

**THE HIGHLAND COUNCIL**  
**NORTH PLANNING APPLICATIONS**  
**COMMITTEE (via MS TEAMS)**

**20 APRIL 2021**

**MINUTES**

Listed below are the decisions taken by Committee at their meeting and the actions that now require to be taken. The webcast of the meeting will be available within 48 hours of broadcast and will remain online for 12 months: <https://highland.public-i.tv/core/portal/home>

A separate memorandum will be issued if detailed or further instructions are required, or where the contents of the memorandum are confidential. Please arrange to take the required action based on this Minute.

**Committee Members Present (via MS Teams):**

Mr R Bremner (except items 1-4), Mrs I Campbell, Ms K Currie, Mr R Gale, Mr J Gordon, Mr D MacKay, Mrs A MacLean (except items 1-6.2), Mr C Macleod, Mrs M Paterson, Mr A Rhind (except items 6.4-7.1), Mr K Rosie and Ms M Morley-Smith (**Chair**)

**Substitutes:**

None

**Other Members Present:**

Mrs J Barclay

**Officers Participating:**

Dafydd Jones (DJ) – Acting Head of Development Management – Highland  
Julie Ferguson (JF) – Team Leader  
Mark Harvey (MH) – Team Leader  
Simon Hindson (SH) – Team Leader  
Claire Farmer (CF) – Planner  
Alison Harvey (AH) – Planner  
Graham Sharp (GS) – Planner  
Peter Wheelan (PW) – Planner

Jane Bridge – Senior Engineer (Development Management)

Karen Lyons – Principal Solicitor (Planning) and Clerk

Alison MacArthur – Administrative Assistant

**Guests:**

None

<b>ITEM NO</b>	<b><u>DECISION</u></b>	<b><u>ACTION</u></b>
1	<b>Apologies for Absence Leisgeulan</b>	
	Mr M Finlayson and Mr C Fraser.	<b>N/A</b>

<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	
	None.	<b>N/A</b>
<b>3</b>	<b>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</b>	
	There had been submitted for confirmation as a correct record the minutes of the meeting of the Committee held on 2 March 2021 which were <b>APPROVED</b> .	<b>N/A</b>
<b>4</b>	<b>Major Development Update Iartasan Mòra</b>	
	<b>Agreed:</b> to <b>NOTE</b> the report.	<b>DJ/SH</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta</b>	
5.1	Description: Upgrade to existing slipway, construction of new breakwater, installation of pontoon, construction of approximately 7 storage sheds, construction of toilet facilities, delivery of access improvements and ancillary infrastructure, quarrying of required rock from Lealt quarry. (21/01170/PAN) (PLN/025/21) Ward: 10 Applicant: Staffin Community Trust Site Address: Staffin Boatslip and Breakwater, Staffin	
	<b>Agreed:</b> no additional considerations raised by Members.	<b>MH</b>
<b>6</b>	<b>Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh</b>	
6.1	Applicant: Lochcarron Estate (20/02282/PIP) (PLN/026/21) Location: Land 60 m East of Uisge Mara, Dalacladdich Road, Lochcarron (Ward 5). Nature of Development: Erection of house. Recommendation: Grant.	
	In answer to Members' questions, the Planner advised: <ul style="list-style-type: none"> <li>fresh water and foul drainage would be served by the mains supply.</li> </ul>	
	<b>Agreed:</b> to <b>Grant</b> planning permission subject to the conditions contained in the report of handling.	<b>GS</b>
6.2	Applicant: Tulloch Homes Ltd (20/02588/FUL) (PLN/027/21) Location: Land North of 2 Bayfield Road, Portree, Isle of Skye (Ward 10). Nature of Development: Proposed development to create 6 (previously 8) flats. Recommendation: Grant.	

