

Agenda item	<b>4</b>
Report no	<b>PLN/001/21</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 26 January 2021  
**Report Title:** Major Development Update  
**Report By:** Acting Head of Development Management - Highland

### **Purpose/Executive Summary**

This report provides an update on progress of all cases within the 'Major' development category currently with the Planning and Development Service for determination. The report also details progress on proposals submitted under S36 or S37 of the Electricity Act 1989 on which the Council is consulted.

### **Implications**

Resource: Not applicable

Legal: Not applicable

Community (Equality, Poverty and Rural): Not applicable

Climate Change / Carbon Clever: Not applicable.

Risk: Not applicable

Gaelic: Not applicable

### **Recommendation**

Members are asked to note the current position of these applications.

## **1. UPDATE ON PROGRESS**

- 1.1 Appendix 1 contains a list of all applications for Major Development currently with the Service and awaiting determination. A brief update on the progress of these applications is provided, including a likely timescale for each case to be determined.
- 1.2 Appendix 2 provides a list of all significant Electricity Act applications. It should be noted that for many of these, the Council has already provided its response to Scottish Government. Only once Scottish Ministers determine these cases will they be removed from the list. From a performance point of view, the Council is not required to meet the same target timescales expected with planning applications.
- 1.3 Details for any of these applications can be obtained through the Council's e-planning portal <http://wam.highland.gov.uk/wam> by entering the respective case reference number provided. The following abbreviations have been used in the appendices:
- PCO – Pending Consideration
  - PDE – Pending Decision
  - S36RO – raised an objection to an application for energy generation under the Electricity Act
  - S36RNO – raised no objection to an application for energy generation under the Electricity Act
  - S37RO – raised an objection to an application for energy transmission under the Electricity Act
  - S37RNO – raised no objection to an application for energy transmission under the Electricity Act

## **2. RECOMMENDATION**

- 2.1 That Members note the current position with these applications.

Designation: Acting Head of Development Management - Highland

Author: Simon Hindson, Team Leader – Strategic Projects

Claire Farmer	Ben Aketil Wind Farm - Application to carry out development otherwise than in accordance with conditions 1, 4, 13, 19 and 20 attached to planning permission reference 02/00275/FULSL	Ben Aketil Wind Farm Land At Monadh Choishleader Edinbane	Ben Aketil Wind Energy Ltd	It is anticipated that the application will be determined at North Planning Applications Committee in March 2021.	20/04370/S42	PCO	10
Claire Farmer	Ben Aketil Extension Wind Farm - Application to carry out development otherwise than in accordance with conditions 2, 16, 19, 20 and 21 attached to planning permission reference number: 09/00115/FULSL	Land 900M North Of Ben Aketil Edinbane	Ben Aketil Wind Energy Ltd	It is anticipated that the application will be determined at North Planning Applications Committee in March 2021.	20/04369/S42	PCO	10
Simon Hindson	Application under Section 42 to develop land without compliance with conditions 18a, 18c and 18d of planning permission 19/05003/PIP and seek their removal from the consent	Land 85M South Of 12 Boreraig Place Broadford	Lochalsh & Skye Housing Association	The application will be determined early 2021 following receipt of a further response from the applicant to the objections raised by Transport Scotland and Transport Planning.	20/03834/S42	PCO	10
Mark Fitzpatrick	Cairnmore Hill Wind Farm - Erection and Operation of a Wind Farm for a period of 35 years, comprising of 8 Wind Turbines with a maximum blade tip height 138.5m with an indicative generating capacity of 33.6MW, access tracks, borrow pits, substation, control building, battery energy storage and ancillary infrastructure.	Land 1580M SE Of Schoolhouse Forss Thurso	RES Ltd	Following a review of the proposal and a case review with the applicant, it is anticipated the application will be determined in March 2021.	20/03833/FUL	PCO	02
Claire Farmer	Vary Condition 1 of consent 18/05057/S42 to permit the decommissioning of shipping vessels	Land To South West Of Dry Dock Kishorn	Kishorn Port Limited	The applicant has been asked to provide further information to allow determination of the application. It is anticipated that the application will be determined in March 2021 following submission of further information.	20/03543/S42	PCO	05
Claire Farmer	Meall Buidhe Wind Farm - Erection of and Operation of a Wind Farm for a period of 25 years, comprising of 9 Wind Turbines with a maximum blade tip height 149.5m, access tracks, substation, control building, and ancillary infrastructure with a maximum output of 45 Megawatts	Land 4420M NW Of Croick Estate Ardgay	Meall Buidhe Renewables LLP	It is anticipated the application will be determined in March 2021.	20/02659/FUL	PCO	01

