

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

3 March 2020

MINUTES & ACTION NOTE

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 Action Sheet.

Committee Members Present:

Mr R Bremner (by VC from Wick), Mrs I Campbell (except item 6.4), Ms K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale, Mr J Gordon (by VC from Kyle), Mr D MacKay (except item 5.1), Mrs A MacLean (except item 6.4), Mr C Macleod, Mr D Macleod, Mrs M Paterson (except items 7.1 & 7.2), Mr A Rhind, Mr K Rosie (except items 6.5-7.2), Mr A Sinclair (except item 6.3) and Ms M Smith (**Chair**).

Substitutes:

None.

Non-Members Present:

Mr G Adam (items 1 – 6.2)
 Mr D Louden (items 6.3 – 6.5)

Officers Present:

Dafydd Jones – Acting Head of Development Management – Highland
 Julie Ferguson – Team Leader
 Simon Hindson – Team Leader
 Rebecca Hindson – Planner
 Matthew Taylor – Planner
 Mark Fitzpatrick – Graduate Planner
 Jane Bridge – Senior Engineer (Development Management)
 Karen Lyons – Principal Solicitor (Planning) and Clerk
 Alison MacArthur – Administrative Assistant

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Apologies for Absence Leisgeulan	
	No apologies for absence were received. All members were either present in the Chamber or via video-conferencing (VC).	N/A

2	Declarations of Interest Foillseachaidhean Com-pàirt	
	Item 5.1: Mr D Mackay (non-financial, on the grounds that he has made public his views on wind farm applications within Caithness) Item 6.3: Mr A Sinclair (non-financial, applicant is family member) Item 6.4: Mrs I Sinclair (non-financial, member of Lochalsh & Skye Housing Association)	N/A
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 21 January 2020 which were APPROVED.	N/A
4	Major Development Update Iartasan Mòra	
	<p>There had been circulated Report No PLN/006/20 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 and identifies those proposed applications which have Proposal of Application Notice (PAN). The report also details progress on proposals submitted under S36 or S37 of the Electricity Act 1989 on which the Council is consulted.</p> <p>Application 20/00539/FUL: Mr C Fraser mentioned the need to take account of development impacts on the A9/Munlochy junction. Mr D Macleod – requested a composite plan showing existing windfarm development.</p> <p>Members were advised:</p> <ul style="list-style-type: none"> • There is an interactive map on the Council website which is updated annually showing all wind farm applications granted, refused etc. <p>The Committee NOTED the current position with these applications and took on board Mr Fraser's comments regarding application 20/00539/FUL. A link to the interactive map on the Council website (https://www.highland.gov.uk/info/198/planning_-_long_term_and_area_policies/152/renewable_energy/4) to be sent to NPAC members.</p>	Dafydd Jones/ Simon Hindson
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Stemster Wind Farm - up to 13 wind turbine generators of up to 175 metre tip height, with a capacity not exceeding 49 mW (20/00393/PAN) (PLN/007/20) Ward: 3 Applicant: Innogy Renewables UK Ltd	

	Site Address: Land 1120 m SE of Achvanich Farmhouse, Latheron	
	<p>Mr D Mackay left the Chamber for this item.</p> <p>Agreed: to NOTE the submission of the PAN. No additional material considerations raised.</p>	Claire Farmer
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Strathpeffer Residents' Association (19/03841/FUL) (PLN/008/20)</p> <p>Location: Play Area, Ord Terrace, Strathpeffer (Ward 5).</p> <p>Nature of Development: Installation of footpath network, play areas, bike track, storage shed and raised beds.</p> <p>Recommendation: Grant</p>	
	<p>Motion: to grant the application subject to the conditions contained in the committee report.</p> <p>Amendment: N/A</p> <p>Vote: N/A</p> <p>Agreed: to GRANT the application subject to the conditions contained in the committee report.</p>	Dorothy Stott
6.2	<p>Applicant: Mr Hamish Cromarty (19/04420/PIP) (PLN/009/20)</p> <p>Location: Land 75 m NE of Brackla Wood, Culbokie (Ward 9).</p> <p>Nature of Development: Erection of house.</p> <p>Recommendation: Refuse</p>	
	<p>The Chair confirmed that Mr G Adam had asked to speak on this item and that she had granted this request.</p> <p>Motion: by Mr C Fraser seconded by Mr K Rosie to grant the application for the following reasons: Policy 35 of the Highland-wide Local Development Plan does not set an absolute embargo on development within the hinterland and recognises that opportunities exist for limited development. The proposed development of a single house on the site is considered to meet the relevant policy exception as the proposal meets the Council's criteria for acceptable expansion of a housing group as set out in the adopted Housing in the Countryside Supplementary Guidance. The proposal therefore complies with Policy 35 – as outlined in paragraph 19.8.1 – of the Highland-wide Local Development Plan. The siting is considered to be consistent with the existing group of houses. It occupies a site which rounds off the group. It is defined by the boundary of the public road to the north and is consistent with the distances which separate the four existing houses. No infrastructure constraints exist and the design and siting of the house can achieve an appropriate scale of development which properly respects the rural character of the area. The proposer and seconder considered that it was inappropriate to determine the existing four houses as not forming a housing group. Their cohesiveness is defined by the plot size, woodland setting and location</p>	Rebecca Hindson

