privately) so the residents in Earls Cross Gardens would not be able to prevent access;
- the factoring agreement details for this development had been conditioned and the responsibility for maintaining the road will be with the factoring company; and
- the communal areas and green space would also be subject to the factoring agreement, if the green open space was to be altered it would require separate planning permission.

Mr R Gale, **moved** that the application be refused under policy 8 and 29. There being no seconder the motion fell.

Ms M Smith, seconded by Mr J Gordon, **moved** that the application be approved.

The Committee thereafter **AGREED** to **GRANT** planning permission (subject to the prior conclusion of a section 75 agreement to secure developer contributions) and listed building consent both subject to the conditions contained in the report.

**6.5 Applicant:** GEG Capital (North) Ltd (19/000658/FUL and 19/00655/LBC) (PLN/069/19)

**Location:** Earls Cross Cottage, Earls Cross Road, Dornoch, Sutherland (Ward 4).

**Nature of Development:** Demolition of former Earls Cross Cottage, erection of 12 detached houses, remote paths connection to Earls Cross Road and formation of access road (full planning permission and Listed Building Consent for demolition of Earls Cross Cottage).

**Recommendation:** Grant.

There had been circulated Report No PLN/069/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Committee **AGREED** to **GRANT** planning permission (subject to the prior conclusion of a section 75 agreement to secure developer contributions) and listed building consent both subject to the conditions contained in the report.

**6.6 Applicant:** G and M Properties Ltd (19/001059/FUL) (PLN/070/19)

**Location:** Waverly Inn, 1 Castle Street, Dingwall, IV15 9HU (Ward 8).

**Nature of Development:** Alterations and erection of first floor extension to form additional bedrooms and formation of vehicular entrance.

**Recommendation:** Grant.

There had been circulated Report No PLN/070/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report. The Planning Officer advised that the report should also state that the reason for referral was due to five or more objections.

The Planning Officer and Senior Engineer responded to Members' questions as follows:

- although there was a shortfall in allocated parking spaces, the parking spaces had been deemed sufficient for a town centre development with adequate town centre transport;
- the kitchen and living space were a matter for building standards and were not a planning consideration;
- there were currently disabled-access rooms on the ground floor of the building; and
- the proposed extension would have obscure glass on the windows to protect the privacy of the neighbouring properties.

During discussion, Members' comments included the following:-

- surprised to see further development that did not include a lift or better facilities at the hotel;
- this was a successful business that was always busy; and
- the privacy of the neighbouring properties would be further affected by this development.

Ms M Smith, seconded by Mrs M Paterson, **moved** refusal of the application for the following reason:

Members considered that the proposed development would be significantly detrimental in that it would substantially affect the privacy and residential amenity of the neighbouring properties contrary to Policy 28 of the Highland-wide Local Development Plan due to the noise related to the increased number of residents coming and going from the application site. In addition, members were concerned that this proposal would amount to overdevelopment of the application site.

The Committee **AGREED** to **REFUSE** planning permission for the reason above.

Mrs MacLean stated that two members of the Committee had walked through Dingwall when the Reporter was appointed to determine the change of use appeal six years ago. It was concerning that developments with planning permission that had not been completed at the time of the site visit, had still not been completed - specifically the development at the entrance to Dingwall and Cruickshank Court. Enforcement action had been undertaken for the completion of these developments and further enforcement should be undertaken.

**6.7 Applicant:** Mr John Macleod (19/002367/FUL) (PLN/071/19)  
**Location:** 7 Newton Road South, Evanton, Dingwall, IV16 9UH (Ward 6).  
**Nature of Development:** Erection of shed.  
**Recommendation:** Grant

There had been circulated Report No PLN/071/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Committee **AGREED** to **GRANT** planning permission subject to the conditions contained in the report

**6.8 Applicant:** Mr Alistair Sutherland (19/02601/FUL) (PLN/072/19)  
**Location:** Land 100 m South of Free Church, Teangue (Ward 10).  
**Nature of Development:** Erection of house.  
**Recommendation:** Grant.

There had been circulated Report No PLN/072/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Committee **AGREED** to **GRANT** planning permission subject to an upfront payment of the developer contribution referred to and the conditions contained in the report

**6.9 Applicant:** Wathegar 2 Limited (19/02647/S42) (PLN/073/19)  
**Location:** Land 100M NW Of Wathegar, Bilbster, Wick (Ward 3).  
**Nature of Development:** Application under Section 42 for the Variation of condition 2 of planning permission 14/01082/S42.  
**Recommendation:** Grant.

There had been circulated Report No PLN/073/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The applicant had requested that this application be deferred.

The Committee **AGREED** to **DEFER** the application at the applicant's request

**6.10 Applicant:** Global Energy Nigg Ltd (19/02777/FUL) (PLN/074/19)  
**Location:** Land 230M West of Nigg Ferry Hotel, Nigg (Ward 7).  
**Nature of Development:** Construction of new East Quay including dredging and piling, and the formation of laydown area for handling and temporary storage of North Sea oil related and renewable energy components.  
**Recommendation:** Grant.

There had been circulated Report No PLN/074/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Planning Officer and Senior Engineer responded to Members' questions as follows:

- no objections had been raised on the responses received from consultees; or the pre-application responses that had been received from the Historic Environment Team and the Landscape Officer, Marine Scotland were presently considering an application for a marine licence which run parallel but separately to the planning application;
- Condition 7 would control the position of the floodlighting system and prevent any glare or light spillage outwith the site boundary; and
- the Liaison Group was the most effective vehicle for highlighting concerns on noise and lighting, it would be problematic to have different conditions for this and the previously consented parts of the site;

During discussion, Members' comments included the following:-

- this was a welcome development, Nigg in its heyday had been a large employer;
- concern for the people of Cromarty who endured noise and light pollution from the existing development at Nigg;
- a balance had to be struck between economic and environmental impact; and
- this major development showed confidence in the Highlands.

The Committee **AGREED** to **GRANT** planning permission subject to the conditions contained in the report.

**6.11 Applicant:** Miss Fiona Matheson (19/02828/FUL) (PLN/075/19)

**Location:** Land 35 m SE of 56 Feddon Hill, Fortrose (Ward 9).

**Nature of Development:** Erection of house and garage.

**Recommendation:** Grant.

There had been circulated Report No PLN/075/19 by the Acting Head of Development Management - Highland recommending that the Committee grant the application subject to the conditions detailed in the report.

The Committee **AGREED** to **GRANT** planning permission subject to an upfront payment of the developer contribution referred to and the conditions contained in the report.

The meeting closed at 4.05 pm.



**The Highland Council  
South Planning Applications Committee**

Minute of Meeting of the South Planning Applications Committee held in the Chamber, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 17 September 2019 at 10.30 am.

**Committee Members Present:**

Mr R Balfour, Mr A Baxter, Mr B Boyd, Ms C Caddick, Mr G Cruickshank, Mrs M Davidson (excluding items 6.5 – 6.8), Mr L Fraser (excluding items 6.5 and 6.6) , Mr J Gray, Ms P Hadley, Mr T Heggie, Mr A Jarvie, Mr B Lobban, Mr R MacWilliam, and Mr B Thompson.

**Non Committee Member Present:**

Mr D Macpherson (item 6.8) and Mrs L MacDonald (item 6.8)

**Officials in attendance:**

Mr D Mudie, Area Planning Manager – South  
Mr M Clough, Senior Engineer, Transport Planning  
Mr B Robertson, Team Leader  
Mr S Hindson, Team Leader  
Mr K Gibson, Principal Planner  
Mr R Dowell, Planner  
Ms S Hadfield, Planner  
Mr J Kelly, Planner  
Ms M Maguire, Graduate Planner  
Miss C McArthur, Principal Solicitor (Regulatory Services)  
Mr I Meredith, Solicitor (Regulatory Services)  
Mrs A MacArthur, Administrative Assistant

**Mr J Gray in the Chair**

**Preliminaries**

The Chairman confirmed that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

**Business**

**1. Apologies for Absence  
Leisgeulan**

Apologies for absence were intimated on behalf of Mr N McLean.