	<p>In answer to Members' questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• parking was originally to be split between Bayfield Road and the lower area of land highlighted on the plan. As there had now been a reduction in units, the parking in the lower land was no longer required. All the parking would now be at Bayfield Road.</li> <li>• Transport Planning had assessed the application and there were no issues with the corner of the road at the development.</li> <li>• this building would sit slightly forward of the job centre building;</li> <li>• a commuted sum had been required by the Housing Team for affordable housing and would be secured through a section 75 agreement.</li> <li>• concerns had been raised in relation to the bin store. The bin store would be enclosed, and the store would be locked and only accessed by residents. The walls would be rendered with a slate roof and should not present a fire risk.</li> <li>• bike storage would be in close proximity to the property.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• very hard to create parking within town centres but parking had been provided;</li> <li>• this was a creative use of what was currently waste land, for housing in Portree.</li> </ul>	
	<p><b>Agreed:</b> to <b>Grant</b> planning permission subject to the conditions contained in the report of handling and a planning obligation securing developer contributions and an affordable housing commuted sum.</p>	<p><b>AH</b></p>
<p>6.3</p>	<p>Applicant: Kishorn Port Limited (20/03541/FUL) (PLN/028/21)  Location: Land at Kishorn Base, Kishorn (Ward 5).  Nature of Development: Extension to dry dock and change of use of land to allow decommissioning of marine structures. Construction of access road.  Recommendation: Grant.</p>	
	<p>Mrs A Maclean joined the meeting prior to the officer presentation for this item and therefore was able to participate.</p> <p>In answer to Members' questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• creation of an estimated 40 jobs mostly for manual workers;</li> <li>• the Planning department would secure a robust roads mitigation plan prior to works commencing – surveys would be undertaken to see the levels of traffic traveling to Kishorn yard off the public road. Mitigation would be worked following the survey and proportionate to the development;</li> <li>• the road mitigation requirement was for two upgraded passing places in the first instance rather than two new or upgraded passing places as stated in the report; and</li> <li>• there will be a restoration bond for the quarrying element of the development.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• there had been no objection from the Coastal Planner, Contaminated Land, Environmental Health, Flood Risk Management Team, HSE, SEPA, NatureScot and Marine Scotland.</li> <li>• Kishorn Port had agreed to create a liaison group;</li> <li>• Transport Planning do not object provided there are suitable</li> </ul>	

	<p>safeguards in place to ensure there is no future damage to the local roads infrastructure;</p> <ul style="list-style-type: none"> <li>• keen to see benefit to the area from this development; and</li> <li>• the majority of objections had been addressed.</li> </ul>	
	<p><b>Agreed:</b> to <b>Grant</b> planning permission subject to the conditions contained in the report of handling.</p>	<b>CF</b>
6.4	<p>Applicant: Mr Ewen Ross (20/04224/PIP) (PLN/029/21)  Location: Land 50 m NE of Grianan Brae of Kinkell Conon Bridge (Ward 9).  Nature of Development: Erection of house.  Recommendation: Grant.</p>	
	<p>Mr A Rhind left the meeting during the officer presentation for this item and took no part in the consideration thereof.</p> <p>The Team Leader advised of an update to condition 2, as follows:</p> <p>Any details pursuant to Condition 1 above should show a house incorporating the following details:</p> <ol style="list-style-type: none"> <li>The building shall be rectangular in shape and gabled with a span not exceeding 7 metres;</li> <li>Single or 1 and half storey in scale;</li> <li>The roof shall be symmetrically pitched at least 37 degrees, finished either in natural slate or a good quality slate substitute;</li> <li>External walls shall be finished in a white/off-white cement render; and</li> <li>Fenestration shall demonstrate a vertical emphasis.</li> </ol> <p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> <li>• the previous detailed planning applications had not included the amenity land in either condition or reserved matters and had therefore not secured the amenity land through planning consent;</li> </ul>	
	<p><b>Agreed:</b> to <b>Grant</b> planning permission subject to the conditions contained in the report of handling and with the amendment to condition 2 and the upfront payment of a developer contribution prior to issue of the decision notice.</p>	<b>JF/Erica McArthur</b>
6.5	<p>Applicant: Mr Ross Lambie (20/04824/PIP, 20/04825/PIP and 20/04826/PIP) (PLN/030/21)  Location: Land SW of Tigh Na Greine, Broadford (Ward 10).  Nature of Development: Erection of a house.  Recommendation: Grant.</p>	
	<p>The case officer advised: (i) that it was intended to revise condition 5 contained in the report of handling. However, as this needed further input from the Transport Planning Team, it was proposed that, if the application was approved, a revised condition 5 would be circulated to the Chair and local members for agreement; and (ii) that a further condition securing an archaeology working brief per the wording proposed by the Council's</p>	<b>MH/Chris Hallas</b>

Archaeology Team in their consultation response be added to those listed in the report of handling.

In answer to Members' questions, the Team Leader advised:

- SEPA had undertaken flood risk mapping over ten years or more. The mapping took into account topological aspects, water heights in terms of coastal areas and also historical information from any flooding events. The technical document erred on the side of caution in accordance with the climate change agenda;
- three accesses had been proposed and these had been assessed and found acceptable within a 30 mph speed limit, the existing 30 mph speed limit would be extended to beyond the application sites, and providing the visibility splays could be met;
- the street lighting and archaeology works had to be completed before development commenced and the cost fell to the developer. The street lighting would likely be a continuation of the existing street lighting;
- these are three separate planning applications, once MSCs are approved, the houses could be built together or at separate times; and
- if the sites are sold to other parties, the other parties would have to comply with the planning obligations.