Simon Hindson	Section 42 application for non-compliance with condition 1 of Glen Ullinish Wind Farm as consented (14/03964/FUL).	Land 1800M SE Of BalmenachGlen UllinishStruan	Kilmac Energy (Glen Ullinish) Ltd	Members of the North Planning Applications Committee were minded to approve the application at their meeting in October 2020 subject to modification of the S75 which covers the restoration and decommissioning. This matter is ongoing and it is anticipated that a decision will be issued early 2021 following determination of the application to modify the Section 75.	20/01129/S42	PCO	10
Peter Wheelan	Strathroy Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising of 7 wind turbines, 5 with a maximum blade tip height of 180m, 1 with a maximum blade tip height of 160m, 1 with a maximum blade tip height of 150m access tracks, borrow pits, substation, control building, and ancillary infrastructure.	Land At Torr Leathann StrathroyArdrossAlness	EnergieKontor UK Ltd	The applicant is considering whether they will reduce the scale of the wind farm in response to concerns from officers and NatureScot. It is anticipated that Supplementary Information will be submitted early 2021, with determination of the application in April 2021 following consideration of the detail of any revised scheme and subsequent comments from consultees and Members of the public.	20/00584/FUL	PCO	06
Erica McArthur	Formation of 41 serviced house plots, access, drainage and open space	Rosehaugh SouthAvoch	Broadland Properties Ltd	Application remains pending consideration as applicant responds to matters raised through consultation process.	20/00539/FUL	PCO	09
Claire Farmer	Bad Fearn Wind Farm - Erection of 6 wind turbines with a maximum height to tip of 149.9m, and associated infrastructure.	Land At Braemore RoadDunbeath	Energie Kontor UK Ltd	Application likely to be determined in March 2021 following consideration of Supplementary Information which the applicant submitted in December 2020 to address outstanding objections to the application.	20/00180/FUL	PCO	03
Simon Hindson	Slickly Wind Farm - 11 wind turbines up to 149.9m blade tip height and associated infrastructure	Land 1650M East Of Slickly CroftLythWick	Slickly Wind Farm Ltd	Application likely to be determined no later than April 2021 following consideration of Supplementary Information which the applicant is preparing to address outstanding objections and concerns in relation to historic environment and visual impact.	19/05624/FUL	PCO	03
Claire Farmer	Application for non compliance with Condition 1 of Planning Permission ref. RC/1995/421 to allow and extend the operational period of Novar Windfarm from 25 years to 35 years	Novar Wind Farm Novar EstateEvanton	Beaufort Wind Limited	Minded to grant planning permission in April 2020 subject to conclusion of updated legal agreement. Legal agreement is progressing.	19/05504/S42	PDE	06
Claire Farmer	Application for non-compliance with condition 3 (Operational timescale) of planning permission 98/00164/FULSU	Ledmore QuarryElphinLaigIV27 4HJ	Limehillock Quarries Ltd	Minded to grant planning permission in April 2020 subject to conclusion of updated legal agreement. Legal agreement is progressing.	19/05228/S42	PDE	01

Gillian Pearson	Erection of up to 11 wind turbines maximum tip height of 126.5m with associated infrastructure - Camster II Wind Farm	Land 2000M NW Of Tannach HillTannachWick	E.ON Climate & Renewables UK Developments Ltd	The report was circulated to Local Members with a recommendation for refusal in December 2020. An update on the determination of the application will be provided verbally at committee.	19/03015/FUL	PDE	03
Erica McArthur	Masterplan for residential development of 38( amended from 44) houses with associated open space, school play area, Suds scheme and the formation of new access onto A87(T).	Land Adjacent To Auchtertyre Primary SchoolAuchtertyreBalmacara	Lochalsh Estates Ltd	Application was reported to North Planning Applications Committee in June 2020 where Members were minded to grant the application subject to prior conclusion of a legal agreement. Legal Services preparing Section 75 Agreement.	19/01443/PIP	PDE	05
Susan Hadfield	Masterplan for the erection of 104 houses	Lochan CorrBlack Isle RoadMuir Of Ord	The Mackay Robertson & Fraser Partnership	Application was reported to North Planning Applications Committee in June 2020 where Members were minded to grant the application subject to prior conclusion of a legal agreement.	18/05159/PIP	PDE	08
Gillian Pearson	Permission in principle for mixed use development including residential and commercial elements (renewal of previous permission 14/01808/PIP)The application renewal seeks to secure approval for a period of 5 years.	Land NW Of Seaview HotelJohn O'Groats	JOG 2 Ltd	Presented to NPAC Jan 2019 where committee were minded to grant the permission subject to conclusion of a legal agreement. Discussions on legal agreement are ongoing.	18/02634/PIP	PDE	03
Julie Ferguson	Erection of 72 residential units comprising flats, terraced, semi detached & detached houses (including 18 affordable), 3 commercial units comprising class 4 (business), retail unit, and hot food outlet (amended from GP surgery to class 4 (business) & deletion of 2 community heating plants)	Former Fish FactoryHigh StreetConon Bridge	HPG (Inverness) Limited	Members of the North Planning Applications Committee were minded to grant application subject to prior conclusion of a legal agreement at its meeting in June 2020. The legal agreement is progressing.	15/01202/FUL	PDE	09
Mark Harvey	A mixed use development for Non-food Retail (class 1), Business (class 4), General Industrial (class 5), Storage and Distribution (class 6) and Assembly and Leisure (class 11). New access from A87 and service road, extension to Leasgeary Road and provision of open space and a green corridor.	Land East Of Portree Industrial EstateStaffin RoadPortreeIsle Of Skye	Oatridge Limited Allan Campbell	The agent has been provided with an opportunity to address identified requirements for further information from consultees.	13/03980/PIP	PCO	10