**2. Declarations of Interest  
Foillseachaidhean Com-pàirt**

There were no declarations of interest.

### 3. Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais

There had been circulated for confirmation as a correct record the minute of the Committee meeting held on 7 August 2019 which was **APPROVED**.

### 4. Major Development Update Iarrtasan Mòra

There had been circulated Report No PLS/064/19 by the Area Planning Manager – South, which provided a summary of all cases within the “Major” development category currently with the Planning and Development Service for determination.

Two further major developments had been validated following the issue of this report, as follows:

- Ward 14, Inverness Central for a hotel development with associated landscaping and ancillary uses anticipated to come to committee in December 2019; and
- Ward 19, Inverness South an application for non-compliance with Condition 1 relating to the extension of the period of time for extraction of materials anticipated to come to committee in January 2020.

The Committee **NOTED** the current position.

### 5. Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais

**5.1 Description:** Visitor accommodation with associated landscaping, access, footpaths, parking and associated amenity buildings (19/03327/PAN) (PLS/065/19)

**Ward:** 12 – Aird and Loch Ness

**Applicant:** Gloag Investments

**Site Address:** Land 280 m SW of Ballindoun Lodge, Beauly.

There had been circulated Report No PLS/065/19 by the Area Planning Manager – South on the submission of a Proposal of Application Notice (PAN), describing the site and setting out likely relevant policies and potential material planning considerations.

Following discussion, the Committee **AGREED** to **NOTE** the submission and ask that the following material issues be brought to the applicant’s attention in addition to the material considerations referred to in the report:

- The proposed development needs to fit within the historic landscape.
- Consideration needs to be given to the access, access tracks and cycle trails within the development and a clear access plan around the development needs to be provided. Input from the Council’s Access Officer would be welcomed.
- Further details as to the type and scale of visitor accommodation proposed.

## 6. Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh

**6.1 Applicant:** RES Ltd (19/02949/S42) (PLS/066/19)

**Location:** Land at Carn Ghriogair, Aberarder Estate, Aberarder, Inverness.  
(Ward 12)

**Nature of Development:** Application for non-compliance with Condition 1 of planning permission 15/00737/FUL to extend the operational life from 25 to 35 years and provision of a revised timescale direction from three to five years.

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report. Condition 1 of the Report should be amended to reflect that the planning permission shall expire after a period of 35 years rather than 30 years and the expiration of a 30 year period rather than 25 years from the First Export Date.

Mr S Hindson presented the report and recommendation.

In response to questions, the following was confirmed:-

- the overall height of the turbines would remain the same, however the rotor towers would be reduced whilst the blade length may increase;
- the original application had agreed mitigation for a replacement bridge, this infrastructure was substantial and was sufficient compensation, this condition from the previous planning permission was ongoing and had yet to be satisfied;
- trees on the site were unaffected by the development and it would be unreasonable to request compensatory planting, however, a discussion could be had with the applicant about additional tree planting on the wider estate; and
- the peat management would be offset through working practice.

The Committee **AGREED** to **GRANT** planning permission subject to the conditions recommended in the report together with the following amendments:

- Amendment to Condition 1 to reflect that the planning permission shall expire after a period of 35 years rather than 30 years and the expiration of a 30 year period rather than 25 years from the First Export Date.
- Further discussions would be undertaken with the Council's roads team as to whether there are any further developer contributions that could be sought towards the local road network.
- Further discussions would be undertaken with the applicant as to whether there could be any additional tree planting provided on the wider estate.

It was further noted that a separate discussion is required on potential changes to policy in relation to any possible community benefit and planning gain from re-powering applications for large scale hydro and wind farm developments.

**6.2 Applicant:** Trustees of Richard Tyser's Overseas Settlement (19/02780/S42) (PLS/067/19)

**Location:** Land to North of Torbreck, Inverness. (Ward 15)

**Nature of Development:** Section 42 application for non-compliance with Condition 1 of Planning Permission in Principle Application Ref No 17/03541/S42.

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report.

Mr S Hindson presented the report and recommendation.

In response to questions, the following was confirmed:-

- an increase in the house numbers in early phases with a reduction in the number of houses in phase 4 would equate to the same quantity of houses overall within the development;
- the phasing of the footpath/cycleway could be discussed with the applicant as the house phasing had altered, the path could be requested after the 350th house which would be much earlier in the development; and
- the alterations to the design and orientation of the houses, due to site constraints, had led to the change in number of houses in some phases.

The Committee **AGREED** to **GRANT** planning permission subject to (1) the modification of the section 75 legal agreement to tie the provisions of this permission to the existing legal agreement and (2) the conditions recommended in the report together with the following amendment:

- Negotiations are to be re-opened with the applicant in relation to the provision of the remote footpath/cycleway given there has been a change in circumstances since the original permission was granted, namely a pedestrian death on the Dores Road and a higher volume of vehicles and persons within the area since the opening of the West Link Road. It is requested that the remote footpath/cycleway is provided earlier in the phasing of the development than at occupation of the 600<sup>th</sup> house. It was suggested that this could be requested prior to commencement of development of Phase 3 of the development. Delegated authority was provided to the case officer to re-word the condition as appropriate in consultation with Local Members of Wards 12 and 15.

**6.3 Applicant:** Barratt North Scotland (19/03054/MSC) (PLS/068/19)

**Location:** Land to North of Tobreck, Inverness. (Ward 15)

**Nature of Development:** Submission of matters specified in condition 2 (17/03541/S42) change of house types and layout of plots.

**Recommendation:** Approve.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the approval of the application, subject to the conditions detailed in the report.

Mr S Hindson presented the report and recommendation for this and the following report together as they were related to the same development.

In response to questions, the following was confirmed:-

- this would increase the development by 2.6%;
- modifications to the layout and reduction in the size of plots had led to the alteration to the number of plots; and
- the site and services for the new school had been gifted to the Council and, as a 4 hectare site, this was a substantial contribution, detail of the contributions relating to education and road infrastructure secured with the planning permission in principle were also provided.

The Committee **AGREED** to **APPROVE** matters specified in conditions as set out in section 11 of the report subject to the modification of the existing section 75 legal agreement to address the changes to phasing of the wider development as proposed by planning application 19/02485/MSC.

**6.4 Applicant:** Barratt North Scotland (19/02485/MSC) (PLS/069/19)

**Location:** Land to North of Torbreck, Inverness. (Ward 15)

**Nature of Development:** Submission of matters specified in condition 2 (17/03541/S42 change of house types and layout of plots including the addition of 4 units.

**Recommendation:** Approve.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the approval of the application, subject to the conditions detailed in the report.

The Committee **AGREED** to **APPROVE** matters specified in conditions as set out in section 11 of the report subject to the modification of the existing section 75 legal agreement to address the changes to phasing of the wider development as proposed by planning application 19/02485/MSC.

**6.5 Applicant:** Manda Construction Ltd (19/00732/FUL) (PLS/070/19)

**Location:** Land 70 m SE of Manda Lodge, West Heather Road, Inverness. (Ward 15)

**Nature of Development:** Development of offices, related access, parking, servicing and landscaping.

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report. Officer delegation was sought to add an additional two conditions to incorporate disability access linkages into the site and also to emphasise Class 4 business use were requested if the application was granted.

Mr J Kelly presented the report and recommendation.