	<p>adjacent to the public road. It was considered that the proposed house would meet the relevant policy objectives guiding the development of single houses within the countryside and therefore was capable of support. In conclusion, the application fully accords with the Highland-wide Local Development Plan and there are no material planning considerations that justify refusal of the application.</p> <p>Amendment: by Mrs A Maclean seconded by Ms M Smith to refuse the application in accordance with the recommendation in the committee report.</p> <p>Vote: Motion – 8 Mr C Fraser Mr R Gale Mr J Gordon Mr D Mackay Mr C Macleod Mr D Macleod Mr A Rhind Mr K Rosie</p> <p>Amendment – 8 Mr R Bremner Mrs I Campbell Ms K Currie Mr M Finlayson Mrs A Maclean Mrs M Paterson Mr A Sinclair Ms M Smith</p> <p>Abstain – 0 Ms M Smith exercised her casting vote in favour of the amendment, therefore the amendment was carried.</p> <p>Agreed: to REFUSE the application in accordance with the recommendation in the committee report.</p>	
6.3	<p>Applicant: Mrs Julie Lewis (19/04769/PIP) (PLN/010/20) Location: Land 125 m NW of Catreff, Newton Row, Wick (Ward 3). Nature of Development: Erection of house. Recommendation: Refuse</p>	
	<p>Mr A Sinclair left the Chamber for this item.</p> <p>Motion: by Mr R Bremner seconded by Mr D Mackay, to grant the application subject to conditions to be agreed with the local member (Bremner) and securing payment of the developer contribution itemised in Appendix B of the committee report. The mover and seconder of the motion confirmed that their motion was subject to this being the final house proposal in the existing row that should be supported.</p> <p>The following reasons were given for overturning the officer’s recommendation: Whilst the proposal is contrary to the siting and design guidance in the</p>	<p>Mark Fitzpatrick</p>

	<p>Council's Housing in the Countryside Supplementary Guidance in that it extends an existing linear development, the proposal is not considered to be significantly detrimental in terms of the criteria listed in Policy 36 of the Highland-wide Local Development Plan. The proposal also has other merits in that it sits well within the existing pattern of development at Newton Hill and the plot size is comparable to the neighbouring house plots. Although incrementally adding to the existing settlement, with appropriate conditions securing design details, the proposal will complement the immediate surrounding area rather than detract from, or erode, the rural character and views of the wider area through suburbanisation.</p> <p>Amendment: by Mrs A Maclean seconded by Ms K Currie, to refuse the application in accordance with the recommendation in the committee report.</p> <p>Vote: Motion – 11 Mr R Bremner Mrs I Campbell Mr C Fraser Mr R Gale Mr J Gordon Mr D Mackay Mr C Macleod Mr D Macleod Mr K Rosie Mrs M Paterson Mr A Rhind</p> <p>Amendment – 4 Ms K Currie Mr M Finlayson Mrs A Maclean Ms M Smith</p> <p>Abstain – 0</p> <p>Agreed: to GRANT the application subject to conditions to be agreed with the local member (Bremner) and securing payment of the developer contribution itemised in Appendix B of the committee report. The mover and seconder of the motion confirmed that their motion was subject to this being the final house proposal in the existing row that should be supported.</p> <p>There was a comfort break till 12:46.</p>	
6.4	<p>Applicant: Lochalsh and Skye Housing Association (19/05003/PIP) (PLN/011/20) Location: Land 85M South Of 12 Boreraig Place, Broadford (Ward 10). Nature of Development: Construction of 54 affordable housing units and associated infrastructure. Recommendation: Grant</p>	
	<p>Mrs I Campbell left the Chamber for this item. Mrs A Maclean left the Chamber for this item.</p>	<p>Simon Hindson</p>