**APPENDIX 1 - MAJOR APPLICATIONS PRE 2009**

OFFICER	PROPOSAL	ADDRESS	APPLICANT	PROGRESS	REFERENCE	STATUS	WARD
Claire Farmer	Erection of 100 houses and formation of roundabout onto the B817. Associated amenity areas, roads, footpaths and cycleways.	Land North And East Of Highland Park Retirement Village Barbarville Highland	The Ross Estates Company	Network Rail and the applicant are working together to deliver a replacement of the Delny Level Crossing. Once the application for the replacement crossing has been determined, this application will be progressed.	08/00253/OUTS U	PCO	08

**APPENDIX 2 - APPLICATIONS SUBMITTED UNDER THE ELECTRICITY ACT 1989**

OFFICER	PROPOSAL	ADDRESS	APPLICANT	PROGRESS	REFERENCE	STATUS	WARD
Gillian Pearson	Strathy Wood Wind Farm - Erection of up to 13 (amended from 26) wind turbines with a max tip height of 180m and ancillary development	Strathy ForestStrathy	E.ON Climate & Renewables Developments Limited	Response sent to Energy Consents Unit on 19 May 2020 raising an objection to the application. The application has been passed to the Directorate for Planning and Environmental Appeals. The Pre-Inquiry Meeting took place in late November 2020 where it was agreed that the Public Local Inquiry will take place week commencing 26 April 2021. It is anticipated that the Public Local Inquiry will be carried out virtually.	13/04469/S36	S36RO	01
Simon Hindson	Wind farm development (Golticlay wind Farm). Up to 19 turbines up to 3.4MW with a maximum tip height of 130m and associated infrastructure including borrow pit, tracks, cabling and ancillary buildings.	Land 2040M NE Of BulreanrobLybster	EON	Reported to NPAC 12 September 2017. Raise an Objection. PLI held. Awaiting outcome from Scottish Ministers.	16/04966/S36	S36RO	04
Simon Hindson	Kirkan Wind Farm - Construction of wind farm comprising of 17 turbines (height to hub 104m, height to blade tip 175m), associated access tracks, borrow pits, compounds, substation and 104m high met mast	Land 3015M SE Of Aultguish InnGarve	Kirkan Wind Farm Limited	Response to the Scottish Government's Energy Consents Unit submitted on 15 June 2020. We await notification of any further procedure from the Scottish Government.	19/01861/S36	S36RO	05
Simon Hindson	Installation and operation of 132 kV overhead electric line to connect Creag Riabhach Wind Farm to the grid	Land 1250M North Of Crask InnLaig	Scottish Hydro Electric Transmission Plc	Members agreed to Raise No Objection to the application at the meeting of the North Planning Applications Committee on 26 June 2020. Further Environmental Information was considered by North Planning Applications Committee in September 2020, where Members continued to agree to raise no objection.	20/01014/S37	S37RNO	01
Simon Hindson	Limekiln Extension Wind Farm - Erection and Operation of a Wind Farm for a period of 30 years, comprising of 5 Wind Turbines with a maximum blade tip height 149.9m, with access tracks, hardstanding areas, substation, battery storage facility, control building compound, borrow pits and cabling	Land 3080M West Of Shepherds CottageShebsterThurso	Infinergy Limited	Members of the North Planning Applications Committee resolved to Raise an Objection to the application at their meeting on 20 October 2020. We await notification of any further procedure related to the forthcoming Public Local Inquiry	20/01905/S36	S36RO	02
Claire Farmer	Install and keep installed the proposed Limekiln Wind Farm 132 kV Grid Connection overhead electric line	Land 300M West Of Achunabust FarmReay	Scottish Hydro Electric Transmission Plc	Members of the North Planning Application agreed to Raise No Objection to the application at their meeting in October 2020. The response has been submitted to the Scottish Government's Energy Consents Unit and we await the decision of Scottish Ministers.	20/01595/S37	S37RNO	02

OFFICER	PROPOSAL	ADDRESS	APPLICANT	PROGRESS	REFERENCE	STATUS	WARD
Simon Hindson	Strathy South Wind Farm - Application under Section 36 of the Electricity Act 1989 to vary the consented Strathy South Wind Farm to increase the blade tip hieght from 135 m to up to 200 m and increase maximum consented output from 133 MW to 208 MW	Land At Strathy SouthStrathy ForestStrathy	SSE Generation Limited	Following receipt of consultation responses and consideration of the application by officers, feedback has been provided to the applicant seeking modifications to the application. It is antipated that the response to the application will be finalised in Spring 2021	20/03481/S36	PCO	01