In response to questions, the following was confirmed:-

- this site was not elevated, it sat lower in the site, sloping down from the Southern Distributor road;
- the applicant had mitigated against adverse impacts, there was no adverse off-site impacts to justify mitigation measures;
- parking had been designated for business use and the 25 space figure met the maximum within our guidelines for this size of development;

- a condition required that there would be hard and soft landscaping between the development and the residential use at the rear of the development; and
- two of the trees on site were protected and would be maintained, there were some inaccuracies with their current tree report and this had been the reason for the request for an updated detailed drawing showing for example the retention of the tree nearest the roundabout which was not to be felled.

During discussion, Members' comments included the following:-

- there was already concerns that those attending funerals at the funeral home parked in the residential area and residents had concerns that this development would exacerbate the parking problem;
- uncomfortable with the scale of the development with its close proximity to a residential area;
- the car park could be reconfigured, it would be advantageous to reposition the car park to the front of the office block and retain more greenery in the space; and
- this was an innovative building with striking architecture in a mixed use area.

Mr R MacWilliam, seconded by Mr B Lobban, **moved** deferral of the application to allow the applicant the opportunity to (1) reconfigure the car parking arrangements and (2) extend the landscaping and boundary treatments along the full length of the boundary between the site and the residential properties to ensure that there is no adverse impact on the residential amenity of the neighbouring properties.

The Committee **AGREED** to **DEFER** the application for the reason stated.

It was further agreed to ask the applicant to explore the option of providing additional car parking spaces within the development.

**6.6 Applicant:** Tulloch Homes Ltd (19/00452/FUL) (PLS/071/19)

**Location:** Land 100 m SE of Barrington, Inshes, Inverness. (Ward 19)

**Nature of Development:** Erection of 3 houses with garages.

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report. The report should be amended at Condition 11 to require a full drainage scheme be submitted as part of the proposal.

Mrs S Hadfield presented the report and recommendation.

In response to questions, the following was confirmed:-

- as there were only three houses proposed it was not reasonable to request a footpath to the main road;
- the developer contribution figure for schools would be re-checked;
- the path leading from the road opposite the site was not a core path or a formal footpath, it was just a right of access comprising a very rough path;
- in the previous Inner Moray Firth Development Plan this area had been identified as green space and as a buffer to the road, it was then removed in the current plan and only identified as green space, the plan was currently being reviewed;

- the plots would each require three parking spaces and the plots had easily met this criteria; and
- the national speed limit of 60 mph applied to this road, it was a very fast road.

Officers confirmed that the developer contribution for schools, detailed in the report, was correct.

During discussion, Members' comments included the following:-

- the proposed development was sensible infill and a development contribution could be taken for a junction at the bottom of the road;
- this was a dangerous high speed road with many walkers and cyclists and no public transport; and
- it was for local Members to have the speed limit on this road reduced and not for the developer, the applicant had offered to provide a pavement in front of their development.

No consensus having been reached between the members, Mr J Gray, seconded by Mr A Jarvie, **moved** approval of the application, subject to the conditions in the report and the amendment to condition 11.

Mr R MacWilliam, seconded by Mr B Boyd, moved as an **amendment** that the application be refused for the following reason:

The development is contrary to both policies 28 and 56 of the HwLDP on the basis that the proposed houses are not accessible by cycling or walking and therefore do not promote or enhance the environmental wellbeing of the people of the Highlands nor are designed for the safety and convenience of all potential users.

On a vote being taken, the motion received 8 votes and the amendment received 4 votes, the **MOTION** was therefore **CARRIED**, the votes having been cast as follows:-

#### **Motion**

Mr R Balfour  
 Mr A Baxter  
 Mr G Cruickshank  
 Mr J Gray  
 Ms P Hadley  
 Mr T Heggie  
 Mr A Jarvie  
 Mr B Lobban

#### **Amendment**

Mr B Boyd  
 Mrs C Caddick  
 Mr R MacWilliam  
 Mr B Thompson

## Decision

The Committee **AGREED** to **GRANT** planning permission subject to the conditions recommended in the report together with an amendment to condition 11 to request that a full drainage scheme is submitted prior to commencement of development and to ensure no surface water drainage is discharged into the ditch.

Developer contributions are to be paid upfront prior to the issue of planning permission.

**6.7 Applicant:** The Secretary of State for the Home Office (19/02579/FUL) (PLS/072/19)

**Location:** Land 320 m NE of Branault House, Achateny, Acharacle (Ward 21)

**Nature of Development:** Installation of 17.5 m high (18.8 m to antennae tips) telecommunications mast with associated antennae and dishes. Installation of foul weather enclosure with equipment cabinets; generator and 1200 mm dia satellite dish within 1.8 m high, mesh fenced compound.

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report. An amendment should be made in the report at paragraph 5.1 which should read West Ardnamurchan Community Council and not Acharacle Community Council. In the previous application for this development the West Ardnamurchan Community Council had objected whereas no response had been received for this application.

Mr B Robertson presented the report and recommendation.

In response to questions, the following was confirmed:-

- the path was not a formal track and any change would have to come back for planning permission given it was in a National Scenic Area;
- a non-reflective colour/neutral finish could be conditioned; and
- the deer fencing would be 1.2 m high.

During discussion, Members' comments included the following:-

- Square shapes on the hillside should be mitigated and any fencing and tree planting should be confirmed by local members.

The Committee **AGREED** to **GRANT** planning permission subject to the conditions recommended in the report together with an additional condition that the colour and finish of any associated antennae and dishes that are to be attached to the telecommunications mast are submitted to the planning authority for approval prior to commencement of development. For the avoidance of any doubt, the material and finish of the associated antennae and dishes should be non-reflective, neutral and not white in colour.



**6.8 Applicant:** Mr and Mrs M Hornby (18/04194/FUL) (PLS/073/19)

**Location:** Land 120 m SW of Culchunaig Farmhouse, Westhill, Inverness. (Ward 19)

**Nature of Development:** Conversion of steading to form house and erection of outbuildings (amended design to planning permission 15/02941/FUL).

**Recommendation:** Grant.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report.

Mr B Robertson presented the report and recommendation.

In response to questions, the following was confirmed:-

- the principle of development had been accepted in October 2015 and the Culloden Muir Conservation area was re-designated in December 2015;
- the primary element of this development was the steading with ancillary buildings, the Historic Environment Team had commented but not objected to this development;
- the presumption against development was for the battlefield inventory and not the conservation area as a whole;
- the permission was for a private dwelling house; and
- the driveway served other houses and was a private track and not an adopted road.

During discussion, Members' comments included the following:-

- confusion over the designated conservation area, this steading had not previously been in the conservation area;
- disappointed to see the responses from Historic Environment Scotland and the National Trust had only taken national policy into consideration with no reference to the Culloden Muir Conservation area;
- this new proposal increased the size of the footprint for the development;
- concerned with the proximity of this development to the battlefield; and
- this development would increase traffic on this road and a passing place should be included.

Members were reminded that the principle of development had been established and accepted.

Mr J Gray, seconded by Mr A Baxter **moved** that the application be approved, subject to the conditions detailed in the report.

Mr R MacWilliam, moved as an **amendment** that the application be deferred for a site visit as the visuals and descriptions contained in the presentation were not sufficient to make a decision, particularly in relation to part 2 of the Culloden Muir Conservation Area Character Appraisal and Management Plan. Following advice from officers, Mr MacWilliam withdrew his amendment.

Mr A Jarvie withdrew his request for an amendment and requested that an additional condition be added for the inclusion of a passing place on the access road.

## Decision

The Committee **AGREED** to **GRANT** planning permission subject to the conditions recommended in the report together with an additional condition that provides for the inclusion of a passing place on the access road.

**6.9 Applicant:** Albyn Housing Society Ltd (18/05908/FUL) (PLS/074/19)

**Location:** Land 50 m North of The Hermitage, St Olaf Manor, Cawdor Road, Nairn. (Ward 18)

**Nature of Development:** Erection of ten dwellings with associated garden and parking areas.

**Recommendation:** Grant, subject to conditions.

There had been circulated Report No PLS/054/19 by the Area Planning Manager – South recommending the grant of the application, subject to the conditions detailed in the report.