	<p>Motion: to grant the application subject to securing payment of the developer contribution itemised in the Appendix to the committee report and the conditions contained in the committee report.</p> <p>Amendment: N/A</p> <p>Vote: N/A</p> <p>Agreed: to GRANT planning permission subject to securing payment of the developer contribution itemised in the Appendix to the committee report and the conditions contained to in the committee report.</p> <p>Mr K Rosie left the Chamber after this item for the remainder of the meeting.</p>	
6.5	<p>Applicant: Mr Allan Ross (19/05596/PIP) (PLN/012/20)</p> <p>Location: Land 60 m SE of Mianree, Hartfield Road, Tain (Ward 7).</p> <p>Nature of Development: Erection of house.</p> <p>Recommendation: Refuse</p>	
	<p>The Chair confirmed that Mr D Louden had asked to speak on this item and that she had granted this request.</p> <p>Motion: by Mr A Rhind seconded by Mrs M Paterson to grant the application subject to securing payment of the developer contribution itemised in para 10.13 of the committee report and conditions to be approved by the local member (Rhind). Conditions to include (i) securing a high quality design and finish to ensure the proposed house will integrate with the existing houses; (ii) securing a access bell mouth and service bay to address reason for refusal 2 and; (iii) a suspensive condition requiring the applicant to demonstrate that private drainage arrangements can be accommodated within the application site without detriment to the environment to address reason for refusal 3.</p> <p>Reasons given to overturn the recommendation: The proposal is considered to constitute acceptable rounding off of a housing group therefore the application accords with Policy 35 of the Highland-wide Local Development plan.</p> <p>Amendment: by Mrs A Maclean seconded by Ms K Currie to refuse planning permission for the reasons contained in the committee report.</p> <p>Vote:</p> <p>Motion – 8</p> <p>Mrs I Campbell Mr C Fraser Mr J Gordon Mr D Mackay Mr C Macleod Mr D Macleod Mrs M Paterson Mr A Rhind</p> <p>Amendment – 7</p> <p>Mr R Bremner Ms K Currie Mr M Finlayson Mr R Gale Mrs A Maclean</p>	<p>Gillian Pearson</p>

	<p>Mr A Sinclair Ms M Smith</p> <p>Abstain – 0</p> <p>Agreed: to GRANT the application subject to securing payment of the developer contribution itemised in para 10.13 of the committee report and conditions to be approved by the local member (Rhind). Conditions to include (i) securing a high quality design and finish to ensure the proposed house will integrate with the existing houses; (ii) securing a access bell mouth and service bay to address reason for refusal 2 and; (iii) a suspensive condition requiring the applicant to demonstrate that private drainage arrangements can be accommodated within the application site without detriment to the environment to address reason for refusal 3.</p> <p>Mrs M Paterson and Mr D Louden left the Chamber after this item for the reminder of the meeting.</p>	
7	<p>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</p>	
7.1	<p>Applicant: Mr Mohamed (16/01059/FUL) (PPA-270-2219) Location: 1 Castle Street, Dingwall (Ward 9) Nature of Development: Alterations and erection of first floor extension to form additional bedrooms</p>	
	<p>Agreed: to NOTE the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and to grant planning permission subject to the conditions contained in the Decision Letter.</p>	Rebecca Hindson
7.2	<p>Applicant: Coul Links Ltd (17/04601/FUL) (NA-HLD-086) Location: Land 1700 m NW of Embo Community Centre, School Street, Embo, Dornoch (Coul Links), IV25 3PZ (Ward 4) Nature of Development: Development of 18 hole golf course, erection of Clubhouse, renovation of existing buildings for maintenance facility, pro-shop, caddy hut, workshop, administration building, information booth, formation of new private access from C1026</p>	
	<p>Agreed: to NOTE the decision of the Scottish Ministers to refuse planning permission for the reasons contained in the Decision Letter.</p>	Gillian Pearson
	<p>Before closing the meeting, the Chair expressed her thanks to Dorothy Stott, Principal Planner in the Dingwall Area Office, who will be retiring at the end of March after several decades working with Highland Council.</p> <p>The meeting finished at 13:51.</p>	