During debate the following views were expressed:

- this appeared to be a ribbon development outwith the settlement development area;
- although housing was desperately needed on Skye there were concerns with this development and in relation to flooding in this area.

**Motion:** by Mr C Macleod seconded by Mr J Gordon to refuse the applications on the following reasons: there are allocated housing sites within the adopted West Plan (2019) that allow for the expansion of Broadford both now and in the longer term. The application sites are out with the settlement development area and within what the Highland wide Local Development Plan describes as wider countryside. Contrary to the argument put forward by the Planning Service that the long term housing allocation BF03 opposite the application sites justifies approval of these applications, I am of the view that approval is premature at least until such time as allocation BF03 is brought forward by developers.

**Amendment:** by Ms M Morley-Smith seconded by Mrs A Maclean to grant planning permission, subject to the conditions contained in the report of handling as amended and added to in accordance with the case officer's presentation.

**Vote:**

Motion – 8 (Mr R Bremner, Mrs I Campbell, Ms K Currie, Mr R Gale, Mr J Gordon, Mr C Macleod, Mr D Macleod, Mrs M Paterson)

Amendment – 4 (Mr D Mackay, Mrs A Maclean, Mr K Rosie, Ms M Morley-Smith)

Motion carried 8 votes to 4

**Agreed:** to **Refuse** planning permission for the reasons given in Mr C Macleod's motion.

6.6	<p>Applicant: Mr and Mrs B Wilkinson (21/00353/FUL) (PLN/031/21)  Location: Land 25 m NE of Parkside Dunhallin, Isle of Skye (Ward 10).  Nature of Development: Erection of house.  Recommendation: Grant.</p>	
	<p>In answer to Members' questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• the minor unclassified road leading off the main road, served this property and three other sites;</li> <li>• the distance to the nearest house was 16.3 m.</li> <li>• this had been croft land but the land had now been decrofted.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• although there were a number of objections, these had been addressed and Members were content with the recommendation to grant.</li> </ul>	
	<p><b>Agreed: to Grant</b> planning permission subject to the conditions contained in the report of handling.</p>	<p><b>AH</b></p>
6.7	<p>Applicant: Smoo Cave Hotel (Hugh Morrison) (21/00671/FUL) (PLN/032/21)  Location: Smoo Cave Hotel, Lerin, Durness, Lairg, IV27 4QB (Ward 1).  Nature of Development: Form new 6 room accommodation annex.  Recommendation: Grant.</p>	
	<p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• this development was in keeping with the area and a good development.</li> </ul>	
	<p><b>Agreed: to Grant</b> planning permission subject to the conditions contained in the report of handling.</p>	<p><b>DJ/Gillian Pearson</b></p>
6.8	<p>Applicant: Breedon Northern (20/01684/S42) (PLN/033/21)  Location: Ardchronie Quarry, Ardgay, IV24 3DJ (Ward 1).  Nature of Development: Application under Section 42 of the Act for non-compliance with condition 1 of planning permission 09/00008/FULSU to extend the period of time for extraction.  Recommendation: Grant.</p>	
	<p>In answer to Members' questions, the Planner advised:</p> <ul style="list-style-type: none"> <li>• the quarry had been in operation since the early 1940s, restrictions on the road had been put in place in the original application and there was no increase in traffic expected with this application;</li> <li>• any specific projects requiring a separate consent, Planning would look again at the road relative to that project;</li> <li>• Transport Planning had no concerns with the road related to this development; and</li> <li>• an Ecologist had been to the site and an Ecology Report had been undertaken. The Railway line and the road separated the site from the otter habitat.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• application sits well within the site;</li> <li>• there is a need to ensure that there is an adequate road structure to support these applications; and</li> </ul>	

	<ul style="list-style-type: none"> <li>it was a natural progression to extend the working life of this quarry.</li> </ul>	
	<b>Agreed:</b> to <b>Grant</b> planning permission subject to the conditions contained in the report of handling and a planning obligation securing a financial guarantee related to the restoration of the quarry.	<b>PW</b>
<b>7</b>	<b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division (PP 149 - 180)</b> <b>Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b>	
7.1	Applicant: E.ON Climate and Renewables UK Developments Ltd (16/004966/S36) (WIN-270-10) Location: Land 2040 NE of Bulreanrob, Lybster (Ward 3) Nature of Development: Construction and operation of the Golticlay Wind Farm.	
	The Committee noted the decision of the Reporter appointed by the Scottish Ministers.	<b>SH</b>
	The meeting finished at 13:57.	