Mr R MacWilliam, seconded by Mr T Heggie, **moved** that item 6.9 be deferred for a site visit to allow Members to have a better understanding of the noise issues raised in relation to this development.

The Committee **AGREED** to **DEFER** the application for a site visit for the reason stated.

## 7. Decision on Appeal to the Scottish Government Directorate for Planning and Environmental Appeals

**Co-dhùnaidhean Ath-thagraidhean do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Ath-thagraidhean Dealbhaidh agus Àrainneachd**

**7.1 Applicant:** Dell Wind Farm Limited (PPA-270-2183) (14/02879/FUL)

**Location:** Dell Wind Farm, Land at Dell Estate, Whitebridge, Inverness. (Ward 13)

**Nature of Appeal:** Erection of 14 turbine wind farm (approx 42 mW installed capacity) and associated infrastructure.

The Committee **NOTED** the decision of the Reporter to allow the appeal and grant planning permission, subject to the conditions listed at the end of the decision notice.

**7.2 Applicant:** Bernadette Cowan (ENA-270-2027)

**Location:** Land 75 m North East of Lismore, to include land 50 m South East of Lismore, Belivat, IV2 5UZ. (Ward 18)

**Nature of Appeal:** Unauthorised development of a track without the required planning permission.

The Committee **NOTED** the decision of the Reporter to uphold the enforcement notice dated 13 March 2019, subject to the variation of the terms of the notice as specified in the appendix to the decision notice.

**7.3 Applicant:** Mr Stephen Queen (LBE-270-2001)

**Location:** 10 Castle Road, Grantown on Spey. (Ward 20)

**Nature of Appeal:** Unauthorised installation of uPVC windows and a uPVC front door in a Category C listed building within the Grantown on Spey Conservation Area without listed building consent.

The Committee **NOTED** the decision of the Reporter to refuse to grant listed building consent for the matters covered in the listed building enforcement notice, and direct that that notice be upheld subject to variation of the terms of the notice as set out in the decision notice.

**8. Exclusion of Public**  
**Às-dùnadh a'Phobail**

**The Committee resolved that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting during discussion of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A of the Act**

**9. Planning Enforcement Report**  
**Aithisg Co-èigneachadh Dealbhaidh**

There is circulated **to Members only** Report No PLS/075/99 by the Area Planning Manager – South.

The Committee **AGREED** the recommendation.

The meeting ended at 3.40 pm.

**Highland Council  
Environment, Development and Infrastructure Committee**

Minutes of Meeting of the **Tourism Working Group** held in Committee Room 2, Council Headquarters, Inverness on Thursday 6 June 2019 at 10.30 am.

**Present**

Mr G Adam  
Mr J Bruce  
Dr I Cockburn  
Mr C Fraser

Mr J Gordon (VC)  
Mr A Henderson (TC)  
Mr D Macpherson  
Ms M Smith

Mr A McCann, Economy & Regeneration Manager, Development & Infrastructure  
Mr C Simpson, Principal Tourism & Film Officer, Development & Infrastructure  
Ms L Joiner, Tourism Projects Co-ordinator, Development & Infrastructure  
Mrs L Dunn, Principal Administrator, Chief Executive's Service

**MS M SMITH IN THE CHAIR**

**PRELIMINARIES**

In the absence of the Chair, the Working Group **AGREED** that Ms Smith be appointed as Chair for this meeting.

**BUSINESS**

**1. Apologies for Absence**

An apology for absence was intimated on behalf of Mr B Lobban.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Minutes of Previous Meeting**

The Group **NOTED** the Minutes of the last meeting held on 21 March 2019 which were approved by the Environment, Development and Infrastructure Committee on 16 May 2019.

Arising from the Minutes, it was reported that:-

- A copy of the Minutes of NC500 Working Group had been circulated separately to the papers. It was reported that a more recent meeting of the Group had been held in January 2019 and copy of the these Minutes would be circulated once they had been approved;
- A combined map indicating the location of all operational Public Conveniences (which included Council toilets, comfort schemes and other facilities such as chemical waste disposal sites) located across the

Highlands had been circulated separately to the papers. It was highlighted that the map was not fully up to date and it was therefore suggested that a meeting be held with Community Services to address this and to determine if there were any gaps in terms of coverage and, if so, what alternative arrangements could be put in place.

Thereafter, the Working Group **NOTED** the update and **AGREED** that a briefing session be scheduled with Community Services to update the Public Conveniences map and to establish if there were any gaps in provision and, if so, to determine what alternative arrangements could be put in place.

#### 4. Tourism Projects

There had been circulated Report No TWG/03/19 dated 29 May 2019 by the Director of Development & Infrastructure. The report was supported with a presentation by the Tourism Project Co-ordinator during which the Working Group was advised that the Council had been successful in the second round of the Scottish Government's Rural Tourism Infrastructure Fund (RTIF) in attracting £1.4m of funding from the £2.8m available to support six Highland projects. Continuing, the Group was given a detailed update on the six projects that had been successful each of which were subject to conditions with associated deadlines; the four projects that had been unsuccessful due to insufficient funds; and the four projects that had been rejected due to insufficient evidence of visitor need/pressure. The Tourism Project Co-ordinator explained that two further projects had also been placed on the reserve list and could receive a grant award should any of the successful projects at a national level not be completed and/or be subject to any underspend. A copy of the VisitScotland press release on the successful Highland projects had been tabled at the meeting.

During discussion, the following main points were raised:-

- The Group commended the work by staff in preparing and supporting communities with the application process and achieving the excellent funding awards for the much needed tourism projects across the Highlands;
- It was emphasised that these projects were having an extremely positive impact on local infrastructure and tourism facilities and appreciation was expressed to staff for their assistance with the funding application process;
- Confirmation was sought and provided that signage had been factored into the project initiatives and that feedback was provided to the applicants that had been unsuccessful. In addition, confirmation was also provided that applicants were provided with a copy of the Rural Tourism Infrastructure Fund Project Checklist to assist them with the application process and a copy of this would be circulated to the Group;
- With regard to chemical waste disposal facilities, it was clarified that there was an expectation that there would be a charge for this service and different charging systems were available. It was requested that further information be provided on the models available for charging and the estimated costs;
- It was confirmed that work had commenced in regard to developing a list of new potential projects in the event of a third round of funding and assurance was provided that there would be appropriate dialogue and engagement with local communities in this regard;

- Support was provided that an application should be developed in respect of North Kessock for motorhome hook up and waste disposal facilities in preparation for submission in the event of there being a third round of funding; and
- Assurance was provided that the projects that had been successful in receiving the first round of funding were progressing well and it was requested that photographs be provided once the projects had been completed.

Following discussion, the Working Group:-

- NOTED** the range of tourism projects that the Council was involved with that were either under way or for which funding applications had been submitted;
- NOTED** the situation regarding a possible further round of the Rural Tourism Infrastructure Fund;
- NOTED** the VisitScotland Press Release tabled at the meeting;
- AGREED** that a copy of the Rural Tourism Infrastructure Fund Project Checklist be circulated;
- AGREED** that further information be provided on the charging models available for waste disposal facilities along with an indication of the associated charges; and
- AGREED** that photographs be circulated of the completed projects from the first round of funding.

## 5. Transient Visitor Levy (TVL)

There had been circulated Report No TWG/04/19 dated 29 May 2019 by the Director of Development & Infrastructure.

During discussion, the following main points were raised:-

- Concern was expressed at the proposal to include tourists in the consultation process given that a TVL would be not be in their direct self-interest;
- However, in contrast, it was felt that it was important that evidence was collated to demonstrate the wider benefits that could be achieved from a TVL such as investment in infrastructure and maintaining/improving facilities; and
- It was clarified that the consultation was seeking views on the principle of implementing a TVL and specific detail in regard to how a scheme would be operated and to whom it would be applied had not yet been determined.

Thereafter, the Working Group **NOTED**:-

- the progress made to date with the consultation process;
- the proposals for future elements of the consultation process; and
- that a report would be presented to the meeting of the Highland Council on 12 December 2019 following the conclusion of the consultation and analysis of the results.

The meeting was closed at 11.30 am.

## The Highland Council

Minutes of Meeting of the **Harbours Management Board** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness on Tuesday 20 August 2019 at 2.00 pm.

### Present:-

Dr I Cockburn	Ms A MacLean
Mr A Henderson (in the Chair)	Mr H Morrison
Mrs L MacDonald	Mr D Rixson

### In attendance:-

Mr M Bain, Project Manager (Item 5)  
 Ms C Campbell, Head of Performance and Resources  
 Ms F MacBain, Committee Administrator, Chief Executive's Service  
 Ms S McKandie, Interim Head of Revenues & Customer Services (Item 6)  
 Mr A MacIver, Principal Engineer, Project Design Unit, Development and Infrastructure Service (Item 4)  
 Mr M Mitchell, Finance Manager  
 Mr T Usher, Harbours Manager, Community Services

### 1. Apologies for Absence

Apologies for absence were intimated on behalf of Ms Kirsteen Currie, Mr D MacLeod, Mr W MacKay and Mr M Finlayson.

### 2. Declarations of Interest

There were no declarations of interest.

### 3. Minutes

There had been circulated, and were **NOTED**, Minutes of Meeting of the Harbours Management Board held on 24 May 2019.

### 4. Uig Harbour Infrastructure Improvements

There had been circulated Report No HMB11/19 dated 12 August 2019 by the Interim Chief Officer Resources (Community Services).

A presentation updated the Board on vessel delivery, the design process, which was nine months behind schedule due to consultation feedback, the new terminal building, funding and the construction stages. Next steps included tendering, detailed design, environment and harbour revision order, planning application consultation, and construction start, estimated to be January 2020, with completion estimated for January 2022.

During discussion the following issues were considered:

- tenders had slipped from start of August, to ensure accuracy in light of the complexity of the construction programme, and it was hoped they would be ready by the end of August 2019;

- the ticket office would be built by the Council and following discussion on lease types and the Council's budget model for repairs and for lease income, a repair and maintenance contract was considered the preferred option. Concern was expressed that lease income went into the Council's general fund but repair costs were taken from the Harbour's budget;
- it was suggested that the design of the new building was uninspiring but was an improvement on the current terminal building; and
- it was clarified that the disabled toilet facility on the terminal building would include a changing area.

The Board **NOTED** the position and **AGREED** the matter be brought back to the Board prior to a lease being issued.

## 5. Corran Ferry Consultation/Outline Business Case

Mr Murray Bain, Project Manager, undertook a presentation on the Outline Business Case currently being prepared on proposals regarding the Corran Ferry. Issues covered included the purpose of the project, membership of the steering group, community engagement plans, details on the three remaining Transport Scotland vessel infrastructure options, risk issues and funding information. Next steps included a SWOT analysis of the short-listed vessels and infrastructure options.

During discussion, the following issues were considered:

- there were some initial cost estimates in the strategic business case;
- discussion took place on the advantages and disadvantages, including costs, of having a rarely used second relief vessel on site, versus procuring from elsewhere when required, including that a new primary vessel might require amended pier infrastructure which would also have to be compatible with any relief vessel;
- a larger vessel was required to avoid traffic queuing on the A82 trunk road;
- it was clarified that discussion about a bridge was long term. A continued reliable ferry service in the short term was critical, given the long alternative road route. It was pointed out that there were other critical road routes in Highland, which also required improved infrastructure and which involved lengthy detours when unavailable;
- reference was made to the length of time the Corran Ferry negotiations were taking; and
- appreciation for the ferry crew's sterling work the previous day should be communicated to them, with consideration given to including their achievements in a press release and in a Council quality award nomination.

The Board **NOTED** the position and **AGREED** to thank the ferry staff as detailed during discussion.

## 6. Service Income Review

There had been circulated Report No HMB12/19 dated 9 August 2019 by the Acting Head of Revenues & Customer Services.

A brief summary was provided of the policy decision agreed by the Council on 7 March 2019 as detailed in the report. The Harbours Manager drew attention to two key issues affecting Harbours business, which he felt had not been adequately considered by the Council:



- the introduction of a late payment fee for invoices after 30 days, which could be problematic for some user of Harbours services, especially foreign fishing vessels who operated through agents and who sometimes had to receive income from their catch before being able to pay related invoices. A reminder at 30 days and a charge after 40 days was preferable, however the new practice was not due to be implemented until 1 October 2019 and this could be extended until the next Board meeting; and
- the £15 invoice charge, unless there was no alternative payment option, was of concern as some customers might require an invoice to reclaim fuel duty and the charge could cause them to purchase fuel elsewhere. The ready availability of statements instead of invoices was explained and discussion took place on whether a statement was sufficient for all types of customer and circumstance. Following this it was proposed to extend the deadline of 1 August 2019 for the introduction of surcharging on Harbours invoices, as detailed in the report, until the next meeting of the Board, scheduled for 13 November 2019, to allow further information gathering and education of customers to move to direct debits or PAY.net and / or use of statements or receipts instead of invoices. If at that point the Board considered aspects of the new policy were detrimental to the Board's commercial activities, a view on whether to raise the matter with the Council would be taken.

The Board **NOTED**:-

- i. the Council's decision of 7 March 2019;
- ii. progress of the Service Income Review project;
- iii. the scheduled implementation of a surcharge on Council invoices, including those relating to harbours;
- iv. the scheduled implementation of fixed penalties and interest on overdue commercial harbours accounts;
- v. the scheduled implementation of a sales ledger interface (SLI) between the Harbours Management System (HMS) and the Council's financial system, Integra;

and **AGREED**:

- vi. to defer until the next meeting of the Board the introduction of surcharging for Harbours-related invoices and a decision on the terms of implementation of fixed penalties and interest on overdue commercial harbours accounts

## **7. Financial Performance 1 April to 30 June 2019**

There had been circulated Report No HMB13/19 dated 13 August 2019 by the Interim Chief Officer Resources (Community Services).

During discussion, Members asked that information be included in the next quarterly report on the income targets over the previous 6-10 years.

The Board **NOTED** the financial position to 30 June 2019.

## **8. Debt Management**

There had been circulated Report No HMB14/19 dated 12 August 2019 by the Service Finance Manager.

The Board **NOTED** the current debt position.

Close of meeting: 4.05pm

**Environment, Development and Infrastructure Committee**

Minutes of Meeting of the **Education Transport Entitlement Review Sub Committee** held in the Leader's Meeting Room, Inverness on Thursday 12 September 2019 at 12 noon.

**Present:**

Mr G Adam  
Mr A Henderson

Mr W MacKay  
Mr R MacWilliam (Chair)

**Local Members also present:**

For ETR 1/19:-

Mr R A C Balfour  
Mrs T Robertson

For ETR 3/19:-

Mr N McLean

**Officials in attendance:**

Mr D Summers, Principal Transport Officer, Community Services  
Mrs K Giles, Senior Transport Officer, Community Services  
Miss J MacLennan, Principal Administrator, Chief Executive's Service

**Business**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Dr I Cockburn and from Local Members Mr A Baxter, Mr J Bruce, Ms G Campbell-Sinclair, Mrs M Cockburn, Ms P Hadley, Mr B Lobban and Mr I Ramon.

**2. Declarations of Interest**

There were no Declarations of Interest.

**3. Education Transport Review**

**The Review Sub Committee RESOLVED that under Section 50A(4) of the Local Government Scotland Act 1973 the public be excluded for discussion of this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Act.**

(i) Transport Review No 1/19

There had been circulated Report No 1/19 by the Principal Transport Officer providing information relating to a request to have school transport re-routed to remove a requirement to walk along an unclassified road to reach the bus pick-up point. The report gave details of the distances involved, the present transport provision and entitlement arrangements and the risk assessment carried out.

The Principal Transport Officer having provided additional background information, there then followed a period of questioning of the officer by

both the Members of the Sub Committee and Local Members present. At the conclusion of this, Local Members then put forward their views.

Following discussion, the Sub Committee **AGREED** that the road in question was a suitable walking route and that school transport should not be diverted.

(ii) Transport Review No 2/19

There had been circulated Report No ETR 2/19 by the Principal Transport Officer providing information relating to a request to have school transport re-routed to remove a requirement to walk along an unclassified road and a short length of B-class road to reach the bus pick-up point. The report gave details of the distances involved, the present transport provision and entitlement arrangements and the risk assessment carried out.

The Principal Transport Officer having provided additional background information, there then followed a period of questioning of the officer by the Members of the Sub Committee.

Following discussion, the Sub Committee:-

- i. **AGREED** that the road in question was a suitable walking route and that school transport should not be diverted;
- ii. **AGREED** the provision of signage warning motorists of the possibility of pedestrians at this location, in consultation with Local Members; and
- iii. **AGREED** that officers examine the possibility of offering the school pupils hi-visibility clothing.

(iii) Transport Review No 3/19

There had been circulated Report No ETR 3/19 by the Principal Transport Officer providing information relating to a request to have school transport reinstated so that children did not have to walk to the nearest bus pick-up point.

The Principal Transport Officer having provided additional background information, there then followed a period of questioning of the officer by both the Members of the Sub Committee and the Local Member present. At the conclusion of this, Local Member then put forward his case in support of the Appeal. He provided various reasons why the request should be granted including the lack of verge space to get off the road at specific points, the types of heavy traffic now using the road and that the number of blind spots.

Following discussion, the Sub Committee **APPROVED** the reinstatement of a school transport contract on the branch road, not requiring any further inspections of the route.

The meeting concluded at 1.05 pm.

**Highland Council  
Environment, Development and Infrastructure Committee**

Minutes of Meeting of the **Tourism Working Group** held in Committee Room 1, Council Headquarters, Inverness on Thursday 26 September 2019 at 10.30 am.

**Present**

Mr B Lobban  
Mr J Bruce  
Dr I Cockburn  
Mr C Fraser

Mr A Henderson (TC)  
Mr D Macpherson  
Ms M Smith

Mr C Simpson, Principal Tourism & Film Officer, Development & Infrastructure  
Ms L Joiner, Tourism Projects Co-ordinator, Development & Infrastructure  
Mrs L Dunn, Principal Administrator, Chief Executive's Service

**MR B LOBBAN IN THE CHAIR**

**BUSINESS**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr G Adam and Mr J Gordon.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Minutes of Previous Meeting**

There had been circulated the Minutes of the last meeting held on 6 June 2019, the terms of which were **NOTED**.

Arising from the Minutes, it was **NOTED** that:-

- Item 3: Public Conveniences: The Chair of Environment, Development and Infrastructure Committee would liaise with Community Services regarding ensuring that a representative attended the next meeting; and
- Item 4: Tourism Projects: Copies from the first two rounds of the Rural Tourism Infrastructure Fund project designs would be circulated to the Group.

**4. Tourism Projects**

There had been circulated Report No TWG/05/19 dated 18 September 2019 by the Director of Development & Infrastructure.

During discussion, the following points were raised:-

- The Group welcomed the announcement from the Scottish Government that there would be a further round to the Rural Tourism Infrastructure Fund with an additional £3m available to invest in new projects in 2020/21. It was anticipated that there would be a high demand and it was therefore felt that projects should be filtered, to ensure quality projects with the maximum likelihood of success were submitted, by the Group based on set criteria;
- There was a need to ensure investment in infrastructure to improve and ensure service provision was balanced across the whole of the Highlands. It was essential that there was a holistic approach to map the data/services across the Highlands and thereby identifying any strategic gaps to be addressed. It was therefore proposed that a Tourism Infrastructure Plan should be developed and submitted to a future meeting for consideration. As a starting point, it was requested that further information be provided to the next meeting on any additional resources that might be required;
- A number of projects were being led by community groups and concern was expressed that they did not have sufficient expert advice to drive projects forward. Delivering these projects was time consuming and the cost for expert advice/professional fees should be budgeted for and included in the overall project costs. It was queried whether expert advice could be provided by the Council by way of a seconded post, perhaps funded by the Change Fund; and
- There was a need for the Council to take a more proactive approach to the strategic development of tourism, which was the biggest industry in the Highlands. It was felt that the Council should determine and target the areas to be developed.

The Working Group:-

- i. **NOTED** the range of tourism projects that the Council was involved with that were already under way and others for which funding had been secured;
- ii. **NOTED** the situation regarding a third round of the Rural Tourism Infrastructure Fund;
- iii. **AGREED** that projects for the next round of the Rural Tourism Infrastructure Fund in 2020/21 be submitted to the Group for prioritising against set criteria; and
- iv. **AGREED** that a Tourism Infrastructure Plan be developed and that this process commence with an outline of any additional resources that might be required being submitted to the next the meeting for consideration.

## 5. Transient Visitor Levy (TVL)

There had been circulated Report No TWG/06/19 dated 6 September 2019 by the Director of Development & Infrastructure.

During discussion, concern was expressed at the presentation of the report and the fact that there was no indication of the responses to date. It was felt that this needed to be reviewed prior to submission to the Council. It was explained that details of the views contained in responses to date could not be given while the survey was still live as this could damage the integrity of the results by influencing

future responses. However, more detailed data would be provided once the consultation period had closed. It was suggested that a workshop should be held to analyse these results and consider the presentation of the report. It was further requested that the Head of Corporate Governance should be invited to attend the workshop and provide advice.

The Working Group:-

- i. **NOTED** the progress made to date with the consultation process;
- ii. **NOTED** that a report would be presented to the meeting of the Highland Council on 12 December 2019 following the conclusion of the consultation and analysis of the results;
- iii. **AGREED** that a workshop, to which the Head of Corporate Governance be invited to attend, be held in order to analyse the results of the survey and consider the presentation of the report for submission to Council; and
- iv. **AGREED** that the Working Group respond to the Scottish Government national TVL consultation and that the response be submitted to the Council on 12 December 2019 for homologation.

## 6. Future Tourism Developments

There had been circulated Report No TWG/07/19 dated 18 September 2019 by the Director of Development & Infrastructure.

During discussion, the Group welcomed the suggestion of piloting the use of technology as an information platform to promote and direct tourists to visitor attractions, particularly those that were lesser known. However, it was highlighted that it could be difficult to influence visitor behaviour as tourists often had a set list of recognised attractions that they wanted to visit.

It was suggested that consideration should be given to expanding the use of existing technologies such as developing and rolling out the HighlandAR (augmented reality) App across the Highlands and utilising car traffic systems to provide in-vehicle local announcements on capacity levels at visitor attractions, car parking availability, etc. The Group was informed that a presentation had been made on this aspect at a recent HITRANS meeting and a copy of this would be circulated to the group.

The Working Group:-

- i. **NOTED** the tourism management options that might be worth further consideration;
- ii. **NOTED** that further work would be undertaken to explore these options in more detail; and
- iii. **AGREED** that a copy of the HITRANS presentation be circulated to the Group.

The meeting was closed at 11.30 am.

## The Highland Council

Minutes of Meeting of the **Town Centre Fund Working Group** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness on Thursday 3 October 2019 at 2.00 pm.

### Present:-

Miss J Campbell	Mrs A MacLean
Dr I Cockburn	Mr S Mackie
Mr C Fraser	Mrs F Robertson
Mr A Henderson (tele conferencing)	Mrs T Robertson

### In attendance:-

Mr A McCann, Economy and Regeneration Manager, Development and Infrastructure Service

Mr A Webster, Regeneration Team Leader, Development and Infrastructure Service

Miss J MacLennan, Principal Administrator, Chief Executive's Service

### Business

#### Preliminaries

Prior to the commencement of formal business, Miss MacLennan clarified the membership of the Working Group. As not all Members were on the Environment, Development and Infrastructure Committee it was explained that the minute of the meeting would be a starred item to full Council where membership would be confirmed.

#### 1. Appointment of Chair

Mrs T Robertson, having been duly nominated and seconded, was unanimously appointed Chairman.

#### 2. Apologies for Absence

Apologies for absence were intimated on behalf of Mr J Gordon, Mr J Gray, Mr K Rosie and Mr A Sinclair.

#### 3. Declarations of Interest

The Working Group **NOTED** the following declarations of interest:-

Item 5 – Miss J Campbell, Mr A Henderson and Mrs T Robertson (all non-financial).

#### 4. Remit

The Working Group **NOTED** that, as agreed at the Environment, Development and Infrastructure Committee on 16 May 2019, the Remit of the Working Group was to consider the ranked eligible projects and approve funding, utilising as appropriate the Reserve Fund.



## 5. Town Centre Fund Project Assessment and Approval

### Declarations of Interests –

The following declared non-financial interests in respect of this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interest did not preclude them from taking part in the discussion:-

**Miss J Campbell – Member of the Victorian Market Working Group**  
**Mr A Henderson – Council Representative on Caol Regeneration Company**  
**Mrs T Robertson – Director of Highland Housing Alliance**

There had been circulated Report No TCF/01/19 dated 26 September 2019 by the Director of Development and Infrastructure.

The Scottish Government had set up the Town Centre Fund (TCF) having recognised the reduced footfall and decline in town centres. There were other initiatives in place such as small firm rates relief and Business Improvement Districts but it was still difficult for redevelopment projects to come to fruition. While the core focus of the Fund was directed to transformational projects and the re-purposing of buildings, it was also available to improve town centre access and infrastructure. It was open to all – be it the Council, private companies or communities – to apply and, in total, there was £2.98m to be committed to projects by end March 2020 and spent by the end of October 2020. Accordingly, the Cross Party Working Group had been established to disburse the TCF across Highland and to engage with local members, via Area Committees. The report before Members detailed ranked recommendations and the outstanding bids for the Strategic Fund.

Projects had been explored with local members and a large number, fitting the core criteria, had come forward with several other project ideas still to be developed. Many of the small projects were seen locally as important. Where the Working Group approved the ranked projects officers would then complete due diligence and offer award letters. It was inevitable that change requests would take place once projects went out to tender and commenced on site and the usual approach was that officers would manage changes up to 10% in value but with anything beyond this requiring discussion and agreement with Members.

In conclusion, it was unclear if the TCF would be repeated but other funding programmes would materialise and it was important therefore to find a way to engage and encourage communities and local stakeholders to come together to identify needs and plan and develop projects so that they were better placed to respond to funding opportunities if and when they arose in future.

The need to comply with the Scottish Government's criteria was important and it was questioned if some projects did e.g. the improvement of existing car parks. However, others argued that such works improved town centre infrastructure and access and, at a local level, was transformational.

Turning to the recommendations from the Areas, Members made the following comments:-

- the refurbishment of Caithness Horizons would restore vibrancy to Thurso Town Centre;
- the Riverside Car Park improvements in Wick were necessary as a result of the introduction of yellow lines on Bridge Street. The funding would be used to make this Car Park a more attractive place to stop, particularly for those touring the NC500, with the installation of charging points and waste disposal facilities anticipated in the future. In this regard it was suggested that a more detailed description should be used to avoid any misunderstanding;
- the Caol Car Park improvements involved the introduction of a pelican crossing with the aim of improving access. However, there were issues in relation to land ownership, timescales and eligibility;
- Local Members had been keen to include the North Kessock A9 Layby and Fortrose and Rosemarkie toilet improvements and campervan facilities for funding. However, the North Kessock A9 northbound lay-by project was located outwith the town settlement and therefore did not meet Scottish Government locational criteria. It was argued that the works to the lay-by would encourage people to walk down the steps from the lay-by to access the village. In relation to the Rosemarkie project, it was not defined as an eligible town centre as per the Scottish Government allocation methodology but the Area Committee considered that in practice both Fortrose (an eligible settlement) and Rosemarkie was integrally linked by function and purpose and therefore should be considered as the one settlement from an eligibility perspective. Nevertheless, as these did not meet criteria it was outwith the remit of the Working Group and would be considered by the relevant Strategic Committee; and
- a project to improve Ullapool promenade had been considered by Ross and Cromarty Members. However, there had been issues surrounding land ownership and the degree of resources required but these had since been resolved. This would completely transform the entire village and was a significant strategic project not just locally but to the Highlands as a whole. It would be an excellent reputational project and it was therefore hoped that it could be considered for funding through the Strategic Fund.

Turning to the projects considered by the City of Inverness Area Members on 2 October 2019, whilst agreeing a recommended list of projects that should receive funding from TCF, it was felt that as a number of Members had been unable to attend the decision reached should be circulated to all City of Inverness Area Committee Members for comment. Accordingly the ranked projects still needed confirmation and would be considered at the next meeting of the Working Group. It was noted that if ranked projects that did not fit the criteria were submitted by the City of Inverness Area Committee, these projects would be considered by the relevant Strategic Committee.

In relation to the Strategic Fund, Members were reminded that the Environment, Development and Infrastructure Committee, when determining the indicative area allocations, had utilised £331,612 of the £444,750 strategic fund. As all Areas had sought to utilise their full allocation, only £113,612 remained available for allocation. However, if some projects failed to proceed, or on a reduced basis, it was possible residual funds would become available for reallocation. The status of each project was outlined, details of which ones were closest to delivery and the possible rationale for the disbursement of funds. Given that the Ullapool project was now ready to go and that there might be others in a similar position, it was agreed that where eligible projects that had not been ranked due to funding

or project deliverability, Area Committees be contacted to determine whether there was any substantive change which would allow them to be considered for Strategic Fund resources.

Thereafter, the Working Group:-

- i. **NOTED** the ranked recommendations received from the respective Area Committees and **APPROVED** Town Centre Fund grant awards to the identified projects detailed in Appendices 1-9 of the report;
- ii. **APPROVED** the approach outlined in paragraph 6.4 of the report in how to deal with requested project cost amendments following the award of grant; and
- iii. **AGREED** that a separate meeting of the Cross Party Working Group be arranged to consider projects submitted for strategic fund resources; and
- iv. **AGREED** the following project awards, recognising that after due diligence the value of the final award letter might slightly vary:-

### **Badenoch and Strathspey Area Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Town Square/Burnfield, Grantown-on-Spey - public realm improvements.	Grantown Initiative	£28,236
Village Hall, Newtonmore - minor external environmental works.	Village Hall Trustees	£10,000
Village Square, Newtonmore – public realm improvements and artwork installation.	Community Woodland and Development Trust	£38,800
Former Bank of Scotland, 9 High Street, Kingussie – conversion to community hub.	Caberfeidh Horizons	£95,000
Village Green, Grampian Road, Aviemore – Bandstand and associated improvement works.	Aviemore and Vicinity Community Council	£93,253
<b>Total</b>		<b>£265,289</b>

### **Caithness Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Thurso public realm improvements	Thurso Community Development Trust	£50,000
Riverside, Wick - car park improvements	The Highland Council	£90,000
30 High Street, Wick – temporary amenity space / long term redevelopment opportunity.	The Highland Housing Alliance	£60,000
Caithness Horizons – Capital contribution to refurbishment costs.	The Highland Council	£65,290

**Total** **£265,290**

**Isle of Skye and Raasay Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Bayfield Car Park extension (inc. ancillary services), Portree	The Highland Council	£99,483
Broadford public toilets	Broadford and Strath Community Company	£99,483
<b>Total</b>		<b>£198,966</b>

**Lochaber Area Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Caol Co-op car park - public realm improvements	Caol Regeneration Company	£65,000
Thomas Telford Corpach Marina – contribution to professional fees linked to marina project	Caol Regeneration Company	£77,045
Cameron Square, Fort William - Canopy	Fort William Town Team	£30,570
Fort William High Street public realm improvements (priority works – lighting)	The Highland Council	£26,352
<b>Total</b>		<b>£198,967</b>

**Nairnshire Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
King Street, Nairn - redevelopment of vacant property/site for Nairn CAB and affordable housing.	Nairn CAB / The Highland Council	£198,967
<b>Total</b>		<b>£198,967</b>

**Ross and Cromarty Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Square, Strathpeffer – public realm improvements	Strathpeffer Community Council	£70,000
62 High Street, Invergordon	Murray Investments Ltd	£62,000

King Street, Tain – car park improvements	Highland Council	£220,000
Picture House, Tain – external building stabilisation	Tain Heritage Trust	£110,000
Drouthy Duck, Conon Bridge – village entrance improvements	The Highland Council	£13,000
Square, Muir of Ord – car park/public realm improvements	Muir of Ord Community Council	£190,000
Cromartie Car Park, Dingwall – conversion of old toilet block to community facility	Highland Council	£50,000
Dingwall Town Hall – installation of lift	Dingwall Common Good / Highland Council	£164,000
<b>Total</b>		<b>£928,513</b>

### **Sutherland County Committee**

<b>Ranked Projects</b>	<b>Applicant</b>	<b>TCF award</b>
Dornoch Community Hub	Dornoch Area Community Interest Company	£50,000
Stabilisation/refurbishment of Golspie YMCA	Go Golspie	£100,000
Brora Tourism Infrastructure Project	Brora & District Action Group	£48,967
<b>Total</b>		<b>£198,967</b>

- v. **NOTED** that the North Kessock A9 Layby and Fortrose and Rosemarkie toilet improvements and campervan facilities, and any other projects assessed as ineligible in Inverness would be considered by the relevant Strategic Committee; and
- vi. **NOTED** that the City of Inverness Area ranked projects would be considered at the Working Group's next meeting.

### **6. Date of Next Meeting**

The Working Group **AGREED** the date of their next meeting be held on 30 October 2019 at 10 a.m.

The meeting ended at 3.45 pm

## **The Highland Council**

Minutes of Meeting of the **Town Centre Fund Working Group** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 30 October 2019 at 10.00 am.

### **Present:-**

Miss J Campbell  
Dr I Cockburn  
Mr A Henderson  
Mr J Gordon

Mrs A MacLean  
Mrs F Robertson  
Mrs T Robertson  
Mr A Sinclair.

### **In attendance:-**

Mr A McCann, Economy and Regeneration Manager, Development and Infrastructure Service

Mr A Webster, Regeneration Team Leader, Development and Infrastructure Service

Miss J MacLennan, Principal Administrator, Chief Executive's Service

### **Business**

#### **1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr C Fraser, Mr J Gray, Mr S Mackie and Mr K Rosie.

#### **2. Declarations of Interest**

The Working Group **NOTED** the following declarations of interest:-

Item 5 – Miss J Campbell and Mrs T Robertson (both non-financial).

#### **3. Minutes**

There had been circulated, and was **NOTED**, Minutes of Meeting of the Town Centre Fund Working Group held on 3 October 2019.

#### **4. Town Centre Fund Project Assessment and Approval**

##### **Declarations of Interests –**

**The following declared non-financial interests in respect of this item but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that their interest did not preclude them from taking part in the discussion:-**

**Miss J Campbell – Member of the Victorian Market Working Group**

**Mrs T Robertson – Director of Highland Housing Alliance**

There had been circulated Report No TCF/02/19 dated 22 October 2019 by the Executive Chief Officer Transformation and Economy.

Members were reminded that the projects were considered by the City of Inverness Area Members on 2 October 2019 and, whilst agreeing a recommended list of projects that should receive funding from TCF, it was felt that as a number of Members had been unable to attend the decision reached should be circulated to all City of Inverness Area Committee Members for comment. The ranked projects were now confirmed.

The Working Group:-

- i. **NOTED** the ranked recommendations received from the City of Inverness Area Committee;
- ii. **AGREED** the following project awards, recognising that after due diligence the value of the final award letter might slightly vary:-

### City of Inverness Area Committee

Ranked Projects	Applicant	TCF award
Victorian Market – redevelopment of the market hall to create a quality food and beverage offering, including 18 units and flexible entertainment space.	Inverness Common Good / Highland Council	£150k
Midmills Phase 2 – meeting spaces; exhibition/event spaces, café, 54 workspaces, 26 flexible co-working spaces and access ramp/lift.	WASPS	£150k
Inverness City Lights – mobile lighting projectors to enable Riverlights Project to be progressed.	Highland Council	£100k

- iii. **NOTED** the referral to the November 2019 Environment, Development and Infrastructure Committee for determination for the following two projects assessed by officers as ineligible:-

Pavilion, Cromal Hill Ardersier – refurbish pavilion including new windows, doors, showers, flooring, kitchen units and external refresh.	Cromal Hill Recreation Trust	£40k
Sports Pitch, Inverness College UHI – construction of a full size 3G synthetic sports pitch.	Inverness College UHI	£150k

- iv. **NOTED** that the CIA Committee had requested that should the grant award for the Pavillion Ardersier and Sports Pitch be deemed ineligible, the funding be reallocated equally to the Victorian Market and Midmills building.

## 5. Strategic Reserve Fund – Applications

There had been circulated Report No TCF/03/19 by the Executive Chief Officer Transformation and Economy.

Members were reminded that, at their last meeting, it was agreed that officers should investigate projects submitted for Strategic Fund resources, due to the fact that there could be eligible projects that had not been ranked by the Area Committee due to funding or project deliverability but which might now be deliverable.. As a result, 4 projects had been identified, namely:-

- Ullapool Promenade
- 42 High Street, Invergordon
- Old Ticket Office, North Kessock
- Kilmalie Community Centre Car Park Improvements

Further information was provided on each of these projects in terms of their viability and readiness.

Members were also reminded of the projects originally submitted for Strategic Funds, namely:-

- Duke Memorial Gardens Public Realm Improvements, Kingussie
- Strathpeffer Square works to private buildings
- Bayfield Car Park, Portree
- 30 High Street, Wick
- Fort William High Street public realm improvements
- Ullapool Promenade, Shore Road

Again, additional information was explored in regard to project viability and readiness.

The Working Group:-

- i. **APPROVED** the following projects to receive Town Centre Fund Strategic Fund grant as follows:-

<b>Projects</b>	<b>Status</b>	<b>TCF award</b>
Duke Memorial Gardens, High Street, Kingussie – public realm improvements	Detailed project proposals and costings prepared and applicant ready to proceed with project subject to funding approval.	£56,806
Ullapool Promenade (Shore Road)	Agreement in place to finalise land assembly. This can take place immediately. Project subject to further design work and consultation. Ongoing dialogue with Transport Scotland regarding their financial contribution.	£56,806
<b>Residual Strategic Fund available</b>		<b>£113,612</b>



- ii. **AGREED** that any substantive underspends on TCF projects be used for approved reserve projects in the same area, to demonstrate the geographical spread of funding throughout Highland;
- iii. **NOTED** that grant award offer letters were shortly to be issued;

The meeting ended at 10.30 am